**OHIO ETHICS COMMISSION**
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# OHIO ETHICS COMMISSION
# MINUTES OF MEETING
# JUNE 5, 2026

## MEMBERS OF THE COMMISSION

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| Merom Brachman | Megan C. Kelley | Jennifer L. Sheets |
| Mary M. Ross-Dolen | Christian H. Stickan | Mark A. Vander Laan |

## CALL TO ORDER

The meeting of the Ohio Ethics Commission was called to order at 12:08 p.m. in Room G on Level 3 of the William Green Building, at 30 West Spring Street, in Columbus, Ohio.

## ROLL CALL

The following Commission Members were present: Mr. Brachman, Ms. Kelley, Ms. Ross-Dolen, Ms. Sheets, Mr. Stickan, and Mr. Vander Laan. Staff present: Executive Director Paul M. Nick; Deputy Director/General Counsel Jed Hood; IT and Financial Disclosure Administrator Brian Ring; HR & Fiscal Manager Alan Carlson; Chief Advisory Attorney Chris Woeste; Advisory Attorney Tim Gates, Training & Communications Manager Susan Willeke, Investigative Attorney Molly Bruns; and Assistant Attorney General Brittany Collins.

## EXECUTIVE SESSION

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, 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, Mr. Stickan, Ms. Sheets, 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 12:10 p.m.

The Commission returned to open session at 12:49 p.m.

## PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the April 29, 2026, Commission meeting. Ms. Ross-Dolen noted a typo on page 3 and Mr. Nick stated that it would be corrected in the final version of the minutes.

MOTION by Ms. Ross-Dolen, seconded by Ms. Kelley, that the Commission approve the minutes of the April 29, 2026 Commission meeting. Ms. Kelley, Ms. Ross-Dolen, Ms. Sheets, Mr. Stickan, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

ADVISORY OPINIONS AND STATISTICS

Mr. Nick introduced the advisory summaries and the advisory activity report in the meeting packet. Mr. Woeste discussed a request from the State Teachers Retirement System ("STRS") for Commission review of STRS's travel policy. Mr. Nick noted that a statute requires all of the retirement systems, including STRS, to have the Commission review any proposed changes to their travel policy.

Mr. Brachman asked about an advisory opinion issued to legal counsel for the Lake Development Authority, and whether our office receives similar questions regarding foundations. Mr. Woeste responded that the Commission receives similar questions in phone calls, but there are not many staff advisory opinions that address these questions.

Mr. Woeste then reported on a request from the Cincinnati City Solicitor's Office regarding a newly enacted statute, R.C. 9.66(D), that requires certain development-related information to be kept confidential, and how a confidentiality restriction in the Ethics Law applies to various scenarios related to the new statute. Mr. Woeste stated that staff are conducting research in an effort to address the Assistant Solicitor's questions, and staff plans to discuss the matter with the Advisory Committee at a future meeting of the Committee because the question involves interpreting a new statute.

EXECUTIVE DIRECTOR'S REPORT

Mr. Nick discussed two proposed rule changes to OAC § 102-5-05 governing the Commission's authority to require public officials and employees to file financial disclosure statements. He noted that the Commission had changed this process in 2001 by an amendment to this rule, which allowed the Commission to make these determinations by a vote rather than by conducting a Chapter 119 hearing. He pointed out that it appears that the Commission's intention was to create a more time-efficient process to make these determinations.

However, during the March 2, 2026 Joint Committee on Agency Rule Review (JCARR) hearing and subsequent meetings on April 14 and May 26 with JCARR and legislative staff, they have maintained that even though JCARR did approve this change on November 13, 2001, they no longer believe that this practice is consistent with the process set forth in R.C. 102.02(B), which requires a Chapter 119 hearing.

As a result, Mr. Nick recommended that the Commission amend the rule to replace the phrase "by vote" with "using the rule-making procedures of chapter 119. of the revised code." The new procedure would require that staff conduct a Chapter 119 hearing with a 30-day notice for each financial disclosure filing determination for new or existing boards and commissions and tracks the language in R.C. 102.02(B) which this rule implements. Following such hearings, the Commission will submit its filing recommendation to JCARR for their review and approval.

