



Oregon Government Ethics Commission

Commission Meeting Materials

December 12, 2025

Public Session



OREGON GOVERNMENT ETHICS COMMISSION

Meeting Minutes

November 14, 2025

9:00 a.m.

Commissioner Jonanthan Thompson was present in person. Commission Chair David Fiskum and Commissioners Shenoa Payne, Richard Burke, Alicia McAuley, Peter Janci, Iván Resendiz Gutierrez and Cheri Helt were present via Teams. Commissioner Ann Metler was excused.

Executive Director Susan Myers, Snr. Operations Manager Becky Maison, Compliance & Enforcement Coordinator Casey Fenstermaker, Curriculum & Education Coordinator Stephanie Heffner, and Trainer Lex Tingey were present in person. Investigators Daniel Pacheco and Josh Sullivan participated in person. Trainers Ruth Sylvester and Chris Brubaker and Admin Staff Molly Putnam were present via Teams.

Department of Justice (DOJ) Counsel Sean Brady was present in person.

Members of the Press: Justin Alderman (Prineville Review), Dianne Lugo (Stateman Journal), and Mia Maldonado (Oregon Capital Chronicle) were present via Teams.

(File 1)

Chair Fiskum called the meeting to order at 9:00 a.m. Roll call was completed by staff to confirm attendance of the Commissioners. Commissioner Helt was not online at the beginning of the meeting.

Public Session Item 1, Comments from the Chair. Absence and excusal of Commissioner Metler was noted. Chair stated the Commissioners should consider and make note of the legislative changes they feel are critical.

Public Session Item 2, Comments from the Commissioners, none.

Public Session Item 3, Commissioner Payne moved that the Commission approve the Meeting Minutes for October 10, 2025. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, abstain; Resendiz Gutierrez, abstain; Thompson, aye; Burke, aye; Fiskum, aye. Motion passed 5-0, 2 abstentions.

Commissioner Resendiz Gutierrez declared a potential conflict of interest with regards to executive session agenda item #4 due to representation by his firm

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and stated he would not be voting or discussing the matter.

Commissioner Burke declared a potential conflict of interest with regard to executive session item #6 and stated he would not be voting or discussing the matter.

Commissioner Helt joined the meeting at 9:08 a.m.

Chair Fiskum read the executive session script providing the statutory provisions for holding executive sessions to discuss preliminary review reports and read the announcement to the media.

The Commission convened into Executive Session at 9:12 a.m.
(File 2)

EXECUTIVE SESSIONS

To consider Preliminary Reviews pursuant to ORS 192.660(2)(f), ORS 244.260(4)(d), and ORS 192.685(1).

EXECUTIVE SESSION CONSENT CALENDAR

The following Public Meetings Law cases have been placed on the executive session consent calendar for dismissal, per ORS 192.685(3), because the complaints did not include documentation that the mandatory grievance process had been satisfied.

Executive Session Item 1, 25-639PCF to 25-643PCF – Madras Aquatic Center
Executive Session Item 2, 25-666PCF – Walter Chuck, Lincoln County
Executive Session Item 3, 25-676PCF – Lena Richardson, City of Shady Cove

Commissioner Payne moved that the Commission approve the Executive Session Consent Calendar as presented to the Commission. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

End of Executive Session Consent Calendar

Reports of Preliminary Review

Facilitated by Investigators

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Executive Session Item 4, 25-488ESM – Juan-Carlos Molleda, University of Oregon

Recommendation: Move to Rescind the Commission's Own Motion

Investigator: Susan Myers

Respondent Molleda and Attorney Bob Steringer were present via Teams. Executive Director Myers summarized the case and the recommendation to rescind the own motion. The Commission opened a Preliminary Review on its own motion to determine if Dr. Molleda's travel was authorized or if it may have been a prohibited use of position. During the preliminary review, it was determined that his travel was authorized under the University's travel policy.

Commissioner Helt asked for clarification about the University's policy of bumping employees from Business Class to First Class flights if Business Class is not available. Commissioner Helt asked if the Commission could advise the University against having a policy like that and recommend that the University go down to regular class, not First Class. Director Myers stated that unfortunately that is out of the Commission's scope, and the Commission cannot advise public bodies how to spend their money.

Attorney Steringer addressed the Commission and thanked Director Myers for her careful review. He stated he agreed with her recommendation and that he would answer any questions the Commission had. Molleda addressed the Commission and thanked Director Myers for her review.

Commissioner Payne moved that the Commission rescind its own motion opening a preliminary review against Dr. Molleda. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 5, 25-465EJS – Karl Nulton, Three Sisters Irrigation District

Recommendation: Move to investigate possible violations of ORS 244.040(1) and ORS 244.120(2)

Investigator: Josh Sullivan

Karl Nulton and Patricia Nulton (Spouse) were present in person. Investigator Sullivan addressed the Commission and explained the recommendation to move to investigation. It appears that Nulton may have used his position for personal gain, as Nulton told the Irrigation District staff to continue his water supply even though water supply had reached a limit where his water should have been turned off.

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Commissioner Payne inquired if the financial benefit exceeded the penalty charged to Nulton. Sullivan explained that Nulton was charged a penalty but that is separate from continuing to get water access. Director Myers stated the financial gain was the receipt of the water he was not entitled to receive, which is different from the penalty charged by the district, and also by receiving the water he may have avoided a financial detriment.

Respondent Nulton addressed the Commission and stated that on July 14th he purchased fertilizer, and, on the 18th, the district provided a watering schedule. On the 28th, the district stated the water was being reduced. At that point, Nulton was out of town. He reached out to Jim from the district and asked him to keep his water on beyond the water reduction date because he had just applied the fertilizer. Nulton pointed out that there were additional reductions and potential penalties in July and August. He also advised that he also has supplemental well water rights that could be used. He said he gives away the hay that he grows and he does not have any financial gain.

Commissioner Helt asked about fertilizing and watering. Nulton stated that he turned his water off last year from mid-July on, but this year he did water as he was out of town. Commissioner Helt asked if other people received water or if this was a privilege for board members. Sullivan explained senior water rights and Nulton using his position on the board to have his water kept. Sullivan explained that if they moved forward with the investigation, we could review who else continued to have water after the water reduction date.

Commissioner Payne moved that the Commission find that there is a substantial, objective basis for believing that Karl Nulton may have violated ORS 244.040(1) and ORS 244.120(2) and the Commission should investigate accordingly. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, nay; Helt, nay; Fiskum, aye. Motion passed 6-2.

Nulton asked what would happen during the investigation. Director Myers stated that the Commissioners raised some questions that needed to be answered. If the answers show that there were no violations, the case would be dismissed. Myers explained that the Commission works on a penalty matrix, ranging from a Letter of Education up to a financial penalty. Chair Fiskum stated that it is likely that the investigation will not take the full six months and that based on his experience, it will end with a Letter of Education.

Executive Session Item 6, 25-479EDP – Marci Baker, City of Lincoln City
Recommendation: Move to Dismiss
Investigator: Daniel Pacheco

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Respondent Baker was present via Teams. Investigator Pacheco summarized the case and recommendation to dismiss as it does not appear that the respondent violated ORS 244.120, and she did declare her conflict of interest. Baker addressed the Commission and stated that she appreciated the Commission reviewing her case and supported Pacheco's recommendation.

Commissioner Payne moved that the Commission move to dismiss the case against Marci Baker. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, abstain; Helt, aye; Fiskum, aye. Motion passed 7-0, 1 abstention.

Executive Session Item 7, 25-487ECF – Andreas Blech, Josephine County
Recommendation: Move to investigate possible violations of ORS 244.040(1), ORS 244.060(4)(a), and ORS 244.120(2)
Investigator: Casey Fenstermaker

Respondent Blech and Attorney Connor King were present via Teams, but Blech had technical difficulties with audio. Compliance & Enforcement Coordinator Fenstermaker summarized the case and the recommendation to move to investigate as it appears that Blech owns 5 airport hangers and did not report those on his SEI and during meetings that involved extending the runway at an airport he stated he did not have a conflict of interest, when it appeared he may have had a conflict of interest.

Commissioner Helt asked if the airport hangers were leased or owned by the county and if they were taxable. Fenstermaker advised that the buildings were taxed according to county records and owned by Blech.

King addressed the Commission and stated there is no ownership interest in the airport hangers which is why they are not listed on the SEIs. He stated the deed refers to them as personal property, not real property. He stated that Blech's declaration was sufficient for a potential conflict of interest. Blech addressed the Commission and said that he would defer to King's answers, and he would supplement if need be.

Commissioner Helt asked if his planes can take off with the current runway length and how many people own hangers currently and how many people fly out of the airport. Blech said, yes, his planes can take off currently, hundreds of people own hangers, and thousands of people fly out of the airport.

Commissioner Thompson stated there are many questions that need to be answered still, and he would support moving the case to investigation.

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Commissioner Helt stated that she would be moving towards dismissal as he is a part of a larger class and there is no financial benefit for him.

Chair Fiskum stated that they have not decided whether there is a class or not at this time and there would be more information that is needed to be gathered and examined before making that decision. Director Myers further explained the class exception and how most cases have to go to investigation as making a class exception determination requires more information than can be gathered in the preliminary review phase. Fenstermaker stated that there was not enough time to gather enough information to determine if there was a class exception and if Blech was a part of any class.

Commissioner Janci asked if a class determination would affect the SEI issue and the prohibited use of office issue. Director Myers stated no, the SEI and prohibited use of office issues would still need to be addressed even if a class is determined.

Commissioner Payne moved that the Commission move to investigate possible violations by Andreas Blech of ORS 244.040(1), ORS 244.060(4)(a), and ORS 244.120(2). Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, nay; Fiskum, aye. Motion passed 7-1.

Commissioner Resendiz Gutierrez left the meeting at 10:25 a.m.

Columbia Development Authority

Investigator: Casey Fenstermaker

Executive Session Item 9, 25-445XCF – Jeff Wenholz

Executive Session Item 10, 25-446XCF – Kim Puzey

Executive Session Item 11, 25-447XCF – John Shafer

Executive Session Item 12, 25-448XCF – Joe Taylor

Executive Session Item 13, 25-449XCF – John Tovey

Executive Session Item 14, 25-450XCF – Robert Blanc

Executive Session Item 15, 25-451XCF – Dan Dorran

Executive Session Item 16, 25-452XCF – Joel Peterson

Executive Session Item 17, 25-453XCF – Gary Burke

Executive Session Item 18, 25-454XCF – David Sykes

Recommendation: Move to dismiss

Respondents John Shafer and Joe Taylor were present via Teams. Respondents Jeff Wenholz, Kim Puzey, John Tovey, Robert Blanc, Dan Dorran, Joel Peterson, Gary Burke, and David Sykes were not present. Compliance & Enforcement

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Coordinator Fenstermaker summarized the cases and the recommendation to dismiss the cases as it appears the Columbia Development Authority did not violate Public Meetings Law or the executive session provisions.

Commissioner Resendiz Gutierrez rejoined the meeting at 10:35 a.m.

Respondent John Shafer addressed the Commission and stated that they did enter executive session but followed their attorney's advice. Respondent Joe Taylor addressed the Commission and stated the Shafer's comments were accurate.

Executive Session Item 9, 25-445XCF – Jeff Wenholtz

Commissioner Payne moved to dismiss the complaint against Jeff Wenholtz. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 10, 25-446XCF – Kim Puzey

Commissioner Payne moved to dismiss the complaint against Kim Puzey. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 11, 25-447XCF – John Shafer

Commissioner Payne moved to dismiss the complaint against John Shafer. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 12, 25-448XCF – Joe Taylor

Commissioner Payne moved to dismiss the complaint against Joe Taylor. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 13, 25-449XCF – John Tovey

Commissioner Payne moved to dismiss the complaint against John Tovey. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 14, 25-450XCF – Robert Blanc

Commissioner Payne moved to dismiss the complaint against Robert Blanc. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 15, 25-451XCF – Dan Dorran

Commissioner Payne moved to dismiss the complaint against Dan Dorran. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 16, 25-452XCF – Joel Peterson

Commissioner Payne moved to dismiss the complaint against Joel Peterson. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 17, 25-453XCF – Gary Burke

Commissioner Payne moved to dismiss the complaint against Gary Burke. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 18, 25-454XCF – David Sykes

Commissioner Payne moved to dismiss the complaint against David Sykes. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Madras Aquatic Center & Recreation District

Investigator: Casey Fenstermaker

Executive Session Item 19, 25-469XCF – Ervey Dominguez

Executive Session Item 20, 25-470XCF – Frank Maynard

Executive Session Item 21, 25-471XCF – Deanna Seibold

Executive Session Item 22, 25-472XCF – Jinnell Lewis

Executive Session Item 23, 25-473XCF – Jean McCloskey

Recommendation: Move to Dismiss

Respondent Deanna Seibold and Jean McCloskey were present via Teams. Respondents Ervey Dominguez, Frank Maynard, and Jinnell Lewis were not present. Compliance & Enforcement Coordinator Fenstermaker summarized the

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cases and the recommendation to dismiss as it appears they did not violate Public Meetings Law with their minutes. Fenstermaker said she reviewed the meeting video which appears to be an accurate reflection of the meeting.

Commissioner Helt asked who was responsible for posting meeting minutes. Director Myers explained there is no requirement to post meeting minutes, but certain boards and school districts are required to post meeting recordings and that boards are held responsible for every part of Public Meetings Law, including meeting minutes.

Respondents McCloskey and Seibold stated that they did not have any additional comments.

Executive Session Item 19, 25-469XCF – Ervey Dominguez

Commissioner Payne moved that the Commission dismiss the complaint against Ervey Dominguez. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 20, 25-470XCF – Frank Maynard

Commissioner Payne moved that the Commission dismiss the complaint against Frank Maynard. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 21, 25-471XCF – Deanna Seibold

Commissioner Payne moved that the Commission dismiss the complaint against Deanna Seibold. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 22, 25-472XCF – Jinnell Lewis

Commissioner Payne moved that the Commission dismiss the complaint against Jinnell Lewis. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 23, 25-473XCF – Jean McCloskey

Commissioner Payne moved that the Commission dismiss the complaint against Jean McCloskey. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

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The Commission recessed from 10:56 to 11:04 a.m.

City of Madras

Investigator: Josh Sullivan

Executive Session Item 24, 25-492PJS – Mike Lepin

Executive Session Item 25, 25-493PJS – Gabriel Soliz

Executive Session Item 26, 25-494PJS – Mike Seibold

Executive Session Item 27, 25-495PJS – Lamar Yoder

Executive Session Item 28, 25-496PJS – Whitney Bell

Executive Session Item 29, 25-497PJS – Pamela Thomas

Executive Session Item 30, 25-498PJS – Cindy Brockett

Recommendation: Move to Investigate possible violations of ORS 192.640(1)

None of the Respondents were present. The City of Madras Attorney Cary Colainni was present via Teams. Investigator Sullivan summarized the cases and the recommendation to move to investigation as it appears the notice for the July 16th meeting was noticed as an executive session only meeting but then, only 3 hours before the meeting began, the meeting notice was changed to indicate that a public meeting would be held instead of an executive session.

Attorney Colainni addressed the Commission on behalf of the City, not the Councilors. He explained it was a technical matter and the city provided notice twice for the meeting. The record was updated, and the intent of the law was satisfied as over fifty people were in audience, including three media members.

Commissioner Payne stated her question was for the Director and how the city could prevent a violation like this when the meeting was changed from executive to public. Would the way to solve it be to move the meeting to a later date? Director Myers stated they could hold a special meeting which would require 24-hour notice or hold an emergency meeting, but they would need to show justification for the emergency. A practical solution would be to hold a special meeting and post the notice with 24 hours' notice. Sullivan stated that based on the timeline that was provided to him it appears that the city had enough time to provide the 24-hour notice but did not act in time.

Commissioners Thompson and Helt stated that they would be leaning towards dismissal. Helt stated she would like education for the city. Myers stated the Commissions' options are to dismiss or to move to investigation. Staff can offer training to the city, should the city seek to be educated.

Executive Session Item 24, 25-492PJS – Mike Lepin

Commissioner Thompson moved that the Commission dismiss the complaint

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against Mike Lepin. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Executive Session Item 25, 25-493PJS – Gabriel Soliz

Commissioner Thompson moved that the Commission dismiss the complaint against Gabriel Soliz. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Executive Session Item 26, 25-494PJS – Mike Seibold

Commissioner Thompson moved that the Commission dismiss the complaint against Mike Seibold. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Executive Session Item 27, 25-495PJS – Lamar Yoder

Commissioner Thompson moved that the Commission dismiss the complaint against Lamar Yoder. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Executive Session Item 28, 25-496PJS – Whitney Bell

Commissioner Thompson moved that the Commission dismiss the complaint against Whitney Bell. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Executive Session Item 29, 25-497PJS – Pamela Thomas

Commissioner Thompson moved that the Commission dismiss the complaint against Pamela Thomas. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Executive Session Item 30, 25-498PJS – Cindy Brockett

Commissioner Thompson moved that the Commission dismiss the complaint against Cindy Brockett. Roll call was taken as follows: McAuley, aye; Payne, nay; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-1.

