

Merom Brachman, *Chairman*  
Mark A. Vander Laan, *Vice Chairman*  
Bruce E. Bailey  
Megan C. Kelley  
Mary M. Ross-Dolen  
Elizabeth E. Tracy



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Paul M. Nick  
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OHIO ETHICS COMMISSION  
MINUTES OF MEETING  
APRIL 14, 2023

MEMBERS OF THE COMMISSION

Merom Brachman	Megan C. Kelley	Bruce Bailey
Elizabeth E. Tracy	Mary M. Ross-Dolen	Mark A. Vander Laan

CALL TO ORDER

The meeting of the Ohio Ethics Commission was called to order at 12:03 p.m. in Room 2 on Level 2 of the William Green Building, at 30 West Spring Street, in Columbus, Ohio.

ROLL CALL

Mr. Brachman welcomed Ms. Ross-Dolen as a new Member of the Commission and reviewed his letter of March 10 to retiring Commissioner Julie Rutter, with reference to her years of service. In commendation on behalf of the Commission, he cited Commissioner Rutter's "steadfast concern for the elements of the Ethics Law," that had benefited its work by her "keen inputs and full-fledged participation that has been much appreciated."

The following Commission Members were present: Mr. Brachman, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, and Mr. Vander Laan. Mr. Bailey was excused from the meeting due to a scheduling conflict. Staff present: Executive Director Paul M. Nick; IT & Financial Disclosure Administrator Brian Ring; Deputy Director/General Counsel Jed Hood; HR & Fiscal Manager Alan Carlson; Lead Advisory Attorney Christopher Woeste; Advisory Attorney Kristin Cly; and Investigative Attorney Molly Bruns. Assistant Attorney General Beth Fligner joined the meeting after the Executive Session.

EXECUTIVE SESSION

MOTION by Mr. Vander Laan, seconded by Ms. Tracy, to go into Executive Session to discuss matters that are statutorily confidential, including pending litigation, updates on investigations and complaints, and the confidential financial disclosure report. Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted "yes." The motion was approved, and the Commission, pursuant to Section 102.06 and 121.22 of the Revised Code, went into Executive Session at 12:08 p.m.

The Commission returned to open session at 12:30 p.m.

### PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the March 9, 2023, Commission meeting.

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, that the Commission approve the minutes of the March 9, 2023, Commission meeting. Ms. Kelley, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted “yes”. The motion was approved. Ms. Ross-Dolen abstained.

### ADVISORY OPINIONS AND STATISTICS

Mr. Nick introduced the statistics from the advisory section, noting the most common topics and from what type of public entity most requests originate. He also provided an overview of the process and purpose of staff opinions. Mr. Woeste corrected a typographical error in the advisory activity report. Mr. Brachman mentioned numerous opinions from the activity report that provided clear answers in a general way. Mr. Woeste and Ms. Cly highlighted a few specific opinions to the Commission.

### EXECUTIVE DIRECTOR’S REPORT

Mr. Nick shared the status of the case and document management software that was customized for the Commission by Matrix Pointe Software, which went live on April 3, 2023. Mr. Brachman inquired about the security aspect of the software, with investigative documents involved. Mr. Ring explained that while no one can guarantee with 100% certainty that a security incident is impossible, the vendor’s system adheres to today’s security best practices and undergoes routine security audits and penetration testing to mitigate as many risks as possible. He also went on to explain that all communication sent to and received from the vendors software is sent securely by encrypted means. Mr. Woeste also informed the members that the commission can grant specific access in the software to specific users, limiting what data and files staff are able to access.

Mr. Nick reviewed a memo with the members that highlighted the main proposals in House Bill 16 to amend the Ethics Law. He added that he and Chairman Brachman are in the process of scheduling a meeting with House Speaker Jason Stephens to discuss this Bill. He also updated the Commission on the status of the Commission’s budget which is pending before the General Assembly as part of House Bill 33.

Mr. Nick then updated the Commission on conversations he has had with the Attorney General’s Office concerning financial disclosure filers. The AG’s office has purchased and installed a new conflict of interest identification software that runs constantly to help identify potential conflicts of interest. They notified the Commission a few weeks ago that they plan to drop over 500 staff members from their list of those they are requiring to file financial disclosure statements with the Commission. Effective this filing cycle, the number of filers is reduced to 53 high-level, administrative staff at the AG’s office. Mr. Nick explained that the 500 filers being dropped are categorized by the Commission as “voluntary” filers because the financial disclosure law does not mandate that they file statements; rather, over the years, previous Attorneys General have required their professional staff to file statements with our office anyway. Mr. Nick added he was not informed whether the potential conflicts of interest identified by the AG’s new system will be a public record.

### LEGISLATION UPDATE

Mr. Hood reviewed the legislative report in the packet.

PUBLIC EDUCATION AND INFORMATION

In Ms. Willeke's absence, Mr. Nick reviewed the information in the packet report.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reviewed the updated data in the packet and reminded members and staff of the upcoming May 15, 2023, general financial disclosure statement filing deadline. He stated that staff is expecting to receive over 4,000 additional filings over the next month.

DATE OF FUTURE MEETINGS

The Commission set the next meeting for Wednesday, May 24, 2023, at 10:30 a.m. with an Investigative Committee meeting set at 10 a.m.

MOTIONS

Collections:

MOTION by Ms. Tracy, seconded by Ms. Kelley, to refer to the Ohio Attorney General's Office for collections the individual listed in the packet report. The motion passed unanimously.

Late Fee Waivers:

MOTION by Ms. Kelley, seconded by Ms. Tracy, to waive the late fees for the individuals listed in the packet report. The motion passed unanimously

The meeting was adjourned at 1:18 p.m.

These minutes are respectfully submitted by:

*/s/ Paul M. Nick*

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Paul M. Nick  
Executive Director