Mr. Nick also recommended inserting a specific web-site address to "incorporate by reference" a list of agencies that the Commission has determined should be required to file disclosure statements. He also reported that staff are working with the Legislative Service Commission to receive quicker notification when a bill is introduced creating a new board or commission. The Chairman praised staff efforts to respond to legislative concerns while preserving the Commission's independence.

Mr. Nick noted a newly introduced bill, H.B. 775, which would remove state agencies' broad authority to create rules for carrying out and enforcing laws unless that authority is specifically granted by statute.

Mr. Nick then summarized information in the packet regarding a proposed change to the current financial disclosure statement retention schedule. Currently, the Commission retains all of these forms (dating to 1974) indefinitely. He recommended that the Commission approve a 10-year retention schedule moving forward, as suggested by the Historical Society and State Archivist. This will save money in both storage and retrieval fees, and he further reported that State Archives have agreed to destroy the FDS forms they are storing (for years 1974-2004) free of charge. There is another facility storing older FDS forms and they provided staff with a quote of $3,000 to destroy them.

Mr. Nick pointed out that the change in the retention schedule would not mean that all forms must be eliminated; instead, it would allow the Commission and staff to keep those determined to have administrative value, such as statewide officeholders. Currently, all paper forms are scanned for electronic retention which is a lesser cost than storing paper copies.

<u>LEGISLATION UPDATE</u>

Mr. Hood reviewed the legislative packet material, specifically highlighting S.B. 268 which requires state agencies to report their relationships and interactions with regulatory-focused NGOs to the Ohio Ethics Commission each year, including funding, staff involvement, and use of NGO-developed model rules. It also increases transparency by making certain disclosures public and treating agency communications with these NGOs about rulemaking as public records.

He also reported that S.B. 331, which would allow public hospitality employees to accept gratuities in addition to their regular compensation passed the Senate on June 4, 2026, and has been forwarded to the House of Representatives.

<u>PUBLIC EDUCATION AND INFORMATION</u>

Ms. Willeke reviewed the material as shown in the packet and provided a brief update on the Commission's podcast.

Mr. Nick reported on his recent speech and interaction with the County Treasurers' Association of Ohio conference, where 83 counties were represented, including the Hamilton County Treasurer whose recent request for reconsideration was declined by the Commission at its last meeting. He stated that he was able to engage in very productive conversations with the treasurers and explained the potential conflicts that arise in questions such as the one the Hamilton County Treasurer had posed. Mr. Nick felt that overall, it was a very positive experience. The Chairman commended Mr. Nick and applauded the Commission's proactive approach.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reported that the general FDS deadline had been May 15, 2026, and that 1,700 forms were received in the week before the deadline. Another 47 have been received following the May 18 mailing of compliance letters. In two weeks, certified warning letters will also be mailed to non-compliant filers. He also updated the Commission on the status of collections matters referred to the Attorney General.

MOTIONS

Late Fee Waivers:

MOTION by Mr. Vander Laan, seconded by Mr. Stickan, to waive the financial disclosure statement late fees for the individuals listed in the packet report. The motion passed unanimously.

OAC Amendment

MOTION by Ms. Sheets, seconded by Ms. Kelley, to authorize staff to file the two amendments to OAC § 102-5-05 with JCARR. The motion passed unanimously.

EXECUTIVE SESSION

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, to return to Executive Session to discuss executive compensation. Ms. Kelley, Ms. Ross-Dolen, Mr. Stickan, Ms. Sheets, 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 1:30 p.m.

The Commission returned to open session at 2:00 p.m.

Executive Compensation

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, to authorize the Chairman to submit to the Ohio Department of Administrative Services the salary increases approved by the Commission for Mr. Nick and Mr. Hood in accordance with R.C. 102.05. The motion passed unanimously.

DATE OF FUTURE MEETINGS

The Commission scheduled its next meeting for Monday July 13, 2026, at 12:00 p.m., with the Investigative Committee meeting at 11:30 a.m.

The meeting was adjourned at 2:05 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director