Lebanon Aquatic District

Investigator: Susan Myers

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Executive Session Item 31, 25-509PSM – Kim Kendall
Executive Session Item 32, 25-510PSM – Darla Bulmer
Executive Session Item 33, 25-512PSM – Jereme Guenther
Executive Session Item 34, 25-513PSM – Julie Miller
Recommendation: Move to Dismiss

Respondent Kim Kendall was present via Teams. Darla Bulmer was present via telephone. Respondents Jereme Guenther and Julie Miller were not present. Director Myers summarized the cases and the recommendation to dismiss the cases. There was no prohibited serial communications involving a quorum of the council, the meeting was streamed, and the recording was posted to YouTube. It appears only two of the five members were communicating outside of the meeting, which is not a quorum and they were communicating about scheduling, which is an exception to public meetings law.

Respondent Kendall and Bulmer addressed the Commission and thanked the Commission for their time.

Executive Session Item 31, 25-509PSM – Kim Kendall
Commissioner Payne moved that the Commission dismiss the complaint against Kim Kendall. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 32, 25-510PSM – Darla Bulmer
Commissioner Payne moved that the Commission dismiss the complaint against Darla Bulmer. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 33, 25-512PSM – Jereme Guenther
Commissioner Payne moved that the Commission dismiss the complaint against Jereme Guenther. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 34, 25-513PSM – Julie Miller
Commissioner Payne moved that the Commission dismiss the complaint against Julie Miller. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Blue River Water District

Investigator: Susan Myers

Executive Session Item 35, 25-533PSM – Jim Parks

Executive Session Item 36, 25-562PSM – Antony Abel

Executive Session Item 37, 25-563SPSM – Shanon Goodpasture-Lehr

Recommendation: Move to investigate possible violations of ORS 192.640

Respondent Antony Abel was present via Teams. Respondents Jim Parks and Shanon Goodpasture-Lehr were not present. Director Myers addressed the Commission and the recommendation to move to investigation. It appears the District Board may have violated Public Meetings Law as on August 6th when the District adjourned the meeting and then later “restarted” the previously adjourned meeting, which meant the District had an unnoticed meeting.

Commissioner Helt had a question about not swearing in board members and if it was a violation of a chair for not swearing in board members. Director Myers explained that swearing in board members is not under Ethics Law or Public Meetings Law. Board member eligibility is determined by elections or the courts, not the Commission.

Respondent Abel addressed the Commission and stated that they did not intentionally violate Public Meetings Law but knew that they had done it wrong which is why they re-voted on items in another meeting. He stated they were obstructed by certain people in their community. Commissioner Thompson asked to clarify that ALL items were re-voted on another meeting. Abel stated that he believes so and that they reached out to SDAO (Special Districts Association of Oregon) for assistance.

Chair Fiskum asked what the impact of the remedy was that the board took. Director Myers stated that it does show that the district had good intention but does not necessarily cure not noticing a meeting. She noted that arguably the public was still there and participating.

Commissioner Payne stated that she sees this is a less harmful action based on decisions the Commission took earlier and is inclined to dismiss and would like staff to work with them on training.

Executive Session Item 35, 25-533PSM – Jim Parks

Commissioner Payne moved that the Commission dismiss the complaint against Jim Parks. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

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Executive Session Item 36, 25-562PSM – Antony Abel

Commissioner Payne moved that the Commission dismiss the complaint against Antony Abel. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 37, 25-563SPSM – Shanon Goodpasture-Lehr

Commissioner Payne moved that the Commission dismiss the complaint against Shanon Goodpasture-Lehr. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

City of Johnson City

Investigator: Susan Myers

Executive Session Item 38, 25-486PLG – Margaret McCrea

Executive Session Item 39, 25-535PLG – Vince Whitehead

Executive Session Item 40, 25-537PLG – Jacqueline Moritz

Executive Session Item 41, 25-538PLG – Luan Evans

Executive Session Item 42, 25-577PLG – Mike Tranquilla

Recommendation: Move to investigate possible violations of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0015(4) and OAR 199-050-0020(1)

Respondents were not present. Director Myers summarized the cases and the recommendation to move to investigation. She explained the cases were self-reported after a quorum of the Council engaged in communications regarding the selection of a website design subcontractor.

Commissioner Helt asked if the Council has been educated appropriately. Director Myers stated that the Council has been attempting to get education and has been learning as they progress through the various cases and complaints. Chair Fiskum asked what would happen if the Commission moved forward. Director Myers stated that at the next meeting, likely, they would have stipulated final orders with letters of education as they have acknowledged their errors.

Commissioner Helt stated she is leaning towards dismissal. Commissioner Payne stated that she is leaning towards moving forward as there is a clear violation and a letter of education would be helpful.

Executive Session Item 38, 25-486PLG – Margaret McCrea

Commissioner Payne moved that the Commission find there is a substantial, objective basis for believing that Margaret McCrea may have violated ORS

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192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0015(4) and OAR 199-050-0020(1) and the Commission should investigate accordingly. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 39, 25-535PLG – Vincent Whitehead

Commissioner Payne moved that the Commission find there is a substantial, objective basis for believing that Vincent Whitehead may have violated ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0015(4) and OAR 199-050-0020(1) and the Commission should investigate accordingly. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 40, 25-537PLG – Jackie Moritz

Commissioner Payne moved that the Commission find there is a substantial, objective basis for believing that Jackie Moritz may have violated ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0015(4) and OAR 199-050-0020(1) and the Commission should investigate accordingly. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 41, 25-538PLG – Luan Evans

Commissioner Payne moved that the Commission find there is a substantial, objective basis for believing that Luan Evans may have violated ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0015(4) and OAR 199-050-0020(1) and the Commission should investigate accordingly. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 42, 25-577PLG – Mike Tranquilla

Commissioner Payne moved that the Commission find there is a substantial, objective basis for believing that Mike Tranquilla may have violated ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0015(4) and OAR 199-050-0020(1) and the Commission should investigate accordingly. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

City of Newport

Investigator: Daniel Pacheco

Executive Session Item 43, 25-524PDP – Jan Kaplan

Executive Session Item 44, 25-550PDP – CM Hall

Executive Session Item 45, 25-551PDP – Ryan Parker

Executive Session Item 46, 25-552PDP – Robert Emond

Executive Session Item 47, 25-553PDP – Cynthia Jacobi

Executive Session Item 48, 25-554PDP – Beatriz Botello

Executive Session Item 49, 25-555PDP – Dietmar Goebel

Recommendation: Move to Dismiss

None of the Respondents were present. Investigator Pacheco addressed the Commission and the recommendation to dismiss as it appears the Council properly noticed the meeting in question.

Executive Session Item 43, 25-524PDP – Jan Kaplan

Commissioner Payne moved that the Commission dismiss the complaint against Jan Kaplan. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 44, 25-550PDP – CM Hall

Commissioner Payne moved that the Commission dismiss the complaint against CM Hall. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 45, 25-551PDP – Ryan Parker

Commissioner Payne moved that the Commission dismiss the complaint against Ryan Parker. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 46, 25-552PDP – Robert Emond

Commissioner Payne moved that the Commission dismiss the complaint against Robert Emond. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 47, 25-553PDP – Cynthia Jacobi

Commissioner Payne moved that the Commission dismiss the complaint against Cynthia Jacobi. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum,

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aye. Motion passed 8-0.

Executive Session Item 48, 25-554PDP – Beatriz Botello

Commissioner Payne moved that the Commission dismiss the complaint against Beatriz Botello. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 49, 25-555PDP – Dietmar Goebel

Commissioner Payne moved that the Commission dismiss the complaint against Dietmar Goebel. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Newport City Center Revitalization Planning Committee

Investigator: Daniel Pacheco

Executive Session Item 50, 25-542PDP – Dustin Capri

Executive Session Item 51, 25-543PDP – Eric Hanneman

Executive Session Item 52, 25-544PDP – Jim Patrick

Executive Session Item 53, 25-545PDP – Wayne Patterson

Executive Session Item 54, 25-546PDP – Karen Rockwell

Executive Session Item 55, 25-547PDP – Laurie Sanders

Executive Session Item 56, 25-548PDP – Christina Simonsen

Executive Session Item 57, 25-549PDP – Luke Simonsen

Executive Session Item 58, 25-556PDP – Jack Weber

Executive Session Item 59, 25-579PDP – Tom Sakaris

Executive Session Item 60, 25-580PDP – Rob Murphy

Executive Session Item 61, 25-581PDP – Judith Jones

Executive Session Item 62, 25-582PDP – Debra Jones

Executive Session Item 63, 25-583PDP – Timothy Johnson

Executive Session Item 64, 25-584PDP – Melony Heim

Executive Session Item 65, 25-585PDP – Brett Estes

Executive Session Item 66, 25-586PDP – Ralph Breitenstein

Executive Session Item 67, 25-587PDP – Bob Berman

Executive Session Item 68, 25-588PDP – Rich Belloni

Recommendation: Move to Dismiss

Respondents were not present. Investigator Pacheco addressed the Commission and the recommendation to dismiss, as the meeting was properly noticed.

Executive Session Item 50, 25-542PDP – Dustin Capri

Commissioner Payne moved that the Commission dismiss the complaint against Dustin Capri. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci,

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aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 51, 25-543PDP – Eric Hanneman

Commissioner Payne moved that the Commission dismiss the complaint against Eric Hanneman. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 52, 25-544PDP – Jim Patrick

Commissioner Payne moved that the Commission dismiss the complaint against Jim Patrick. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 53, 25-545PDP – Wayne Patterson

Commissioner Payne moved that the Commission dismiss the complaint against Wayne Patterson. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 54, 25-546PDP – Karen Rockwell

Commissioner Payne moved that the Commission dismiss the complaint against Karen Rockwell. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 55, 25-547PDP – Laurie Sanders

Commissioner Payne moved that the Commission dismiss the complaint against Laurie Sanders. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 56, 25-548PDP – Christina Simonsen

Commissioner Payne moved that the Commission dismiss the complaint against Christina Simonsen. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 57, 25-549PDP – Luke Simonsen

Commissioner Payne moved that the Commission dismiss the complaint against Luke Simonsen. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci,

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aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 58, 25-556PDP – Jack Weber

Commissioner Payne moved that the Commission dismiss the complaint against Jack Weber. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 59, 25-579PDP – Tom Sakaris

Commissioner Payne moved that the Commission dismiss the complaint against Tom Sakaris. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 60, 25-580PDP – Rob Murphy

Commissioner Payne moved that the Commission dismiss the complaint against Rob Murphy. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 61, 25-581PDP – Judith Jones

Commissioner Payne moved that the Commission dismiss the complaint against Judith Jones. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 62, 25-582PDP – Debra Jones

Commissioner Payne moved that the Commission dismiss the complaint against Debra Jones. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 63, 25-583PDP – Timothy Johnson

Commissioner Payne moved that the Commission dismiss the complaint against Timothy Johnson. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 64, 25-584PDP – Melony Heim

Commissioner Payne moved that the Commission dismiss the complaint against Melony Heim. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci,

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aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 65, 25-585PDP – Brett Estes

Commissioner Payne moved that the Commission dismiss the complaint against Brett Estes. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 66, 25-586PDP – Ralph Breitenstein

Commissioner Payne moved that the Commission dismiss the complaint against Ralph Breitenstein. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 67, 25-587PDP – Bob Berman

Commissioner Payne moved that the Commission dismiss the complaint against Bob Berman. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Executive Session Item 68, 25-588PDP – Rich Belloni

Commissioner Payne moved that the Commission dismiss the complaint against Rich Belloni. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Own Motion Preliminary Reviews

None.

Other Items

None.

The Commission adjourned Executive Session at 12:30 p.m.

(File 3)

The Commission recessed for Lunch from 12:30-1:00 p.m.

Reconvene Regular Open Session

The Commission reconvened into Public Session at approximately 1:00 p.m.

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Roll Call of Commissioners

CONSENT CALENDAR
Recommendation: Letters of Education

Lobbyist Penalty Correspondence

Public Session Item 4, Nathaniel Brown, 2025 Q3, \$60

Public Session Item 5, Cassie Bruske, 2025 Q2 \$150

Public Session Item 6, Nate Fisher, Jr., 2025 Q3 \$60

Public Session Item 7, Betsy Imholt, 2025 Q3 \$60

Public Session Item 8, Ivy Jones, 2025 Q3 \$140

Public Session Item 9, Julianne Merrill, 2025 Q3 \$130

Public Session Item 10, Nolan Pleše, 2025 Q3 \$60

Public Session Item 11, Michael Zimmer, 2025 Q3 \$10

Lobbyist Client Penalty Correspondence

Public Session Item 12, Curry Health Network, 2025 Q2 \$130

Public Session Item 13, World Education Services, 2025 Q3 \$10

Statement of Economic Interest Penalty Correspondence

Public Session Agenda Item 14, Carson Howell, 2025 \$50

Commissioner Payne moved that the Commission approve the Consent Calendar as presented. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, absent; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

End of Consent Calendar

Lobbyist Penalty Reductions

Director Myers explained the recommendations for penalty reductions.

Public Session Item 15, Mika Ingram, 2025 Q2 LOE, Q3 \$20

Commissioner Payne moved that the Commission approve the proposed recommendation. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, absent; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

Public Session Item 16, Garrett Mosher, 2024 Q4 \$10; 2025 Q2 \$20, Q3 \$30

Commissioner Payne moved that the Commission approve the proposed recommendation. Roll call was taken as follows: McAuley, aye; Payne, aye;

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Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Public Session Item 17, Kathy Wai, 2025 Q3 \$10

Commissioner Payne moved that the Commission approve the proposed recommendation. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Lobbyist Client Penalty Reductions

None.

Statement of Economic Interest Penalty Reductions

None.

STIPULATED FINAL ORDERS – Consent Calendar

Recommendation: Letter of Education

Public Session Item 18, 24-456XJS – Corinne Funderburk, City of Umatilla

Public Session Item 19, 24-620XDP – Corinne Funderburk, City of Umatilla

Public Session Item 20, 24-458XJS – Dennis McMillan, City of Umatilla

Public Session Item 21, 24-623XDP – Dennis McMillan, City of Umatilla

Public Session Item 22, 25-319EJS – Wayne Gallagher, Coos County School District

Commissioner Payne moved that the Commission approve the proposed Stipulated Final Orders on the consent calendar as the final orders in those cases and that the chairperson be authorized to sign them as such. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

End of Consent Calendar

STIPULATED FINAL ORDERS

Civil Penalties

Public Session Item 23, 25-170EDP – Keenan Elbers, Benton County School District 7J

Recommendation: \$100 Penalty

Investigator: Daniel Pacheco

Respondent Keenan Elbers was not present. Investigator Pacheco summarized the case, the Stipulated Final Order, and the recommended penalty of \$100. Thompson asked how the \$100 penalty was calculated. Pacheco advised that the factors were entered into the penalty matrix and took into consideration that the district board was aware of the contractor fees being paid.

Commissioner Payne moved that the Commission approve the proposed Stipulated Final Order as the final order in the case and that the chairperson be authorized to sign them as such. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

DEFAULT FINAL ORDERS

None.

REPORTS OF INVESTIGATIONS – Consent Calendar

None.

REPORTS OF INVESTIGATIONS

None.

OPINIONS, ADVICE, AND CORRESPONDENCE

Advisory Opinions

None.

Staff Opinions

None.

Staff Advice – Informational Letters

Public Session Item 24, 25-571I – Rep. Ben Bowman, Oregon Legislative Assembly Re: Application of gift exceptions in ORS 244.020(7)(b)(H)

Public Session Item 25, 25-573I – Dan Atchison, City of Salem Re: Adoption of a food and beverage policy

Public Session Item 26, 25-633I – Rob Patridge, Southern Oregon University Re: Application of Government Ethics Laws to University President's service as a compensated board member for a private company

Public Session Item 27, 25-635I – Elizabeth Steiner, Oregon State Treasurer Re: Application of gift exception in ORS 244.020(7)(b)(E)

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Public Session Item 28, 25-645 – Amanda Hess, NW Public Affairs, LLC Re: Application of gift exceptions in ORS 244.020(7)(b)(H)

Public Session Item 29, 25-649I – Madison Di Lorenzo, Powder Basin Watershed Council Re: Application of Public Meetings Law to non-profit organizations

Public Session Item 30, 25-650I – Sen. Janeen Sollman, Oregon Legislative Assembly Re: Application of gift exceptions in ORS 244.020(7)(b)(F)

Public Session Item 31, 25-651I – Nels Johnson, NW Natural Re: Application of gift exceptions in ORS 244.020(7)(b)(H)

Public Session Item 32, 25-660I – Rep. Nathan Sosa, Oregon Legislative Assembly Re: Application of gift exceptions in ORS 244.020(7)(a)

Public Session Item 33, 25-662I – Sen. Jeff Golden, Oregon Legislative Assembly Re: Application of gift exceptions in ORS 244.020(7)(b)(H)

Public Session Item 34, 25-672I – Rep. Christine Drazan, Oregon Legislative Assembly Re: Application of gift exceptions in ORS 244.020(7)(b)(H)

Public Session Item 35, 25-673I – Steve Berman, Oregon Department of Justice Re: Application of conflict-of-interest disclosure and prohibited use of position statutes

Public Session Item 36, 25-679I – Rep. Ben Bowman, Oregon Legislative Assembly Re: Application of gift exceptions in ORS 244.020(7)(b)(H)

Public Session Item 37, 25-682I – Jessica Vega Pederson, Multnomah County Board of Commissioners Re: Application of gift exceptions in ORS 244.020(7)(b)(N) and (L)

Public Meetings Law Training Approval Letters
None.

Other Correspondence
None.

Miscellaneous Items
Facilitated by Staff

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Public Session Item 38, 25-521A – Withdrawal of Own Motion Request for a Commission Advisory Opinion. Director Myers explained that during the process of drafting the Opinion, both Myers and DOJ came to the conclusion that the Opinion was requiring analysis of statutes that are not within the Commission's jurisdiction. Commissioner Helt asked how the request came about. Director Myers explained that the Advisory Opinion came up because there were concerns about the provision of legal advice under ORS 192.660(2)(f) and the requirement of having a written record, such as a legal memo.

Commissioner Payne moved that the Commission withdraw the request for a Commission Advisory Opinion (25-521A). Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Burke, aye; Helt, aye; Fiskum, aye. Motion passed 8-0.

Public Session Item 39, Trainers' Report

Trainer Chris Brubaker summarized the training activities since the last Commission meeting and advised of upcoming events.

Public Session Item 40, Executive Director's Report

Director Myers summarized the agency's activities since the last Commission meeting, including the Work Group led by Representative Sosa. The Work Group includes various partners such as LOC, SDAO, Journalist Association, Metro, etc. and focuses on the food and beverage policy and Public Meetings Law. Myers explained the purpose of the Work Group is to come up with possible bills in the 2026 short session.

The Commission adjourned the meeting at approximately 1:54 p.m.

The next regularly scheduled Commission meeting will be December 12, 2025, at 3218 Pringle Road SE, Suite 220, Large Conference Room, Floor 2, Salem, Oregon 97302.

----- Forwarded message -----

From: **Rebecca Gladstone** <rebecca.gladstone@gmail.com>

Date: Mon, Jul 21, 2025 at 10:26 AM

Subject: Re: Failure to File Quarterly Report

To: <ogec.notification@egov.com>

Dear OGEC Representative,

I filed my 2nd Quarter 2025 OGEC report late (yesterday). I called in this morning for more information. I appreciate the clarification on not considering trying to revoke my lobbyist status (I will still be active) and that it can be reasonable to ask for fees to be waived, if circumstances for late reporting are described.

Please consider waiving the accrued \$50 fee. We are both retired and frugal with our funds. I am very sorry for this lapse.

We have recently moved and are undergoing extensive (disruptive) reconstruction in our new (old) house, while living here.

We are traveling out of state often to see my 90 year-old mother who is in ill health and may die soon.

We are preparing for a first grand child.

We are preparing for a trip out of the country and depending on the Commission's proceedings schedule, may be out of touch if responses/more information are needed before August 16th.

Respectfully,

Rebecca Gladstone

c. 541.510.9387

LWV Oregon Advocacy

www.lwvor.org

Past Violations: None

Current Penalties: 2025 Q2, \$50

Recommendation: 1st violation - Letter of Education

SM

From: [J.E. McLellan](#)
To: [HUNTER David * OGE](#)
Subject: Request to waive penalty fee for late filing October 2025
Date: Tuesday, November 4, 2025 9:24:53 AM

You don't often get email from janaemclellan@gmail.com. [Learn why this is important](#)

Good morning David,

Thank you again for the phone call last week and the assistance in filing my third quarter lobbying report. As we discussed, I retired from state service on September 30, 2025 with complete removal from all state communication systems. With this fact, I was not notified or reminded of the need to file timely for the previous quarter's activities until October 28th. You'll recall that I was serving in an interim capacity as the OYA Agency Director from February 14, 2025 when Joe O'Leary was paced on administrative leave by the Governor.

To that end, this role as key lobbyist was new to me as were the reporting requirements and I did not realize as I was retiring that I needed to think ahead and make arrangements to file for third quarter. Additionally, with no connection to state service as of September 30th, I was not advised by the reminder emails.

I apologize for my lack of better planning to have met the timely submission. Under these unique circumstances of retirement and an interim role with this duty included in my assignments, I humbly ask that the Ethics Commission consider waiving all associated fees for my situation.

I appreciate any consideration the Commission can offer.

Jana McLellan
Former Interim OYA Director
Successfully Retiree

Past Violations: None

Current Penalties: 2025 Q3, \$150

Recommendation: 1st violation - Letter of Education

SM

From: [Alexis Martirosian](#)
To: [HUNTER David * OGE](#)
Subject: Request for waiver of fee incurred due to late filing of POR12837X, LLC
Date: Wednesday, November 19, 2025 7:28:33 PM

You don't often get email from am@bsalegalgroup.com. [Learn why this is important](#)

Dear Oregon Government Ethics Commission,

My name is Alexis Martirosian, director of POR12837X, LLC, a Delaware limited liability company. For a few quarters, I was filing a quarterly report to evidence my company's relationship with Ellen Miller Kudzus of BAU Oregon. That representation was ended during the summer and I had incorrectly assumed that I no longer needed to file a quarterly expenditure report for the quarter during which the termination was filed. When I discovered this, I attempted to file, but was having challenges logging onto the platform. I have since filed the report and kindly request that the fee that has accrued over the past couple of weeks be waived.

Thank you for your consideration.

Alexis Martirosian
Director
POR12837X, LLC
804.347.4548

Past Violations: None

Current Penalties: 2025 Q3, \$1,000

SM

Recommendation: 1st violation - Letter of Education

From: [Dineen O'Rourke Crowe](#)
To: [HUNTER David * OGE](#)
Subject: Explanation for late filing
Date: Wednesday, October 29, 2025 11:35:14 AM

You don't often get email from [Learn why this is important](#)

To the Oregon Government Ethics Commission,

My apologies for missing the latest filing deadline. I did not have any hours or expenditures to report, and I am currently out on maternity leave after the birth of my first baby, so I missed the emails reminding me to file. I am requesting to have these fines dismissed. Thank you so much.

Dineen O'Rourke Crowe,
350PDX
(631) 830-7478

Work email connected to this lobbyist account: dineen@350pdx.org

Past Violations: None

Current Penalties: 2024 Q4, \$20; 2025 Q3, \$140

Recommendation: 2024 Q4 - 1st violation - Letter of Education

2025 Q3 - 2nd violation - \$20 *SM*

From: [Allan Benavides](#)
To: [HUNTER David * OGEC](#)
Cc: [Matt Dompe](#)
Subject: Penalty for non file.
Date: Wednesday, November 5, 2025 11:13:29 AM

You don't often get email from allanb@towerbuzzers.com. [Learn why this is important](#)

Dear Government Ethics Commission,

I am writing on behalf of the Eugene Emeralds regarding a recent notice of penalties for not submitting a quarterly lobbying report. Our organization has not engaged in any lobbying activity since our ballot measure concluded in May 2024.

Since that time, I have transitioned to a new role in California, and the new General Manager of the Eugene Emeralds, Matt Dompe (copied here), has assumed responsibility for local matters. It appears we have incurred a significant penalty for failing to file post-campaign reports, despite having no lobbying activity to disclose.

We respectfully request that these fees be waived, given that our lobbying efforts officially ended in May 2024. Please let us know if there is any additional documentation we can provide to support this request.

Thank you for your time and understanding.



Past Violations: 2021 Q4, \$40 pd; 2022 Q1, \$40 pd; 2022 Q2, \$100 pd; 2024 Q1, \$30 pd.

Current Penalties: 2025 Q2, \$30; 2025 Q3, \$450

Recommendation: 2025 Q2 - 5th violation - no reduction - \$30 *SM*
2025 Q3 - 6th violation - reduction to \$100

October 30, 2025

Oregon Government Ethics Commission
3218 Pringle Road SE
Room 220
Salem, OR 97302-1544

RE: OGEC Delinquent Q3 2025 Report Filing

To Whom it May Concern:

I am writing to request a waiver of the penalties for a late Q3 report filing. The person tasked with filing our disclosure left our employ abruptly on September 29th. While we believed we had covered all his commitments to the organization, filing this report on behalf of our Oregon lobbyist was not done. Furthermore, as a recently hired employee myself, I was not aware of this obligation. Lastly, without the proper username and password, we could not enter the system to correct it immediately. However, once this came to our attention, with the help of your office, we were able to change the staff contact, reset the password and file the report today.

I do not believe that MRC has been late in the past and we have taken steps to ensure that this will not be the case going forward. Thus, we would appreciate a waiver or reduction in the penalties imposed for the late filing. In advance, thank you for your consideration. Please do not hesitate to contact me with any questions or for further information (akeane@mrc-us.org or 202-236-3465).

Sincerely,



Alison A. Keane
President

Past Violations: None

Current Penalties: 2022 Q3, \$10; 2025 Q3, \$150

**Recommendation: 2022 Q3 - 1st violation - Letter of Education
2025 Q3 - 2nd violation - reduction to \$20**

SM

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of

Katie McMillan

)
)
)
)
)

STIPULATED FINAL ORDER

CASE NO. 24-457XJS

1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Katie McMillan.
2. JURISDICTION: At all material times, Katie McMillan was an elected member of the City Council (Council) for the City of Umatilla (City), and is, therefore, a public official as defined by ORS 244.020(15). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Katie McMillan is required to comply with the provisions of Oregon Public Meetings law, in ORS 192.610 to ORS 192.705 and Government Ethics Law in ORS Chapter 244.
3. STIPULATED FACTS
Public Meetings Law
 - A. On July 16, 2024, the City Council for the City of Umatilla held an executive session under ORS 192.660(2)(b) to consider complaints by the city manager against the mayor, a public officer. As the time scheduled for this session expired, the Council determined it needed to continue the discussion in executive session at the next meeting.
 - B. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”

- C. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- D. The City Council noticed an executive session on August 20, 2024, under ORS 192.660(2)(b) to continue its discussion of the complaints against the mayor. The mayor was not provided written notice that he was the subject of the August 20th executive session; thus, the mandatory notice prerequisites in OAR 199-040-0030 were not met prior to convening the August 20th session. Upon discovering this, the Council did not discuss the complaints against the mayor during the August 20th executive session. Thus, there was no violation of ORS 192.660(2)(b) or the mandatory notice provisions in OAR 199-040-0030.
- E. Rather than adjourning the August 20th executive session, the Council stayed in executive session to receive legal advice on a variety of topics. This discussion was not authorized under ORS 192.660(2)(b), the provision cited for the executive session, and no other provisions were cited to authorize this discussion in the executive session.
- F. The Council held another executive session as part of a special meeting noticed for August 22, 2024. While the email the mayor received about this meeting described it as an emergency meeting, the actual meeting notice did not describe it as such. And the meeting notice was issued more than 24 hours in advance of the meeting. Thus, there does not appear to be a violation of ORS 192.640(3).
- G. The actions described in paragraph 3(E) constitute one violation of ORS 192.660(2).

Government Ethics Laws

- H. A public official is met with a conflict of interest when, acting in their official capacity, they participate in any action, decision or recommendation the effect of which would be (actual conflict of interest) or could be (potential conflict of interest) to the private financial benefit or detriment of the public official, their relative, or any business with which they are associated. [ORS 244.020(1) and (13)].
- I. When met with a conflict of interest, an elected public official, such as Katie McMillan, must announce publicly the nature of the conflict of interest. If met with a potential conflict of interest, this announcement must be made prior to taking any action on the matter in the capacity of a public official. If met with an actual conflict of interest, the public official must refrain from participating as a public official in any discussion, debate or vote on the matter out of which the actual conflict of interest arises, unless their vote is necessary to meet a minimum vote requirement, in which case the public official may vote but may not participate in any discussion or debate on the matter. [ORS 244.120(2)].
- J. ORS 244.040(1) prohibits a public official from using or attempting to use their official position or office to obtain a financial gain or avoid a financial detriment for themselves, their relatives or household members, or any business with which they or their relatives or household members are associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding their official position or office.
- K. In June of 2019, the Umatilla City Council approved \$100 per month stipends for elected officials to defray the costs of Council service in its 2019-2020 fiscal year budget. Katie McMillan was not on the Council at that time. The \$100 stipend remained in the budget each fiscal year since.

- L. On March 7, 2023, the Council unanimously voted to approve Resolution 31-2023, a resolution adopting Council Policies and Procedures which included a procedure for elected City officials to receive or waive the \$100 monthly stipends previously approved. Katie McMillan did not declare an actual or potential conflict of interest, and did not refrain from participating in the debate, discussion, and vote on the matter.
- M. The Commission contends that by taking action to adopt a policy implementing the previously approved Council stipends when she voted to approve Resolution 31-2023 on March 7, 2023 Katie McMillan violated ORS 244.120(2), because she failed to disclose her conflict of interest, and violated ORS 244.040(1), because this action modified her official compensation package.
- N. The Commission contends that the actions described in paragraph 3(L) constitute one violation each of ORS 244.120(2)(b) and ORS 244.040(1).
- O. The Commission contends that the results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation each of ORS 192.660(2), ORS 244.120(2)(b), and ORS 244.040(1).
- P. Katie McMillan contends that the results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would not establish a preponderance of evidence in support of finding violations of ORS 192.660(2), ORS 244.120(2), and ORS 244.040(1). She further asserts that she did not knowingly or intentionally violate these statutes and that she has legal and factual bases to argue against the

alleged violations, but she agrees to entry of this stipulated final order in order to resolve this matter.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On January 24, 2025, the Commission considered information in the preliminary review phase of Case No. 24-457XJS and acted to find cause to initiate an investigation of this matter. Katie McMillan has indicated that they wish to conclude this matter by agreeing to the terms and conditions in this order without completing the investigatory phase.
- B. ORS 244.350(1)(a) authorizes the Commission to assess civil penalties of up to \$5,000 for each violation of ORS Chapter 244, and ORS 244.350(2)(a) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705.
- C. Katie McMillan will receive a letter of education in lieu of a civil penalty, as authorized by ORS 244.350(5).
- D. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Katie McMillan within the scope of the above-referenced proceedings.
- E. Katie McMillan will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of

the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Katie McMillan agrees to waive their right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Katie McMillan agrees to waive their right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:

Respondent: Katie McMillan

November 13, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of	)	STIPULATED FINAL ORDER
)	
Katie McMillan	)	CASE NO. 24-622XDP
_____)	

1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Katie McMillan.
2. JURISDICTION: At all material times, Katie McMillan was the Council Member for the City of Umatilla. She held this position during the period relevant to this preliminary review and was a public official per ORS 244.020(15). The City of Umatilla is a public body, and the City of Umatilla City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Katie McMillan is required to comply with Oregon Public Meetings Law.
3. STIPULATED FACTS:
 - A. On October 15, 2024, the City Council held a regular meeting with two executive sessions. During the regular meeting, Councilor Dennis McMillan moved to recess the regular meeting and convene the first executive session, held under ORS 192.660(2)(h), and the second executive session, held under ORS 192.660(2)(b). Katie McMillan participated in the regular meeting and both executive sessions.
 - B. ORS 192.650(1) provides “the governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the results of all votes and, except for public bodies consisting of more than 25 members

unless requested by a member of that body, the vote of each member by name.”

- C. ORS 192.650(2) states in relevant part, “Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law.”
- D. OAR 199-050-0060(2) explains that, “The minutes do not need to be a verbatim transcript and the recordings do not need to include a full recording of the meeting, except as otherwise provided by law, but they shall give ‘a true reflection of the matters discussed at the meeting and the views of the participants’ and shall include all of the information identified in ORS 192.650(1).”
- E. The Council made a video recording of the October 15th executive sessions. The topics discussed in the executive sessions were authorized by the provisions cited; however, the recording of the executive session was incomplete due to garbled audio and extended periods of silence. As a result, the recording does not provide a “true reflection of the matters discussed at the meeting and the views of the participants.”
- F. During the public portion of the October 15th meeting, Council Member McMillan and the Council discussed and voted on various agenda items. The written minutes only provided the Council Members’ motions, the number of votes cast and whether a motion carried. Additionally, neither the recording nor minutes record the vote of each Member by name.
- G. The Commission contends that because the video recording of the October 15th executive session did not capture the discussion during that executive session, Katie McMillan violated ORS 192.650(2). The Commission further contends that because the votes of each member were not recorded by name, either in the minutes or on the recording, Council Member McMillan violated ORS 192.650(1).

- H. The Commission contends that the results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.650(1) and one violation of ORS 192.650(2).
- I. Councilor McMillan asserts that she did not knowingly or intentionally violate ORS 192.650. She also states that she had no notice at any time prior to the conclusion of the meeting that the video recording of the executive session was not capturing a clear and complete record.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On April 25, 2025, the Commission considered information in the preliminary review phase of Case No. 24-622XDP and acted to find cause to initiate an investigation of this matter. Katie McMillan has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. ORS 244.350(2)(a) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to ORS 192.705. In lieu of a civil penalty, Katie McMillan will receive a letter of education, as authorized by ORS 244.350(5), in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Katie McMillan within the scope of the above-referenced proceedings.
- D. Katie McMillan will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Katie McMillan agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Katie McMillan agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:

F5DA4811C3E0444
Respondent: Katie McMillan

November 7, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the matter of

LINDA NISHIOKA, CITY COUNCILOR OF
THE CITY OF SALEM, OREGON

Case No. 25-164PJS

STIPULATED AGREEMENT AND FINAL
ORDER (183.417(3)(a))

STIPULATED AGREEMENT AND FINAL ORDER

1. Purpose.

The purpose of this Stipulated Agreement and Final Order is to release, settle, and compromise any and all claims, allegations, and charges asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Linda Nishioka. The parties agree this is a full, fair, and final resolution of this matter.

2. Jurisdiction.

- A. The Oregon Government Ethics Commission (Commission) is the state agency responsible for enforcing the Oregon Public Meetings Law contained in ORS 192.610 to ORS 192.705 and the implementing rules in OAR Chapter 199.
- B. Linda Nishioka (Respondent) was a City Councilor for the City of Salem, Oregon (City), which is a governing body of a public body under ORS 192.610. Respondent is also a “person” and a “public official” under ORS 192.685, ORS 244.260, ORS 244.270, ORS 244.350. As a person and public official who is a member of the governing body of a public body, Linda Nishioka was required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
- C. Pursuant to ORS 244.260(6)(e), the Commission made a preliminary finding of violation of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1) and (2), and OAR 199-050-0015(4). On October 10, 2025, the Commission moved this case to a contested case proceeding by order.
- D. Pursuant to its authority under ORS 244.260(11), the Commission proposes to enter into this Stipulated Agreement and Final Order with Linda Nishioka, a City Councilor for the City of Salem.

3. Findings of Fact and Conclusions of Law.

- A. Linda Nishioka (Respondent) was a City Councilor for the City of Salem, Oregon, which is a governing body of a public body under ORS 192.610. Respondent is also a “person” and a “public official” under ORS 192.685, ORS 244.260, ORS 244.270, ORS 244.350. As a person and public official who is a member of the governing body of a public body, Respondent was required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
- B. Between February 1, 2025 and February 14, 2025, Respondent participated in a convening of a meeting with a quorum of the Salem City Council, through serial electronic written communications and use of Mayor Julie Hoy as an intermediary. The convening of the meeting occurred outside of public view and without compliance with the Public Meetings Law notice and meeting minutes requirements. The matters discussed at the meeting were within the jurisdiction of the City Council to deliberate or decide and included topics involving the City’s leadership audit, City Manager Keith Stahley’s performance, and whether to terminate City Manager Keith Stahley’s employment with the City.
- C. Respondent violated ORS 192.630(1) by participating in the convening of a meeting outside of public view.
- D. The use of the serial electronic written communications and use of Mayor Julie Hoy as an intermediary was for the purpose of deliberating or deciding a matter within the Council’s jurisdiction. Specifically, the purpose was to deliberate or decide the City’s leadership audit, City Manager Keith Stahley’s performance, and whether to terminate City Manager Keith Stahley’s employment with the City.
- E. Respondent violated OAR 199-050-0020(1) and (2) by participating in the convening of a meeting outside of public view.
- F. The City Council convened the meeting without providing notice of the meeting to the public and news media as required by ORS 192.640(1).
- G. Respondent violated ORS 192.640(1) by participating in a meeting without providing notice of the meeting to the public and the news media.
- H. The City Council did not take meeting minutes or record the meeting convened as required by ORS 192.650(1).
- I. Respondent violated ORS 192.650(1) by participating in the meeting without taking meeting minutes or recording the meeting.
- J. The Commission’s investigation and files, which constitute the record, establish by a preponderance of the evidence that Respondent committed one violation

each of ORS 192.630(1), ORS 192.640(1), ORS 192.650(1), and OAR 199-050-0020(1) and (2).

4. Assessment of Penalty.

- A. ORS 244.350(2) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705. ORS 244.350(5) authorizes the Commission to issue a letter of education.
- B. Based on the foregoing Findings of Fact and Conclusions of Law, the parties stipulate that the Commission will issue a letter of education in lieu of assessing any civil penalties.

5. Additional Terms.

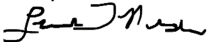
- A. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Linda Nishioka.
- B. In exchange for the Commission entering into this Stipulation and Agreement, Linda Nishioka agrees not to initiate any claims, litigation, or other action against the Commission as a result of, arising out of, or in any way connected to these proceedings.
- C. By signing this agreement, Linda Nishioka agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370.
- D. The parties acknowledge that this Stipulation and Agreement has been entered into by their own free will and with full understanding of its contents herein. Each party acknowledges that each has had the opportunity to seek the advice of legal counsel before entering into this agreement.

6. Binding Effect.

- A. This agreement is subject to the final approval of the Commission. Once approved by the Commission, this agreement shall be binding on both parties.
- B. This order shall be the final order relating to this matter. All information in the Commission files on this matter constitute the record in this matter.

THE ABOVE IS STIPULATED AND AGREED:

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

DocuSigned by:

F112573818824351
Respondent: Linda Nishioka

December 1, 2025
Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the matter of

VANESSA NORDYKE, CITY COUNCILOR
OF THE CITY OF SALEM, OREGON

Case No. 25-167PJS

STIPULATED AGREEMENT AND FINAL
ORDER (183.417(3)(a))

STIPULATED AGREEMENT AND FINAL ORDER

1. Purpose.

The purpose of this Stipulated Agreement and Final Order is to release, settle, and compromise any and all claims, allegations, and charges asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Vanessa Nordyke. The parties agree this is a full, fair, and final resolution of this matter.

2. Jurisdiction.

- A. The Oregon Government Ethics Commission (Commission) is the state agency responsible for enforcing the Oregon Public Meetings Law contained in ORS 192.610 to ORS 192.705 and the implementing rules in OAR Chapter 199.
- B. Vanessa Nordyke (Respondent) was a City Councilor for the City of Salem, Oregon (City), which is a governing body of a public body under ORS 192.610. Respondent is also a “person” and a “public official” under ORS 192.685, ORS 244.260, ORS 244.270, ORS 244.350. As a person and public official who is a member of the governing body of a public body, Vanessa Nordyke was required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
- C. Pursuant to ORS 244.260(6)(e), the Commission made a preliminary finding of violation of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1) and (2), and OAR 199-050-0015(4). On October 10, 2025, the Commission moved this case to a contested case proceeding by order.
- D. Pursuant to its authority under ORS 244.260(11), the Commission proposes to enter into this Stipulated Agreement and Final Order with Vanessa Nordyke, a City Councilor for the City of Salem.

3. Findings of Fact and Conclusions of Law.

- A. Vanessa Nordyke (Respondent) was a City Councilor for the City of Salem, Oregon, which is a governing body of a public body under ORS 192.610. Respondent is also a “person” and a “public official” under ORS 192.685, ORS 244.260, ORS 244.270, ORS 244.350. As a person and public official who is a member of the governing body of a public body, Respondent was required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
- B. Between February 1, 2025 and February 14, 2025, Respondent participated in a convening of a meeting with a quorum of the Salem City Council, through serial electronic written communications and use of Mayor Julie Hoy as an intermediary. The convening of the meeting occurred outside of public view and without compliance with the Public Meetings Law notice and meeting minutes requirements. The matters discussed at the meeting were within the jurisdiction of the City Council to deliberate or decide and included topics involving the City’s leadership audit, City Manager Keith Stahley’s performance, and whether to terminate City Manager Keith Stahley’s employment with the City.
- C. Respondent violated ORS 192.630(1) by participating in the convening of a meeting outside of public view.
- D. The use of the serial electronic written communications and use of Mayor Julie Hoy as an intermediary was for the purpose of deliberating or deciding a matter within the Council’s jurisdiction. Specifically, the purpose was to deliberate or decide the City’s leadership audit, City Manager Keith Stahley’s performance, and whether to terminate City Manager Keith Stahley’s employment with the City.
- E. Respondent violated OAR 199-050-0020(1) and (2) by participating in the convening of a meeting outside of public view.
- F. The City Council convened the meeting without providing notice of the meeting to the public and news media as required by ORS 192.640(1).
- G. Respondent violated ORS 192.640(1) by participating in a meeting without providing notice of the meeting to the public and the news media.
- H. The City Council did not take meeting minutes or record the meeting convened as required by ORS 192.650(1).
- I. Respondent violated ORS 192.650(1) by participating in the meeting without taking meeting minutes or recording the meeting.
- J. The Commission’s investigation and files, which constitute the record, establish

by a preponderance of the evidence that Respondent committed one violation each of ORS 192.630(1), ORS 192.640(1), ORS 192.650(1), and OAR 199-050-0020(1) and (2).

4. Assessment of Penalty.

- A. ORS 244.350(2) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705. ORS 244.350(5) authorizes the Commission to issue a letter of education.
- B. Based on the foregoing Findings of Fact and Conclusions of Law, the parties stipulate that the Commission will issue a letter of education in lieu of assessing any civil penalties.

5. Additional Terms.

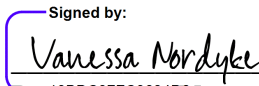
- A. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Vanessa Nordyke.
- B. In exchange for the Commission entering into this Stipulation and Agreement, Vanessa Nordyke agrees not initiate any claims, litigation, or other action against the Commission as a result of, arising out of, or in any way connected to these proceedings.
- C. By signing this agreement, Vanessa Nordyke agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370.
- D. The parties acknowledge that this Stipulation and Agreement has been entered into by their own free will and with full understanding of its contents herein. Each party acknowledges that each has had the opportunity to seek the advice of legal counsel before entering into this agreement.

6. Binding Effect.

- A. This agreement is subject to the final approval of the Commission. Once approved by the Commission, this agreement shall be binding on both parties.
- B. This order shall be the final order relating to this matter. All information in the Commission files on this matter constitute the record in this matter.

THE ABOVE IS STIPULATED AND AGREED:

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Vanessa Nordyke

November 24, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of

Maggie Harris

)
)
)
)
)

STIPULATED FINAL ORDER

CASE NO. 25-226EDP

1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) in the above referenced case against Maggie Harris.
2. JURISDICTION: At all material times, Maggie Harris was a Council Member for the Oregon Housing and Community Services (OHCS). As such, she was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
3. STIPULATED FACTS:
 - A. OHCS publicly funds the development and financing of affordable rental housing. OHCS's Council (Council) sets policy, approves and disapproves loans and grants. Construction companies (Developers) seeking to develop rental housing may apply with OHCS for full or partial loans and/or grants. A Developer that is awarded OHCS funds selects which businesses, such as architect firms, to partner with for rental housing projects and also selects the type of funds (public, private or from OHCS) they will use to pay the business for their services.
 - B. In her private capacity, Ms. Harris is an employee of Holst Architecture (Holst), an architect firm. From January 2024 through April 2025, Ms. Harris participated in six OHCS public meetings during which the Council discussed and voted on funding for Developer projects: Mariposa Village, Strong Family, Hollywood Hub, 73Foster and Julia West. At the time the

Council discussed and voted on the projects, the Developers had selected Holst for architectural services.

- C. A public official is met with a conflict of interest when, acting in their official capacity, they participate in any action, decision, or recommendation the effect of which would be (actual conflict of interest) or could be (potential conflict of interest) to the private financial benefit or detriment of the public official, their relative, or any business with which they are associated. [ORS 244.020(1) and (13)].
- D. When met with a conflict of interest, an elected public official, such as Maggie Harris, must make a public announcement of the nature of their conflict of interest. Then if it is a potential conflict of interest, after making the public announcement, they may continue to participate and may vote on the matter. If it is an actual conflict of interest, after making the public announcement, they must refrain from any participation in the matter, unless their vote is needed to meet a minimum vote requirement, in which case they may vote but may not participate in any discussion or debate on the matter. [ORS 244.120(2)].
- E. As Maggie Harris is an employee at Holst, it is a business with which she is associated as defined per ORS 244.020(3)(a). As such, any decision, recommendation or action Ms. Harris took in her role as an elected Council Member that would or could financially impact herself or Holst would give rise to a conflict of interest. Each time Ms. Harris was met with a statutory conflict of interest, she was required to declare the nature of her conflict of interest, and if it was an actual conflict of interest, she was required to refrain from participating on the matter. [ORS 244.120(2)].
- F. On multiple occasions, the Council considered matters that would have a certain financial impact on Holst.

- a. On January 5, 2024, and January 22, 2024, when the Council discussed the Julia West project, Ms. Harris abstained from the discussions and vote to approve the project, but she failed to make a public announcement of the nature of her conflict of interest.
 - b. On March 7, 2024, when the Council discussed the 73Foster project, Ms. Harris publicly announced that she would abstain due to a conflict of interest but failed to declare the nature of her conflict of interest.
 - c. On August 2, 2024, when the Council discussed the Strong Family project, Ms. Harris failed to publicly announce the nature of her actual conflict of interest and did not refrain from voting to approve the project.
 - d. At the September 6, 2024, and April 4, 2025, meetings when the Council discussed the Hollywood Hub and Mariposa Village projects, Ms. Harris announced that she was not involved in the projects but Holst was. At both meetings, Ms. Harris failed to publicly announce the nature of her conflict of interest and abstain from the voting.
- G. At the Board meetings mentioned above, OHCS Council Member Maggie Harris was met with actual conflicts of interest. Because the Developer had already selected Holst (a business with which Ms. Harris is associated) for the housing projects, Ms. Harris' participation in the discussions and votes on the projects would result in a financial impact on her employer. At a number of these meetings, she did abstain from voting; however, she failed to adequately declare the nature of her conflict of interest as required by ORS 244.120(2). At other meetings, she did not abstain from voting. By failing to publicly announce the nature of her conflict of interest and refrain from voting when directed by statute, Ms. Harris violated ORS 244.120(2).
- H. The actions described in paragraphs 3(F) and 3(G) constitute one violation of ORS 244.120(2) with five equivalent actions.

- I. The Commission contends that the results of the investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 244.120(2).
- J. Maggie Harris contends that while serving on the Council, she sought the guidance and advice of OHCS on conflicts of interest and has previously stated on the record when conflicts of interest were known. Ms. Harris further contends that as an OHCS Council Member, she looks forward to continuing her engagement in advancing housing progress and ensuring all components of the public process and integrity are upheld. Ms. Harris appreciates understanding where she may need to take additional steps to identify potential areas of concern and will adhere to those processes going forward.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On July 11, 2025, the Commission considered information in the preliminary review phase of Case No. 25-226EDP and acted to find cause to initiate an investigation of this matter. Maggie Harris has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$5,000 per violation for each of the violations described in paragraph 3(H).
- C. In lieu of a civil penalty, Maggie Harris will receive a letter of education, as authorized by ORS 244.350(5), in order to settle and compromise this matter.

- D. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Maggie Harris within the scope of the above-referenced proceedings.
- E. Maggie Harris will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of this matter and shall be binding upon all parties.

By signing this agreement, Maggie Harris agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Maggie Harris agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:

96F18ED8DF0C41E...
Respondent: Maggie Harris

November 19, 2025
Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Gregory Dunn	)	CASE NO. 25-250EJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Gregory Dunn.

2. JURISDICTION:
 - A. At all material times, Gregory Dunn was a City Councilor and Budget Committee member for the City of Waldport (City). As such, he was a public official, as defined in ORS 244.020(15), and therefore subject to Oregon Government Ethics Law found in ORS Chapter 244.

 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-250EJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:
 - A. A public official is met with a conflict of interest when, acting in their official capacity, they participate in any action, decision or recommendation the effect of which would be (actual conflict of

interest) or could be (potential conflict of interest) to the private financial benefit or detriment of the public official, their relative, or any business with which they are associated. [ORS 244.020(1) and (13)].

- B. ORS 244.020(3)(a) defines a “business with which the person is associated” as including any private business or closely held corporation of which the person or the person’s relative is a director, officer, owner or employee, or agent or in which the person or the person’s relative owns or has owned at any point in the preceding calendar year stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more, or any business listed as a source of income on a public official’s statement of economic interest.
- C. When met with a conflict of interest, an elected public official, such as Gregory Dunn, must announce publicly the nature of the conflict of interest. If met with a potential conflict of interest, this announcement must be made prior to taking any action on the matter in the capacity of a public official. If met with an actual conflict of interest, the public official must refrain from participating as a public official in any discussion, debate or vote on the matter out of which the actual conflict of interest arises, unless their vote is necessary to meet a minimum vote requirement, in which case the public official may vote but may not participate in any discussion or debate on the matter. [ORS 244.120(2)].
- D. ORS 244.020(13)(b) provides that a public official does not have a conflict of interest if the financial impact of the decision or action being taken “would affect to the same degree a class consisting of

all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged." This provision requires that the Commission determine the existence of a class and determine that all members of that class would be affected to the same degree by the decision or action being taken.

4. STIPULATED FACTS

- A. Gregory Dunn is a co-owner of Pro-Pest Solutions LLC, a business listed as a source of income on his annual statements of economic interest. Therefore, Pro-Pest Solutions LLC is a business with which Gregory Dunn is associated.
- B. Pro-Pest Solutions LLC is one of four (4) registered licensed pest control providers operating within the City of Waldport.
- C. On four separate occasions since August, 2023, Pro-Pest Solutions LLC has provided pest control services to the City of Waldport on an as-needed basis.
- D. The City's budget does not specifically allocate money to Pro-Pest Solutions LLC; however, the budget allocates money to the Public Works department, which pays for the services provided by Pro-Pest Solutions LLC.
- E. At a Budget Committee meeting on April 20, 2024, in his official capacity, Gregory Dunn participated in discussing and voting to approve recommending a proposed City budget to the City Council

(FY2025 budget).

- F. At a City Council meeting on May 23, 2024, Gregory Dunn made a motion and voted to adopt the City's recommended FY2025 budget.
- G. Gregory Dunn asserts that prior to taking these actions, he asked city staff if his participation presented a conflict of interest. He claims he was told by the City Manager specifically "No, since you are just one of several companies, you are exempt – as the benefit would apply to the same degree to all companies." Gregory Dunn relied on the City Manager's advice when participating in the budget votes without disclosing a conflict of interest.

5. ASSERTED VIOLATIONS

- A. When he participated in the recommendation and approval of the City's FY2025 budget, the Commission contends Gregory Dunn was met with potential conflicts of interest because his actions could provide a business with which he is associated an opportunity to receive a financial benefit from providing pest control services to the City. Gregory Dunn did not publicly announce his potential conflicts of interest prior to taking these actions in his official capacity. By so doing, Gregory Dunn violated ORS 244.120(2)(a) on two occasions.
- B. The Commission further contends that the class exception in ORS 244.020(13)(b) would not apply as there is no information to indicate that all members of the potential class would be financially affected to the same degree.

- C. The Commission staff contend that the results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find two violations of ORS 244.120(2)(a).
- D. Gregory Dunn contends that the results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would not establish a preponderance of evidence to support a finding of violations of ORS 244.120(2)(a). He asserts that he was advised by the managing staff of the City of an exemption in which he trusted in good faith and he did not knowingly or intentionally violate these statutes; he contends that he has legal and factual bases to argue against any and all of the assertions and the alleged violations in this stipulated final order.

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Gregory Dunn has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Gregory Dunn will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Gregory Dunn.

D. Gregory Dunn will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

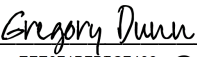
7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Gregory Dunn agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Gregory Dunn agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Gregory Dunn

November 18, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Gregory Dunn	)	CASE NO. 25-256XJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Gregory Dunn.
2. JURISDICTION:
 - A. At all material times, Gregory Dunn was a City Councilor and Budget Committee member for the City of Waldport (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Gregory Dunn was required to comply with the provisions of Oregon Public Meetings Law found in ORS 192.610 to ORS 192.705.
 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-256XJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

- A. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”
- B. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- C. OAR 199-040-0030(2) states, “[a]t a minimum, the written notice shall include:
 - (a) Identification of the governing body before which the matter will be considered;
 - (b) The time, date and location of the meeting;
 - (c) The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice;
 - (d) Information on how the public official may make a request for an open hearing.”

4. STIPULATED FACTS

- A. On April 3, 2025, the City Council for the City of Waldport held an executive session under ORS 192.660(2)(b) to consider complaints against City Manager Dann Cutter, a public officer.
- B. Dann Cutter did not receive a written notice of the executive session held under ORS 192.660(2)(b) with the information required in OAR 199-040-0030(2) at least 24 hours prior to the meeting.
- C. Although Dann Cutter was aware of the executive session scheduled for April 3, 2025, as evidenced by his emails scheduling and organizing the meeting, when the City Council convened the executive session on April 3rd without providing Dann Cutter a written notice with the information required in OAR 199-040-0030(2), they violated ORS 192.660(2)(b).
- D. Gregory Dunn contends that they did not willfully or intentionally violate provisions of the Oregon Public Meetings Law. They contend that they were not reasonably able to know the City Manager had not notified himself of the hearing; however, in order to conclude this matter, they have agreed to the terms and conditions in this order.
- E. Although meeting preparation is handled by the City staff, the language of the applicable statutory provisions make the members of the governing body responsible for compliance with the provisions of Public Meetings Law. Thus, it is the governing body members who must be held responsible if the requirements of Public Meetings Law are not met.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(A) and (B) constitute one violation of ORS 192.660(2)(b).
- B. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.660(2)(b).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Gregory Dunn has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Gregory Dunn will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Gregory Dunn.
- D. Gregory Dunn will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

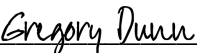
7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Gregory Dunn agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Gregory Dunn agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Gregory Dunn

November 17, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
Jayne Morris)	
	)	CASE NO. 25-259XJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Jayme Morris.
2. JURISDICTION:
 - A. At all material times, Jayme Morris was a City Councilor and Budget Committee member for the City of Waldport (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Jayme Morris was required to comply with the provisions of Oregon Public Meetings Law found in ORS 192.610 to ORS 192.705.
 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-256XJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

- A. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”
- B. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- C. OAR 199-040-0030(2) states, “[a]t a minimum, the written notice shall include:
 - (a) Identification of the governing body before which the matter will be considered;
 - (b) The time, date and location of the meeting;
 - (c) The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice;
 - (d) Information on how the public official may make a request for an open hearing.”

4. STIPULATED FACTS

- A. On April 3, 2025, the City Council for the City of Waldport held an executive session under ORS 192.660(2)(b) to consider complaints against City Manager Dann Cutter, a public officer.
- B. Dann Cutter did not receive a written notice of the executive session held under ORS 192.660(2)(b) with the information required in OAR 199-040-0030(2) at least 24 hours prior to the meeting.
- C. Although Dann Cutter was aware of the executive session scheduled for April 3, 2025, as evidenced by his emails scheduling and organizing the meeting, when the City Council convened the executive session on April 3rd without providing Dann Cutter a written notice with the information required in OAR 199-040-0030(2), they violated ORS 192.660(2)(b).
- D. Jayme Morris contends that they did not willfully or intentionally violate provisions of the Oregon Public Meetings Law. They contend that they were not reasonably able to know the City Manager had not notified himself of the hearing; however, in order to conclude this matter, they have agreed to the terms and conditions in this order.
- E. Although meeting preparation is handled by the City staff, the language of the applicable statutory provisions make the members of the governing body responsible for compliance with the provisions of Public Meetings Law. Thus, it is the governing body members who must be held responsible if the requirements of Public Meetings Law are not met.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(A) and (B) constitute one violation of ORS 192.660(2)(b).
- B. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.660(2)(b).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Jayme Morris has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Jayme Morris will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Jayme Morris.
- D. Jayme Morris will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Jayme Morris agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Jayme Morris agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Jayme Morris

November 17, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
Gerald Townsend)	
	)	CASE NO. 25-260XJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Gerald Townsend.
2. JURISDICTION:
 - A. At all material times, Gerald Townsend was a City Councilor and Budget Committee member for the City of Waldport (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Gerald Townsend was required to comply with the provisions of Oregon Public Meetings Law found in ORS 192.610 to ORS 192.705.
 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-256XJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

- A. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”
- B. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- C. OAR 199-040-0030(2) states, “[a]t a minimum, the written notice shall include:
 - (a) Identification of the governing body before which the matter will be considered;
 - (b) The time, date and location of the meeting;
 - (c) The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice;
 - (d) Information on how the public official may make a request for an open hearing.”

4. STIPULATED FACTS

- A. On April 3, 2025, the City Council for the City of Waldport held an executive session under ORS 192.660(2)(b) to consider complaints against City Manager Dann Cutter, a public officer.
- B. Dann Cutter did not receive a written notice of the executive session held under ORS 192.660(2)(b) with the information required in OAR 199-040-0030(2) at least 24 hours prior to the meeting.
- C. Although Dann Cutter was aware of the executive session scheduled for April 3, 2025, as evidenced by his emails scheduling and organizing the meeting, when the City Council convened the executive session on April 3rd without providing Dann Cutter a written notice with the information required in OAR 199-040-0030(2), they violated ORS 192.660(2)(b).
- D. Gerald Townsend contends that they did not willfully or intentionally violate provisions of the Oregon Public Meetings Law. They contend that they were not reasonably able to know the City Manager had not notified himself of the hearing; however, in order to conclude this matter, they have agreed to the terms and conditions in this order.
- E. Although meeting preparation is handled by the City staff, the language of the applicable statutory provisions make the members of the governing body responsible for compliance with the provisions of Public Meetings Law. Thus, it is the governing body members who must be held responsible if the requirements of Public Meetings Law are not met.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(A) and (B) constitute one violation of ORS 192.660(2)(b).
- B. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.660(2)(b).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Gerald Townsend has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Gerald Townsend will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Gerald Townsend.
- D. Gerald Townsend will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Gerald Townsend agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Gerald Townsend agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

DocuSigned by:

Respondent: Gerald Townsend

November 17, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Richard Booth	)	CASE NO. 25-261XJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Richard Booth.
2. JURISDICTION:
 - A. At all material times, Richard Booth was a City Councilor and Budget Committee member for the City of Waldport (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Richard Booth was required to comply with the provisions of Oregon Public Meetings Law found in ORS 192.610 to ORS 192.705.
 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-256XJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

- A. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”
- B. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- C. OAR 199-040-0030(2) states, “[a]t a minimum, the written notice shall include:
 - (a) Identification of the governing body before which the matter will be considered;
 - (b) The time, date and location of the meeting;
 - (c) The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice;
 - (d) Information on how the public official may make a request for an open hearing.”

4. STIPULATED FACTS

- A. On April 3, 2025, the City Council for the City of Waldport held an executive session under ORS 192.660(2)(b) to consider complaints against City Manager Dann Cutter, a public officer.
- B. Dann Cutter did not receive a written notice of the executive session held under ORS 192.660(2)(b) with the information required in OAR 199-040-0030(2) at least 24 hours prior to the meeting.
- C. Although Dann Cutter was aware of the executive session scheduled for April 3, 2025, as evidenced by his emails scheduling and organizing the meeting, when the City Council convened the executive session on April 3rd without providing Dann Cutter a written notice with the information required in OAR 199-040-0030(2), they violated ORS 192.660(2)(b).
- D. Richard Booth contends that they did not willfully or intentionally violate provisions of the Oregon Public Meetings Law. They contend that they were not reasonably able to know the City Manager had not notified himself of the hearing; however, in order to conclude this matter, they have agreed to the terms and conditions in this order.
- E. Although meeting preparation is handled by the City staff, the language of the applicable statutory provisions make the members of the governing body responsible for compliance with the provisions of Public Meetings Law. Thus, it is the governing body members who must be held responsible if the requirements of Public Meetings Law are not met.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(A) and (B) constitute one violation of ORS 192.660(2)(b).
- B. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.660(2)(b).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Richard Booth has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Richard Booth will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Richard Booth.
- D. Richard Booth will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.


7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Richard Booth agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Richard Booth agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Richard Booth

November 19, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Michelle Severson	)	CASE NO. 25-262XJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Michelle Severson.
2. JURISDICTION:
 - A. At all material times, Michelle Severson was a City Councilor and Budget Committee member for the City of Waldport (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Michelle Severson was required to comply with the provisions of Oregon Public Meetings Law found in ORS 192.610 to ORS 192.705.
 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-256XJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

- A. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”
- B. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- C. OAR 199-040-0030(2) states, “[a]t a minimum, the written notice shall include:
 - (a) Identification of the governing body before which the matter will be considered;
 - (b) The time, date and location of the meeting;
 - (c) The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice;
 - (d) Information on how the public official may make a request for an open hearing.”

4. STIPULATED FACTS

- A. On April 3, 2025, the City Council for the City of Waldport held an executive session under ORS 192.660(2)(b) to consider complaints against City Manager Dann Cutter, a public officer.
- B. Dann Cutter did not receive a written notice of the executive session held under ORS 192.660(2)(b) with the information required in OAR 199-040-0030(2) at least 24 hours prior to the meeting.
- C. Although Dann Cutter was aware of the executive session scheduled for April 3, 2025, as evidenced by his emails scheduling and organizing the meeting, when the City Council convened the executive session on April 3rd without providing Dann Cutter a written notice with the information required in OAR 199-040-0030(2), they violated ORS 192.660(2)(b).
- D. Michelle Severson contends that they did not willfully or intentionally violate provisions of the Oregon Public Meetings Law. They contend that they were not reasonably able to know the City Manager had not notified himself of the hearing; however, in order to conclude this matter, they have agreed to the terms and conditions in this order.
- E. Although meeting preparation is handled by the City staff, the language of the applicable statutory provisions make the members of the governing body responsible for compliance with the provisions of Public Meetings Law. Thus, it is the governing body members who must be held responsible if the requirements of Public Meetings Law are not met.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(A) and (B) constitute one violation of ORS 192.660(2)(b).
- B. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.660(2)(b).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Michelle Severson has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Michelle Severson will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Michelle Severson.
- D. Michelle Severson will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Michelle Severson agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Michelle Severson agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Michelle Severson

November 17, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
Susan Woodruff)	
	)	CASE NO. 25-263XJS
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Susan Woodruff.
2. JURISDICTION:
 - A. At all material times, Susan Woodruff was a City Councilor and Budget Committee member for the City of Waldport (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Susan Woodruff was required to comply with the provisions of Oregon Public Meetings Law found in ORS 192.610 to ORS 192.705.
 - B. On July 11, 2025, the Commission considered information in the preliminary review phase of case #25-256XJS and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

- A. ORS 192.660(2)(b) authorizes a governing body to hold an executive session to “consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.”
- B. OAR 199-040-0030(1) states that “[i]n order to afford to the chief executive officer of any public body, a public officer, employee, staff member or individual agent the opportunity to request an open hearing under ORS 192.660(2)(b) or (i), the public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting.”
- C. OAR 199-040-0030(2) states, “[a]t a minimum, the written notice shall include:
 - (a) Identification of the governing body before which the matter will be considered;
 - (b) The time, date and location of the meeting;
 - (c) The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice;
 - (d) Information on how the public official may make a request for an open hearing.”

4. STIPULATED FACTS

- A. On April 3, 2025, the City Council for the City of Waldport held an executive session under ORS 192.660(2)(b) to consider complaints against City Manager Dann Cutter, a public officer.
- B. Dann Cutter did not receive a written notice of the executive session held under ORS 192.660(2)(b) with the information required in OAR 199-040-0030(2) at least 24 hours prior to the meeting.
- C. Although Dann Cutter was aware of the executive session scheduled for April 3, 2025, as evidenced by his emails scheduling and organizing the meeting, when the City Council convened the executive session on April 3rd without providing Dann Cutter a written notice with the information required in OAR 199-040-0030(2), they violated ORS 192.660(2)(b).
- D. Susan Woodruff contends that they did not willfully or intentionally violate provisions of the Oregon Public Meetings Law. They contend that they were not reasonably able to know the City Manager had not notified himself of the hearing; however, in order to conclude this matter, they have agreed to the terms and conditions in this order.
- E. Although meeting preparation is handled by the City staff, the language of the applicable statutory provisions make the members of the governing body responsible for compliance with the provisions of Public Meetings Law. Thus, it is the governing body members who must be held responsible if the requirements of Public Meetings Law are not met.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(A) and (B) constitute one violation of ORS 192.660(2)(b).
- B. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 192.660(2)(b).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Susan Woodruff has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.
- B. As authorized by ORS 244.350(5), Susan Woodruff will receive a letter of education in lieu of a civil penalty in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Susan Woodruff.
- D. Susan Woodruff will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Susan Woodruff agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Susan Woodruff agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Susan Woodruff

November 17, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Margaret McCrea	)	CASE NO. 25-486PLG
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Margaret McCrea.
2. JURISDICTION:
 - A. At all material times, Margaret McCrea was a City Councilor for the City of Johnson City (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Margaret McCrea is required to comply with the provisions of Public Meetings Law, in ORS 192.610 to ORS 192.705.
 - B. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-486PLG and acted to find cause to open an investigation of this matter. Margaret McCrea has indicated she wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.

3. APPLICABLE LAW:

- A. ORS 192.630(1) requires that all meetings of a governing body “shall be open to the public and all persons shall be permitted to attend any meeting” except as otherwise provided in the Public Meetings Law.
- B. ORS 192.610(7)(a) states that a “meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.
- C. A “convening” means: “(a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communication among participants; or (d) Using an intermediary to communicate among participants.” [ORS 192.610(1)].
- D. An “intermediary” is “a person who is used to facilitate communications among members of a governing body about a matter subject to deliberation or decision by the governing body, by sharing information received from a member or members of the governing body with other members of the governing body. The term “intermediary” can include a member of the governing body.” [OAR 199-050-0005(7)].
- E. ORS 192.610(3) defines “deliberation” as discussion or communication that is part of a decision-making process. “Decision-making process” means the process a governing body engages in to make a decision, such as: (a) identifying or selecting the nature of the decision to be made; (b) gathering information related to the decision to be made; (c) identifying and assessing alternatives; (d) weighing information; and (e) making a decision. [OAR 199-050-0005(4)].

- F. OAR 199-050-0015(4) states that “[a] private meeting where a quorum of a governing body engages in discussions or communications that are part of the governing body’s decision-making process on matters within the authority of the governing body violates the Public Meetings Law.”
- G. OAR 199-050-0020(1) prohibits serial communications and provides: “A quorum of the members of a governing body shall not, outside of a meeting conducted in compliance with the Public Meetings Law, use a series of communications of any kind, directly or through intermediaries, for the purpose of deliberating or deciding on any matter that is within the jurisdiction of the governing body.”
- H. ORS 192.630(2) states that “[a] quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.705.”
- I. ORS 192.640(1) requires that “[t]he governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”
- J. ORS 192.650(1) requires that “[t]he governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants.”

4. STIPULATED FACTS

- A. Between June 26, 2025 and July 13, 2025, Margaret McCrea had a series of meetings and communications with a quorum of the City Council members. These meetings and communications involved discussions relating to the selection of a website design subcontractor.
- B. On June 30th and July 1st, Margaret McCrea and Mayor Vincent Whitehead met with a potential website design subcontractor. Also on July 1st, Margaret McCrea provided an update via email regarding these discussions to Councilor Jackie Moritz. On July 13th, Margaret McCrea shared a comparison chart document via email with Councilor Luan Evans. In the email, Margaret McCrea indicates the comparison chart contains recommendations that Margaret McCrea and Vincent Whitehead discussed regarding the potential website design subcontractors.
- C. At the City Council's July 15, 2025 meeting, the Council discussed the information in the comparison chart and voted to select a website design subcontractor.

5. CONCLUSIONS OF LAW

- A. The meetings and communications involved a quorum of the City Council, and because they involved deliberations regarding the selection of a website design subcontractor that could and later did come before the Council for a vote, they were required to be held in a public meeting. Because that did not occur, these meetings and communications constituted prohibited serial communications.
- B. On each occasion Margaret McCrea communicated with the Mayor or her fellow City Councilors to discuss the website design contractors, she was

acting as an intermediary. Information was shared between members of the City Council and this information was related to topics within the jurisdiction of the City Council. These communications included information gathering and weighing information. As such, they were part of the City Council's decision-making process, constituting deliberations.

- C. When a quorum of the City Council convened in order to deliberate toward a decision within the City Council's jurisdiction, outside of a public meeting, they violated ORS 192.630(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).
- D. When a quorum of the City Council convened through an intermediary, they did not publicly notice these meetings or make them available to the public. Therefore, the City Council failed to comply with the public meeting notice requirements in ORS 192.640(1).
- E. The City Council also failed to provide for the written minutes or recordings of their meetings when a quorum convened through an intermediary, and as a result, they violated ORS 192.650(1).
- F. A quorum of the City Council participated in a "meet in private" when they communicated through an intermediary to deliberate toward a decision within the authority of the governing body. Therefore, the City Council violated ORS 192.630(2).
- G. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation each of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-486PLG and acted to find cause to initiate an investigation of this matter. Margaret McCrea has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order.
- B. ORS 244.350(2)(a) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705 set forth in paragraph 5(G).
- C. In lieu of a civil penalty, Margaret McCrea will receive a letter of education, as authorized by ORS 244.350(5), in order to settle and compromise this matter.
- D. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Margaret McCrea.
- E. Margaret McCrea will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering into this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Margaret McCrea agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370.

This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Margaret McCrea agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

DocuSigned by:

7277A4D288D05F474...
Respondent: Margaret McCrea

November 25, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Vincent Whitehead	)	CASE NO. 25-535PLG
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Vincent Whitehead.

2. JURISDICTION:
 - A. At all material times, Vincent Whitehead was the Mayor and a member of the City Council for the City of Johnson City (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Vincent Whitehead is required to comply with the provisions of Public Meetings Law, in ORS 192.610 to ORS 192.705.

 - B. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-535PLG and acted to find cause to open an investigation of this matter. Vincent Whitehead has indicated he wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.

3. APPLICABLE LAW:

- A. ORS 192.630(1) requires that all meetings of a governing body “shall be open to the public and all persons shall be permitted to attend any meeting” except as otherwise provided in the Public Meetings Law.
- B. ORS 192.610(7)(a) states that a “meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.
- C. A “convening” means: “(a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communication among participants; or (d) Using an intermediary to communicate among participants.” [ORS 192.610(1)].
- D. An “intermediary” is “a person who is used to facilitate communications among members of a governing body about a matter subject to deliberation or decision by the governing body, by sharing information received from a member or members of the governing body with other members of the governing body. The term “intermediary” can include a member of the governing body.” [OAR 199-050-0005(7)].
- E. ORS 192.610(3) defines “deliberation” as discussion or communication that is part of a decision-making process. “Decision-making process” means the process a governing body engages in to make a decision, such as: (a) identifying or selecting the nature of the decision to be made; (b) gathering information related to the decision to be made; (c) identifying and assessing alternatives; (d) weighing information; and (e) making a decision. [OAR 199-050-0005(4)].

- F. OAR 199-050-0015(4) states that “[a] private meeting where a quorum of a governing body engages in discussions or communications that are part of the governing body’s decision-making process on matters within the authority of the governing body violates the Public Meetings Law.”
- G. OAR 199-050-0020(1) prohibits serial communications and provides: “A quorum of the members of a governing body shall not, outside of a meeting conducted in compliance with the Public Meetings Law, use a series of communications of any kind, directly or through intermediaries, for the purpose of deliberating or deciding on any matter that is within the jurisdiction of the governing body.”
- H. ORS 192.630(2) states that “[a] quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.705.”
- I. ORS 192.640(1) requires that “[t]he governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”
- J. ORS 192.650(1) requires that “[t]he governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants.”

4. STIPULATED FACTS

- A. Between June 26, 2025 and July 13, 2025, Councilor Margaret McCrea had a series of meetings and communications with a quorum of the City Council members. These meetings and communications involved discussions relating to the selection of a website design subcontractor.
- B. On June 30th and July 1st, Margaret McCrea and Mayor Vincent Whitehead met with a potential website design subcontractor. Also on July 1st, Margaret McCrea provided an update via email regarding these discussions to Councilor Jackie Moritz. On July 13th, Margaret McCrea shared a comparison chart document via email with Councilor Luan Evans. In the email, Margaret McCrea indicates the comparison chart contains recommendations that Margaret McCrea and Vincent Whitehead discussed regarding the potential website design subcontractors.
- C. At the City Council's July 15, 2025 meeting, the Council discussed the information in the comparison chart and voted to select a website design subcontractor.

5. CONCLUSIONS OF LAW

- A. The meetings and communications described above involved a quorum of the City Council, and because they involved deliberations regarding the selection of a website design subcontractor that could and later did come before the Council for a vote, they were required to be held in a public meeting. Because that did not occur, these meetings and communications constituted prohibited serial communications.
- B. On each occasion Margaret McCrea communicated with the Mayor or her fellow City Councilors to discuss the website design contractors, she was

acting as an intermediary. Information was shared between members of the City Council and this information was related to topics within the jurisdiction of the City Council. These communications included information gathering and weighing information. As such, they were part of the City Council's decision-making process, constituting deliberations.

- C. When a quorum of the City Council convened in order to deliberate toward a decision within the City Council's jurisdiction, outside of a public meeting, they violated ORS 192.630(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).
- D. When a quorum of the City Council convened through an intermediary, they did not publicly notice these meetings or make them available to the public. Therefore, the City Council failed to comply with the public meeting notice requirements in ORS 192.640(1).
- E. The City Council also failed to provide for the written minutes or recordings of their meetings when a quorum convened through an intermediary, and as a result, they violated ORS 192.650(1).
- F. A quorum of the City Council participated in a "meet in private" when they communicated through an intermediary to deliberate toward a decision within the authority of the governing body. Therefore, the City Council violated ORS 192.630(2).
- G. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation each of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-535PLG and acted to find cause to initiate an investigation of this matter. Vincent Whitehead has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this order.
- B. ORS 244.350(2)(a) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705 set forth in paragraph 5(G).
- C. In lieu of a civil penalty, Vincent Whitehead will receive a letter of education, as authorized by ORS 244.350(5), in order to settle and compromise this matter.
- D. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Vincent Whitehead.
- E. Vincent Whitehead will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering into this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Vincent Whitehead agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370.

This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Vincent Whitehead agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:

7F6E34EA5B6E457...
Respondent: Vincent Whitehead

December 1, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Jackie Moritz	)	CASE NO. 25-537PLG
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Jackie Moritz.

2. JURISDICTION:
 - A. At all material times, Jackie Moritz was a City Councilor for the City of Johnson City (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Jackie Moritz is required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.

 - B. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-537PLG and acted to find cause to open an investigation of this matter. Jackie Moritz has indicated she wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.

3. APPLICABLE LAW:

- A. ORS 192.630(1) requires that all meetings of a governing body “shall be open to the public and all persons shall be permitted to attend any meeting” except as otherwise provided in the Public Meetings Law.
- B. ORS 192.610(7)(a) states that a “meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.
- C. A “convening” means: “(a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communication among participants; or (d) Using an intermediary to communicate among participants.” [ORS 192.610(1)].
- D. An “intermediary” is “a person who is used to facilitate communications among members of a governing body about a matter subject to deliberation or decision by the governing body, by sharing information received from a member or members of the governing body with other members of the governing body. The term “intermediary” can include a member of the governing body.” [OAR 199-050-0005(7)].
- E. ORS 192.610(3) defines “deliberation” as discussion or communication that is part of a decision-making process. “Decision-making process” means the process a governing body engages in to make a decision, such as: (a) identifying or selecting the nature of the decision to be made; (b) gathering information related to the decision to be made; (c) identifying and assessing alternatives; (d) weighing information; and (e) making a decision. [OAR 199-050-0005(4)].

- F. OAR 199-050-0015(4) states that “[a] private meeting where a quorum of a governing body engages in discussions or communications that are part of the governing body’s decision-making process on matters within the authority of the governing body violates the Public Meetings Law.”
- G. OAR 199-050-0020(1) prohibits serial communications and provides: “A quorum of the members of a governing body shall not, outside of a meeting conducted in compliance with the Public Meetings Law, use a series of communications of any kind, directly or through intermediaries, for the purpose of deliberating or deciding on any matter that is within the jurisdiction of the governing body.”
- H. ORS 192.630(2) states that “[a] quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.705.”
- I. ORS 192.640(1) requires that “[t]he governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”
- J. ORS 192.650(1) requires that “[t]he governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants.”

4. STIPULATED FACTS

- A. Between June 26, 2025 and July 13, 2025, City Councilor Margaret McCrea had a series of meetings and communications with a quorum of the City Council members. These meetings and communications involved discussions relating to the selection of a website design subcontractor.
- B. On June 30th and July 1st, Margaret McCrea and Mayor Vincent Whitehead met with a potential website design subcontractor. Also on July 1st, Margaret McCrea provided an update via email regarding these discussions to Councilor Jackie Moritz. On July 13th, Margaret McCrea shared a comparison chart document via email with Councilor Luan Evans. In the email, Margaret McCrea indicates the comparison chart contains recommendations that Margaret McCrea and Vincent Whitehead discussed regarding the potential website design subcontractors.
- C. At the City Council's July 15, 2025 meeting, the Council discussed the information in the comparison chart and voted to select a website design subcontractor.

5. CONCLUSIONS OF LAW

- A. The meetings and communications involved a quorum of the City Council, and because they involved deliberations regarding the selection of a website design subcontractor that could and later did come before the Council for a vote, they were required to be held in a public meeting. Because that did not occur, these meetings and communications constituted prohibited serial communications.
- B. On each occasion Margaret McCrea communicated with the Mayor or her fellow City Councilors to discuss the website design contractors, she was

acting as an intermediary. Information was shared between members of the City Council and this information was related to topics within the jurisdiction of the City Council. These communications included information gathering and weighing information. As such, they were part of the City Council's decision-making process, constituting deliberations.

- C. When a quorum of the City Council convened in order to deliberate toward a decision within the City Council's jurisdiction, outside of a public meeting, they violated ORS 192.630(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).
- D. When a quorum of the City Council convened through an intermediary, they did not publicly notice these meetings or make them available to the public. Therefore, the City Council failed to comply with the public meeting notice requirements in ORS 192.640(1).
- E. The City Council also failed to provide for the written minutes or recordings of their meetings when a quorum convened through an intermediary, and as a result, they violated ORS 192.650(1).
- F. A quorum of the City Council participated in a "meet in private" when they communicated through an intermediary to deliberate toward a decision within the authority of the governing body. Therefore, the City Council violated ORS 192.630(2).
- G. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation each of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-537PLG and acted to find cause to initiate an investigation of this matter. Jackie Moritz has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order.
- B. ORS 244.350(2)(a) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705 set forth in paragraph 5(G).
- C. In lieu of a civil penalty, Jackie Moritz will receive a letter of education, as authorized by ORS 244.350(5), in order to settle and compromise this matter.
- D. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Jackie Moritz.
- E. Jackie Moritz will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering into this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Jackie Moritz agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Jackie Moritz agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Respondent: Jackie Moritz

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
)	
	)	STIPULATED FINAL ORDER
)	
Luan Evans	)	CASE NO. 25-538PLG
)	
_____)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Luan Evans.
2. JURISDICTION:
 - A. At all material times, Luan Evans was a City Councilor for the City of Johnson City (City). The City is a public body and the City Council is its governing body. [ORS 192.610(5) and (6)]. As a member of the governing body of a public body, Luan Evans is required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
 - B. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-538PLG and acted to find cause to open an investigation of this matter. Luan Evans has indicated she wishes to conclude this matter by agreeing to the terms and conditions in this stipulated final order without completing the investigative phase.

3. APPLICABLE LAW:

- A. ORS 192.630(1) requires that all meetings of a governing body “shall be open to the public and all persons shall be permitted to attend any meeting” except as otherwise provided in the Public Meetings Law.
- B. ORS 192.610(7)(a) states that a “meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.
- C. A “convening” means: “(a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communication among participants; or (d) Using an intermediary to communicate among participants.” [ORS 192.610(1)].
- D. An “intermediary” is “a person who is used to facilitate communications among members of a governing body about a matter subject to deliberation or decision by the governing body, by sharing information received from a member or members of the governing body with other members of the governing body. The term “intermediary” can include a member of the governing body.” [OAR 199-050-0005(7)].
- E. ORS 192.610(3) defines “deliberation” as discussion or communication that is part of a decision-making process. “Decision-making process” means the process a governing body engages in to make a decision, such as: (a) identifying or selecting the nature of the decision to be made; (b) gathering information related to the decision to be made; (c) identifying and assessing alternatives; (d) weighing information; and (e) making a decision. [OAR 199-050-0005(4)].

- F. OAR 199-050-0015(4) states that “[a] private meeting where a quorum of a governing body engages in discussions or communications that are part of the governing body’s decision-making process on matters within the authority of the governing body violates the Public Meetings Law.”
- G. OAR 199-050-0020(1) prohibits serial communications and provides: “A quorum of the members of a governing body shall not, outside of a meeting conducted in compliance with the Public Meetings Law, use a series of communications of any kind, directly or through intermediaries, for the purpose of deliberating or deciding on any matter that is within the jurisdiction of the governing body.”
- H. ORS 192.630(2) states that “[a] quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.705.”
- I. ORS 192.640(1) requires that “[t]he governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”
- J. ORS 192.650(1) requires that “[t]he governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants.”

4. STIPULATED FACTS

- A. Between June 26, 2025 and July 13, 2025, City Councilor Margaret McCrea had a series of meetings and communications with a quorum of the City Council members. These meetings and communications involved discussions relating to the selection of a website design subcontractor.
- B. On June 30th and July 1st, Margaret McCrea and Mayor Vincent Whitehead met with a potential website design subcontractor. Also on July 1st, Margaret McCrea provided an update via email regarding these discussions to Councilor Jackie Moritz. On July 13th, Margaret McCrea shared a comparison chart document via email with Councilor Luan Evans. In the email, Margaret McCrea indicates the comparison chart contains recommendations that Margaret McCrea and Vincent Whitehead discussed regarding the potential website design subcontractors.
- C. At the City Council's July 15, 2025 meeting, the Council discussed the information in the comparison chart and voted to select a website design subcontractor.

5. CONCLUSIONS OF LAW

- A. The meetings and communications involved a quorum of the City Council, and because they involved deliberations regarding the selection of a website design subcontractor that could and later did come before the Council for a vote, they were required to be held in a public meeting. Because that did not occur, these meetings and communications constituted prohibited serial communications.
- B. On each occasion Margaret McCrea communicated with the Mayor or her fellow City Councilors to discuss the website design contractors, she was

acting as an intermediary. Information was shared between members of the City Council and this information was related to topics within the jurisdiction of the City Council. These communications included information gathering and weighing information. As such, they were part of the City Council's decision-making process, constituting deliberations.

- C. When a quorum of the City Council convened in order to deliberate toward a decision within the City Council's jurisdiction, outside of a public meeting, they violated ORS 192.630(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).
- D. When a quorum of the City Council convened through an intermediary, they did not publicly notice these meetings or make them available to the public. Therefore, the City Council failed to comply with the public meeting notice requirements in ORS 192.640(1).
- E. The City Council also failed to provide for the written minutes or recordings of their meetings when a quorum convened through an intermediary, and as a result, they violated ORS 192.650(1).
- F. A quorum of the City Council participated in a "meet in private" when they communicated through an intermediary to deliberate toward a decision within the authority of the governing body. Therefore, the City Council violated ORS 192.630(2).
- G. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation each of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1), and OAR 199-050-0015(4).

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On November 14, 2025, the Commission considered information in the preliminary review phase of Case No. 25-538PLG and acted to find cause to initiate an investigation of this matter. Luan Evans has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order.
- B. ORS 244.350(2)(a) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705 set forth in paragraph 5(G).
- C. In lieu of a civil penalty, Luan Evans will receive a letter of education, as authorized by ORS 244.350(5), in order to settle and compromise this matter.
- D. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Luan Evans.
- E. Luan Evans will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

6. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering into this agreement.

7. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Luan Evans agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Luan Evans agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:


Respondent: Luan Evans

November 24, 2025

Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)	
	)	STIPULATED FINAL ORDER
Earl Dean Smith)	
_____	)	CASE NO. 23-157EMW
)	

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations, and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Earl Dean Smith.
2. JURISDICTION: At all material times, Earl Dean Smith was the Fire Chief for the Vernonia Rural Fire Protection District (District). As such, Earl Dean Smith was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
3. STIPULATED FACTS:
 - A. ORS 244.040(1) prohibits a public official from using or attempting to use the public official's position or office to obtain a financial benefit or avoid a financial detriment for the public official, the public official's relative or a business with which the public official or the official's relative is associated, if the financial benefit or avoidance of detriment would not otherwise be available but for the public official's holding the official position. ORS 244.040(2)(a) provides that subsection (1) of this section does not apply to any part of an official compensation package as determined by the public body that the public official serves.
 - B. ORS 244.040(2)(a) allows a public official to accept any part of an official compensation package. An official compensation package is defined as

the wages and benefits provided to a public official. Those wages and benefits must have been specifically approved by the public body in a formal manner, such as through a union contract, an employment contract, or other adopted personnel policies that apply generally to employees or other public officials. [OAR 199-008-0005(3)].

- C. Sometime in 2021, Earl Dean Smith's personal smart watch (Personal Watch) was added to the District's cellular services account for a monthly fee of \$20. However, because it does not appear that there was a District policy or authorization for the District to pay for the cellular services on Mr. Smith's Personal Watch, the exception in ORS 244.040(2)(a) does not apply.
- D. By having the District pay for the cellular services on his Personal Watch, Mr. Smith avoided the cost of paying for his private personal expenses, and this avoidance of financial detriment would not have been available to him but for holding his official position as the Fire Chief. In taking these actions, Mr. Smith violated ORS 244.040(1).
- E. A public official is met with a conflict of interest when, acting in their official capacity, they participate in any action, decision, or recommendation the effect of which would be (actual conflict of interest) or could be (potential conflict of interest) to the private financial benefit or detriment of the public official, their relative, or any business with which they are associated. [ORS 244.020(1) and (13)].
- F. ORS 244.120(1)(c) directs that when met with an actual or potential conflict of interest, an appointed public official is required to notify their appointing authority in writing of the nature of their conflict of interest and request they dispose of it. The appointing authority can do so by appointing another employee to handle the matter or by directing the conflicted official to handle it in a specific manner.

- G. Because the District paid cellular services on Mr. Smith's Personal Watch provided him with a financial benefit which were not part of his official compensation package, Mr. Smith was met with an actual conflict of interest. When met with this conflict of interest, Mr. Smith failed to provide a written disclosure to his appointing authority. By failing to do so, Mr. Smith violated ORS 244.120(1)(c).
- H. The actions described in paragraph 3(C), 3(D) and 3(G) each constitute one violation of ORS 244.040(1) with one equivalent action and one violation of ORS 244.120(1)(c).
- I. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 244.040(1) with one equivalent action and one violation of ORS 244.120(1)(c).
- J. Mr. Smith contends that he did not willfully or intentionally violate Oregon Government Ethics Law. He further contends that the District was aware of the use and purpose of the service related to his smart watch. Notwithstanding these concerns, Mr. Smith agrees to the terms and conditions of this Stipulated Final Order to resolve the matter and bring this case to a close.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On August 25, 2023, the Commission considered information in the preliminary review phase of Case No. 23-157EMW and acted to find cause to initiate an investigation of this matter. Earl Dean Smith has

indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigation phase.

- B. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$5,000 for each violation of ORS 244.040 set forth in paragraph 3(D) and each violation of ORS 244.120 set forth in paragraph 3(G).
- C. Earl Dean Smith will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$500 in order to settle and compromise this matter. Payment in full will be made payable to the Commission no later than 30 days from the date this stipulated final order is fully-executed.
- D. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Earl Dean Smith within the scope of the above-referenced proceedings.
- E. Earl Dean Smith will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of this matter and shall be binding upon all parties.

By signing this agreement, Earl Dean Smith agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Earl Dean Smith agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Signed by:

C10266F860054A7...
Respondent: Earl Dean Smith

November 5, 2025
Date

David Fiskum, Chairperson
Oregon Government Ethics Commission

Date

OREGON GOVERNMENT ETHICS COMMISSION

INVESTIGATION

CASE NO: 25-194ELG

DATE: December 2, 2025

RESPONDENT: PRITCHARD, Shaun, Commissioner, City of Roseburg Homeless Commission

COMPLAINANT: Woodard, Bernard

RECOMMENDED ACTION: Move to Dismiss

SYNOPSIS: Shaun Pritchard was appointed as a Commissioner to the City of Roseburg Homeless Commission (Homeless Commission) in 2021. At the time of this appointment and during his service on the Homeless Commission, Shaun Pritchard was employed in his private capacity as the Chief Executive Officer (CEO) of United Community Action Network (UCAN), a 501(c)(3) non-profit corporation. The complaint in this matter alleged that Shaun Pritchard failed to declare a conflict of interest on multiple occasions during Homeless Commission meetings and violated the prohibited use of office statute related to the City of Roseburg's purchase of property and award of a contract to UCAN to develop a Navigation Center for providing homeless services.

On June 13, 2025, after considering the information in the preliminary review, the Commission found cause to open an investigation. The focus of the investigation was to determine whether there was sufficient evidence to indicate that Shaun Pritchard made decisions or recommendations or took actions that would or could provide either personal financial gain or financial gains to a business with which he was associated, in violation of ORS 244.120(2) and ORS 244.040(1). Based on the information and analysis in this investigation, the actions taken by Shaun Pritchard neither would nor could provide personal financial benefit. In addition, the information and analysis in this investigation shows that UCAN does not qualify as a business with which Shaun Pritchard was associated, as that term is defined in ORS 244.020(3). Consequently,

1 Shaun Pritchard was not met with a conflict of interest or prohibited use of office
2 violation when participating in decisions, recommendations, and actions that provided a
3 financial benefit to UCAN.

4
5 **RELEVANT STATUTES:** The following Oregon Revised Statutes are applicable to the
6 issues addressed herein:

7
8 **244.020 Definitions.** As used in this chapter, unless the context requires
9 otherwise:

10
11 (1) "Actual conflict of interest" means any action or decision or recommendation
12 by a person acting in a capacity as a public official, the effect of which would be
13 to the private pecuniary benefit or detriment of the person or the person's relative
14 or any business with which the person or a relative of the person is associated
15 unless the pecuniary benefit or detriment arises out of circumstances described
16 in subsection (13) of this section.

17
18 (2) "Business" means any corporation, partnership, proprietorship, firm,
19 enterprise, franchise, association, organization, self-employed individual and any
20 other legal entity operated for economic gain but excluding any income-
21 producing not-for-profit corporation that is tax exempt under section 501(c) of the
22 Internal Revenue Code with which a public official or a relative of the public
23 official is associated only as a member or board director or in a nonremunerative
24 capacity.

25
26 (3) "Business with which the person is associated" means:

27
28 (a) Any private business or closely held corporation of which the person or
29 the person's relative is a director, officer, owner or employee, or agent or
30 any private business or closely held corporation in which the person or
31 the person's relative owns or has owned stock, another form of equity
32 interest, stock options or debt instruments worth \$1,000 or more at any

1 point in the preceding calendar year; * * *

2
3 (b) Any publicly held corporation in which the person or the person's relative
4 owns or has owned \$100,000 or more in stock or another form of equity
5 interest, stock options or debt instruments at any point in the preceding
6 calendar year;

7
8 (c) Any publicly held corporation of which the person or the person's relative
9 is a director or officer; or

10
11 (d) For public officials required to file a statement of economic interest under
12 ORS 244.050, any business listed as a source of income as required
13 under ORS 244.060(3).

14 * * * * *

15
16 (13) "Potential conflict of interest" means any action or any decision or
17 recommendation by a person acting in a capacity as a public official, the effect of
18 which could be to the private pecuniary benefit or detriment of the person or the
19 person's relative, or a business with which the person or the person's relative is
20 associated, unless the pecuniary benefit or detriment arises out of the following:

21 (a) An interest or membership in a particular business, industry, occupation
22 or other class required by law as a prerequisite to the holding by the
23 person of the office or position.

24 * * * * *

25
26 (15) "Public official" means the First Partner and any person who, when an
27 alleged violation of this chapter occurs, is serving the State of Oregon or any of
28 its political subdivisions or any other public body as defined in ORS 174.109 as
29 an elected official, appointed official, employee or agent, irrespective of whether
30 the person is compensated for the services.

31 * * * * *

32 ///

1 **244.040 Prohibited use of official position or office; exceptions; other**

2 **prohibited actions.** (1) Except as provided in subsection (2) of this section, a
3 public official may not use or attempt to use official position or office to obtain
4 financial gain or avoidance of financial detriment for the public official, a relative
5 or member of the household of the public official, or any business with which the
6 public official or a relative or member of the household of the public official is
7 associated, if the financial gain or avoidance of financial detriment would not
8 otherwise be available but for the public official's holding of the official position or
9 office.

10 * * * * *

11
12 **244.120 Methods of handling conflicts; Legislative Assembly; judges;**
13 **appointed officials; other elected officials or members of boards.** (1) Except
14 as provided in subsection (2) of this section, when met with an actual or potential
15 conflict of interest, a public official shall:

16 * * * * *

17
18 (2) An elected public official, other than a member of the Legislative Assembly, or
19 an appointed public official serving on a board or commission, shall:

20
21 (a) When met with a potential conflict of interest, announce publicly the nature
22 of the potential conflict prior to taking any action thereon in the capacity of
23 a public official; or

24
25 (b) When met with an actual conflict of interest, announce publicly the nature
26 of the actual conflict and:

27
28 (A) Except as provided in subparagraph (B) of this paragraph, refrain from
29 participating as a public official in any discussion or debate on the issue
30 out of which the actual conflict arises or from voting on the issue.

31
32 (B) If any public official's vote is necessary to meet a requirement of a

1 minimum number of votes to take official action, be eligible to vote, but not
2 to participate as a public official in any discussion or debate on the issue
3 out of which the actual conflict arises.
4

5 **INVESTIGATION:** The Oregon Government Ethics Commission (Commission) initiated
6 a preliminary review based on information in a signed complaint from Bernard Woodard.
7 That complaint asserted that Shaun Pritchard, as a member of the City of Roseburg's
8 Homeless Commission, helped "initiate and shape" the development of a Navigation
9 Center project to provide short-term shelter and supportive services to the local
10 houseless population, which ultimately created a financial benefit for UCAN. At its June
11 13, 2025 meeting, the Commission considered the information presented in the
12 preliminary review and found cause to open an investigation. The focus of the
13 investigation was to determine, with respect to the City's purchase of property from
14 UCAN and award of a contract to UCAN, if there was sufficient evidence to indicate that
15 Shaun Pritchard had conflicts of interest that he did not properly disclose and if he
16 engaged in a prohibited use of position by taking official actions and making decisions
17 that benefited either him personally or a business with which he was associated.
18

19 **Background Information**

20 By ordinance, the Roseburg Homeless Commission was established to: "Research,
21 gather information and explore options in order to make recommendations to the City
22 Council addressing the needs of the unhoused." Ordinance §2.20.040 specifies
23 membership requirements, stating that four of the seven members of the Homeless
24 Commission must be directors or designated representatives from five local agencies,
25 including UCAN. (#PR3).
26

27 Originally established in 1969, UCAN is an Oregon public benefit corporation. (#INV1).
28 UCAN provides a wide array of social, health, early education and family services,
29 primarily in Douglas and Josephine Counties. (#INV2). UCAN's amended articles of
30 incorporation (2012) indicate that it "will be operated exclusively for charitable, scientific
31 and educational purposes," and that no part of the corporation's assets or net earnings
32 "shall inure to the benefit of, or be distributable to its members, trustees, officers or

1 other private persons.” (#INV1). UCAN has been designated by the IRS as a 501(c)(3)
2 tax exempt organization. (#PR4). The 990 Tax Returns for UCAN for 2021 and 2022 list
3 Shaun Pritchard as the full-time, paid CEO. (#PR5; #PR6).

4 5 City of Roseburg Navigation Center

6 In 2021, the City sought to identify potential sites they could purchase for the Navigation
7 Center (#PR7) and entities they could contract with to operate the Navigation Center
8 (#PR8). The evolution of the City’s efforts, eventually leading to the purchase of
9 property from UCAN and the award of a \$3.25M sole-source contract to UCAN to
10 develop and operate the Navigation Center, can be seen in the Homeless
11 Commission’s meeting minutes:

- 12
13 • *October 25, 2021 Meeting Minutes:* During this meeting, the City Manager
14 announced that the Request for Proposals (RFP) to identify potential non-profits
15 to operate the Navigation Center had been opened from July 29th to September
16 9th; however, the City did not receive any proposals. The City Manager stated
17 that at this point, if they received interest from a qualified organization, it could be
18 possible to request an exemption from the competitive bid process from the City
19 Council. Regarding the search for a location for the Navigation Center, the Mayor
20 shared they were in the process of reviewing three potential properties, but were
21 still searching for others. Homeless Commissioners were asked by Mayor and
22 again later by the City Manager to share any potential properties with them and
23 alert the City Manager. (#PR8).
- 24
25 • *November 22, 2021 Meeting Minutes and Recording:* According to meeting
26 minutes and a video recording, there was a regular meeting and an executive
27 session on this date. During the public meeting, the Mayor announces that they
28 have some leads for non-profit operators and for potential properties, but until
29 they get more commitment this information would not be shared publicly. Based
30 on the video recording, at the conclusion of the public meeting, the Mayor states
31 they will be going into executive session under ORS 192.660(2)(e) to engage in
32 real property discussions. Based on the public meeting recording and the

1 minutes, it does not appear that any conflicts of interest were declared prior to
2 the Homeless Commission entering into executive session. The draft minutes
3 from this executive session indicate that the Homeless Commission discussed
4 several potential properties, including a property owned by UCAN. Per the
5 minutes, Shaun Pritchard participated in the discussion of the UCAN property.
6 (#PR9; #PR10; #PR11).

- 7
- 8 • *January 24, 2022 Meeting Minutes and Recording:* The meeting materials
9 indicate the City Manager presented the UCAN property to the Homeless
10 Commission as the best option after a review of several properties, information
11 discussed during the previous executive session on November 22nd, and with
12 consideration of a June 30th deadline for services to begin per grant requirements
13 funding the project. The City Manager states, “We have toured this building
14 several times now. Shaun [Pritchard] has been very gracious about opening the
15 building and letting us walk through with different folks.” Following the
16 presentation, Shaun Pritchard states, “Mayor Rich, I obviously need to abstain
17 from making any recommendations on this property and I think I would be able to
18 address any direct questions on it.” The Mayor asks three questions to Shaun
19 Pritchard. Shaun Pritchard responds to the questions to confirm that he is not
20 personally making any profit off of the sale of the building to the City and similarly
21 UCAN is not profiting from the sale as they are selling it under its assessed
22 value. Further, when asked why he is selling the property to the City at cost,
23 Shaun Pritchard relays that it is part of UCAN’s mission to assist the population
24 targeted by the project. The recording indicates that Shaun Pritchard abstained
25 from this vote. The meeting minutes state, “Commissioner Pritchard recused
26 himself due to conflict of interest for his employment position with UCAN.”
27 (#PR10; #PR12).

- 28
- 29 • *February 28, 2022 Meeting Minutes and Recording:* The City Recorder presented
30 an update on the search for a non-profit to operate the Navigation Center out of
31 the building the City was in the process of purchasing from UCAN. The City
32 Recorder relayed that the RFP to identify potential non-profits to operate the

1 Navigation Center that the City had developed with the Homeless Commission
2 had previously been opened from July 29th to September 9th and extended to
3 October; however, the City did not receive any proposals. The City Recorder
4 stated that UCAN had later approached the City to say they could possibly take
5 on the service provision and, “ * * * we are asking for an exemption from the
6 public contracting process so we can award this contract * * * to UCAN. * * * The
7 cost would be \$1.75 Million for the first year and \$1.5 Million the second * * *.”
8 Following the presentation, Shaun Pritchard states, “Just for the record, I will be
9 abstaining from this vote.” The meeting minutes reflect that Shaun Pritchard did
10 not participate in the vote, “Commissioner Pritchard abstained due to his position
11 and employment with UCAN.” (#PR10; #PR13).

12 13 Shaun Pritchard Response

14 Shaun Pritchard, through his attorney, provided a written response to the complaint.
15 The response asserts that Shaun Pritchard was only met with a potential (rather than
16 actual) conflict of interest, given that the Homeless Commission's authority was limited
17 to being able to make recommendations to the Roseburg City Council, which had the
18 sole authority to vote on and approve the property purchase and to award the contract
19 to UCAN to operate the Navigation Center. The response also asserts that Shaun
20 Pritchard did take appropriate actions to dispose of his conflicts of interest. In relevant
21 part, the response states:

- 22
23 • Mr. Pritchard properly notified the Homeless Commission of his
24 potential for a conflict of interest and abstained from any vote on the
25 matter (in both February and March 2022).
- 26
27 • Mr. Pritchard recused himself from participating in the [Homeless
28 Commission] sub-committee that investigated potential [property] sites
29 and [non-profit service provider] operators for the Navigation Center
30 [operations contract], and recused himself from participating in any
31 votes on the recommendation[s], further negating any possible conflict
32 of interest.

- As required under ORS 244.120(3) [sic.], Mr. Pritchard ensured that notice and record was made in the Homeless Commission meeting minutes at both February and March 2022 meetings, when each recommendation was voted on by the Homeless Commission (while Mr. Pritchard was recused). (#PR2).

Regarding the contract to operate the Navigation Center services, the response explains that when the original RFP resulted in zero proposals, “UCAN decided to indicate its willingness to serve as an operational resource for the Navigation Center.” The response asserts that Shaun Pritchard “did not leverage his status on the Homeless Commission for favors from the City * * * or otherwise use his position [as a Homeless Commissioner] to obtain some type of financial [impact].” The response further states that Shaun Pritchard confirmed to the Homeless Commission at the February 2022 meeting that he was not personally making any money regarding UCAN’s potential sale of property to the City. The response points out that it was also explained at that meeting that UCAN itself would not receive any profit from the sale of the building as it was being offered for the balance of the loan remaining on it, which was \$270,000. (#PR2).

Response by Mayor Larry Rich

During the investigation, Commission staff spoke with City of Roseburg Mayor Larry Rich on July 17, 2025. Regarding the City’s purchase of the UCAN property, Mayor Rich explained that at some point in the 2021 property search process, Mike Fieldman, Homeless Commissioner and previous CEO (retired) of UCAN, brought up the Mill Street property. Mayor Rich explained:

Mike mentioned this property that he had purchased previously when he was acting CEO. He said he wasn’t sure what Shaun [Pritchard] was doing with it, but it might work [for the Navigation Center project].

* * * Mike communicated back that Shaun would be willing to sell us the building at cost. * * * The City Manager took it from there after hearing of

1 this potential interest. (#INV3).

2
3 Regarding the contract to operate the Navigation Center, Mayor Rich explained the
4 City's RFP closed without a receiving a single proposal. With only six months remaining
5 in the grant to start providing services, Mayor Rich stated they asked Homeless
6 Commissioners to help identify potential organizations. He explained:

7
8 Mike Fieldman approached me after a Homeless Commission meeting
9 and said, 'UCAN does this type of stuff, this kind of work with this group,
10 though they have never operated a shelter before.' I told Mike to twist his
11 arm about making Shaun do this. Mike called me back to say, 'Shaun is
12 willing to do this.'

13
14 Shaun Pritchard approached me after a Homeless Commission meeting
15 and said, 'UCAN will not operate [a] campsite. We'll do your navigation
16 center.' (#INV3).

17
18 Mayor Rich stated that UCAN gave City Manager Nicole Messenger a proposed budget
19 and she and her staff worked with UCAN to develop the contract that was approved by
20 the Homeless Commission at the February 28, 2022 meeting. (#INV3).

21
22 Response by Nicole Messenger

23 Commission staff also spoke with Nicole Messenger, City Manager for the City of
24 Roseburg, on July 23, 2025. Ms. Messenger explained that Shaun Pritchard showed
25 her and the City Recorder the space. She said she "remember[ed] him saying
26 something about needing to talk to [UCAN's] board, but he thinks they would sell * * *
27 [the building] at what they owed." (#INV4).

28
29 With regard to the operations contract, Nicole Messenger explained that Shaun
30 Pritchard reached out to have a conversation after the RFP closed with no proposals.
31 She said that Shaun Pritchard said that "[UCAN was] in a solid position to provide
32 [navigation center operations], they had done similar service provision in Grants Pass."

1 Following this initial discussion, UCAN submitted a budget and the operator contract
2 was developed primarily with UCAN's attorney. (#INV4).

3 4 Navigation Center Operations Contract

5 Commission staff reviewed the original contract and associated amendments between
6 the City of Roseburg and UCAN for the establishment and provision of the navigation
7 center services. The original contract was signed by Shaun Pritchard for UCAN on
8 March 14, 2022 and the following day by Nicole Messenger for the City of Roseburg.
9 The contract fees include \$1.75 million for the period of May 1, 2022 to June 30, 2023
10 and \$1.5 million for the period of July 1, 2023 to June 30, 2024. (#INV5).

11 12 UCAN Budget & Cost Allocation Plan

13 Commission staff reviewed the 12-month budget and cost allocation plan UCAN
14 submitted to the City as part of the contract development process. The budget totals
15 \$1.5 million and includes a 10% administrative services cost totaling \$136,202. The cost
16 allocation plan describes how these administrative costs are allocated for various UCAN
17 personnel positions, including the CEO position. The direct personal costs do not
18 include the CEO position. (#INV6).

19 20 Phone Call with Andrea Johnson

21 Commission staff spoke with UCAN Chief Human Resources Officer, Andrea Johnson,
22 on October 23, 2025. She explained that UCAN does not provide the CEO position with
23 a percentage or any additional compensation for new contracts or grants received. She
24 explained that UCAN's cost allocation plan includes allocations that are set up per
25 position and indirect positions funded through the Navigation Center operations contract
26 go into a pool that do not get attributed to a single staff position. She stated that Shaun
27 Pritchard did not receive any additional increase in his compensation as a result of the
28 Navigation Center operations contract with the City of Roseburg. She further explained
29 that the UCAN CEO receives an annual review conducted by the UCAN Board of
30 Directors that typically includes a salary increase within the salary range for the position.
31 She stated that the 990 tax returns, which indicate Shaun Pritchard's total
32 compensation as CEO increased by \$17,115 from 2021 to 2022, was likely due to a

1 change in reporting methodology when UCAN changed accounting firms and potentially
2 an agency-wide compensation review process that impacted other staff positions.
3 (#INV7).

4
5 Email from Shaun Pritchard's Attorney

6 In an October 26, 2025 email, attorney David Elkanich indicated that Shaun Pritchard's
7 compensation did not increase in 2022 or subsequent years any more than the typical
8 trend of annual salary increases prior to that period. Shaun Pritchard received merit-
9 based salary raises resulting from the annual review process by the UCAN Board of
10 Directors, which included a wage compensation study. The response further states, "We
11 believe such compensation increases were typical and customary * * * [and his]
12 compensation was in the range for similar organizations." (#INV8).

13
14 **CONCLUSIONS:** Shaun Pritchard was a Commissioner on the Homeless Commission
15 of the City of Roseburg during the period relevant to this investigation. The City of
16 Roseburg is a public body and the Homeless Commission is a governing body of that
17 public body. [ORS 192.610(5) and (6)]. As a member of a governing body of a public
18 body, Shaun Pritchard was a public official per ORS 244.020(15) and therefore subject
19 to Oregon Government Ethics Law.

20
21 The focus of the investigation in this case was to determine whether Shaun Pritchard, in
22 his role on the Homeless Commission, failed to disclose conflicts of interest or engaged
23 in a prohibited use of position with regard to the purchase of the UCAN property and the
24 contract for UCAN to operate the Navigation Center. As applicable in this case, these
25 statutory provisions, ORS 244.020(1) and (13) and ORS 244.040(1), focus on financial
26 impacts on the public official or financial impacts on a business with which the public
27 official is associated.

28
29 Per ORS 244.020(1) and (13), Shaun Pritchard would be met with a conflict of interest
30 any time he participated in making a decision or recommendation, or took action, the
31 effect of which would (actual conflict of interest) or could (potential conflict of interest)
32 result in a financial gain or detriment for himself, his relative, or for any business with

1 which he or his relative is associated.

2
3 Per ORS 244.040(1), Shaun Pritchard would be engaging in a prohibited use of position
4 any time he used or attempted to use his position to obtain a financial gain or avoid a
5 financial detriment, for himself, his relatives or household members, or for any business
6 with which any of them are associated, and that financial gain or avoidance of detriment
7 would not otherwise have been available but for Shaun Pritchard holding his position on
8 the Homeless Commission.

9
10 Business and Business With Which Associated

11 The first steps in the analysis here require determining whether UCAN qualifies as a
12 business, per ORS 244.020(2), and then whether it qualifies as a business with which
13 Shaun Pritchard is associated, per ORS 244.020(3).

14
15 ORS 244.020(2) defines a business, for purposes of the government ethics laws, as any
16 legal entity operated for economic gain, including any corporation, “but excluding any
17 income-producing not-for-profit corporation that is tax exempt under section 501(c) of
18 the Internal Revenue Code with which a public official or a relative of the public official is
19 associated only as a member or board director or in a nonremunerative capacity.” In this
20 case, during the relevant period, Shaun Pritchard was the paid CEO of UCAN, which is
21 a 501(c)(3) tax exempt non-profit corporation. Although UCAN is a non-profit, 501(c)(3)
22 organization, because Shaun Pritchard was a paid employee, UCAN meets the
23 definition of a “business” per ORS 244.020(2).

24
25 Next, ORS 244.020(3) defines whether a business qualifies as a “business with which
26 the person is associated” for purposes of the government ethics laws. The definition of
27 “business with which associated” applies to three separate categories of entities:

- 28
29 • Private businesses or closely held corporations – ORS 244.020(3)(a)
30 • Publicly held corporations – ORS 244.020(3)(b) and (c)
31 • Sources of income listed on a Statement of Economic Interest (SEI) – ORS
32 244.020(3)(d)

1 The second and third categories clearly do not apply to this case. Members of the
2 Homeless Commission are not required SEI filers; therefore, the provisions of ORS
3 244.020(3)(d) would not apply to Shaun Pritchard. Also, a publicly held corporation is
4 one whose shares are publicly quoted and regularly traded in the marketplace, such as
5 through the recognized stock exchanges. As a nonprofit 501(c)(3) corporation, UCAN
6 does not issue or trade shares; thus, it is not a publicly held corporation and the
7 provisions of ORS 244.020(3)(b) and (c) would not apply.

8
9 ORS 244.020(3)(a) applies to the categories of a “private business” or “closely held
10 corporation”. These terms are not defined in ORS Chapter 244, nor has the
11 Commission adopted definitions of these terms in its Administrative Rules. However, the
12 terms are defined and used elsewhere in Oregon law. For example, ORS 411.855(2)
13 defines “private business” as “any business in which a profit may be made by the owner
14 of the business.” Separately, other state agencies appear to use the term “closely held
15 corporation” to refer to a company with a small number of owners whose shares are not
16 traded on public stock exchanges. For example, in OAR 150-118-0150 the Department
17 of Revenue uses the term in its rules for extension of time to pay taxes and in OAR 137-
18 050-0715 the Department of Justice uses the term in its rules for identifying income for
19 the purposes of support enforcement.

20
21 UCAN is a 501(c)(3) tax-exempt corporation. It is registered in Oregon as a public
22 benefit corporation and, according to its amended articles of incorporation, its assets
23 and earnings shall not inure to the benefit of any member or officer. Its members and
24 officers do not own UCAN nor do they own any shares of the corporation. Accordingly,
25 UCAN does not qualify as a private business or closely held corporation, which means
26 that the provisions of ORS 244.020(3)(a) would not apply.

27
28 As a result, while UCAN does qualify as a business under ORS 244.020(2), it does not
29 qualify as a business with which Shaun Pritchard is associated under any of the
30 provisions in ORS 244.020(3). Because UCAN is not a business with which he is
31 associated, Shaun Pritchard would not be met with a conflict of interest or prohibited
32 use of position when participating in any decisions, recommendations, or actions that

1 would or could financially impact UCAN.

2
3 Personal Financial Impacts

4 The determination that UCAN does not qualify as a business with which Shaun
5 Pritchard was associated does not end the inquiry. Shaun Pritchard could still be met
6 with a conflict of interest or prohibited use of position if the decisions, recommendations,
7 or actions he took, in his official capacity, would or could result in a personal financial
8 impact on himself.

9
10 The first question is whether Shaun Pritchard would or could be personally financially
11 impacted by the Homeless Commission's recommendations and the subsequent City
12 Council actions to purchase UCAN's property and award a contract to UCAN to operate
13 the Navigation Center. In his responses, Shaun Pritchard asserted that he was not met
14 with any actual conflicts of interest while taking official actions as a Homeless
15 Commissioner, and that even if he had potential conflicts of interest, he properly
16 disposed of them. Shaun Pritchard further asserts that he confirmed during the
17 February 2022 Homeless Commission meeting that he was not personally making any
18 money regarding UCAN's sale of property to the City. The results of this investigation
19 support his assertion.

20
21 Based on the information reviewed during the investigation, it does not appear that
22 UCAN provides its CEO with a percentage of or any additional compensation for new
23 contracts or grants received. Although Shaun Pritchard's CEO position was included
24 within the administrative costs in the cost allocation plan and budget UCAN submitted
25 for the Navigation Center operations contract, UCAN's Chief Human Resources Officer,
26 Andrea Johnson, asserts this did not serve to increase Shaun Pritchard's compensation
27 as CEO. According to both Shaun Pritchard and Andrea Johnson, it was solely the
28 UCAN Board of Directors who determined whether or not Shaun Pritchard received
29 merit-based salary raises, within the set salary range for the position, as part of the
30 annual CEO review process. Shaun Pritchard maintains that during the relevant period
31 his compensation did not increase more than the typical trend of annual salary
32 increases prior to when UCAN sold the property to the City and was awarded the City's

1 contract. And nothing in the Commission's investigation contradicts this assertion.
2 Hence it does not appear that the decisions, recommendations, or actions taken by
3 Shaun Pritchard as a Homeless Commissioner resulted in a certain or direct personal
4 financial impact.

5
6 For a potential conflict of interest, the only potentially relevant impact would be that the
7 UCAN Board of Directors could consider Shaun Pritchard's actions in a positive light as
8 part of their broader performance review of and that this consideration might, in turn,
9 influence them with respect to any merit-based salary increase for Shaun Pritchard as
10 CEO. While this appears possible, it is too tenuous to draw this conclusion between
11 Shaun Pritchard's actions as a Homeless Commissioner and the UCAN Board of
12 Director's decision to provide a merit salary increase. Essentially, making such a
13 determination would require public officials to consider every action they take that could
14 possibly later be included in a performance review and declare a potential conflict of
15 interest before taking such actions. Thus, it appears that Shaun Pritchard was not met
16 with a potential conflict of interest in these matters.

17
18 The information reviewed indicates that Shaun Pritchard was not met with actual or
19 potential conflicts of interest when participating in Homeless Commission matters
20 concerning the development of the City of Roseburg's Navigation Center. Thus, he was
21 not required to publicly announce any conflicts of interest or abstain from participation in
22 these matters pursuant to ORS 244.120(2).

23
24 Likewise, there is no information to indicate that Shaun Pritchard used or attempted to
25 use his position on the Homeless Commission to obtain a personal financial gain or
26 avoid a personal financial detriment that would not otherwise be available to him, in
27 violation of ORS 244.040(1). Certainly, the evidence in this case supports the allegation
28 that Shaun Pritchard used his position as a Homeless Commissioner to take actions
29 that ultimately financially benefited UCAN in several instances. But as noted above,
30 UCAN does not qualify as a business with which he is associated; thus the actions he
31 took that benefited UCAN do not constitute a violation of ORS 244.040(1) because the
32 resulting financial impact was on UCAN, not Shuan Pritchard. There was no evidence

1 reviewed in this case that Shaun Pritchard used or attempted to use his official position
2 to influence these Homeless Commission decisions in order to obtain a personal
3 financial gain or an avoidance of a financial detriment for himself. Accordingly, Shaun
4 Pritchard did not violate ORS 244.040(1).

5
6 **RECOMMENDATIONS:** The Oregon Government Ethics Commission should find that
7 there is not a preponderance of evidence in this case to establish that Shaun Pritchard
8 violated ORS 244.040(1) and ORS 244.120(2) and should order that the case be
9 dismissed. (Motion 7).

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ASSOCIATED DOCUMENTS:

1 #PR1 Complaint, received 3/31/2025
2 #PR2 Response from Attorney for Shaun Pritchard on 4/21/2025
3 #PR3 Homeless Commission Creation: Chapter 2.20, dated 1/25/2021
4 #PR4 IRS Tax Exempt Letter for UCAN, received 4/7/2025
5 #PR5 UCAN 990 Tax Returns for 2021
6 #PR6 UCAN 990 Tax Returns for 2022
7 #PR7 Homeless Commission Meeting Minutes, 7/26/2021
8 #PR8 Homeless Commission Meeting Minutes, 10/25/2021
9 #PR9 Homeless Commission Meeting Minutes, 11/22/2021
10 #PR10 Homeless Commission Meeting Links to Video Recordings
11 #PR11 Confidential - Homeless Commission Executive Session Notes, 11/22/2021
12 #PR12 Homeless Commission Meeting Minutes, 1/24/2022
13 #PR13 Homeless Commission Meeting Minutes, 2/28/2022
14 #INV1 UCAN's Amended and Restated Articles of Incorporation, dated 8/8/2012
15 #INV2 Information from UCAN website, available at <https://www.ucancap.org/>
16 #INV3 Memorandum of phone call with Larry Rich on 7/17/2025
17 #INV4 Memorandum of phone call with Nicole Messenger on 7/23/2025
18 #INV5 Contract, Navigation Center Services, effective on 3/15/2022
19 #INV6 UCAN Navigation Center Budget and Cost Allocation Plan
20 #INV7 Memorandum of phone call with Andrea Johnson on 10/23/2025
21 #INV8 Email from Attorney for Shaun Pritchard on 10/26/2025

PREPARED BY *Susan Myers* 12/2/2025
Lian Gallaver / Susan Myers Date
Investigators

APPROVED BY *Susan Myers* 12/2/2025
Susan V. Myers Date
Executive Director

REVIEWED BY /s/ Daniel R. Gilbert, via email 12/2/2025
Daniel R. Gilbert Date
Senior Assistant Attorney General

OREGON GOVERNMENT ETHICS COMMISSION

INVESTIGATION

CASE NO: 25-160ECF

DATE: December 11, 2025

RESPONDENT: SMITH, Greg, Executive Director, Columbia Development Authority

COMPLAINANT: TALLMAN, Jonathan

RECOMMENDED ACTION: Make preliminary findings of violations of ORS 244.120(1)(c) and ORS 244.040(1)

SYNOPSIS: The complaint involves allegations against Greg Smith, Executive Director for the Columbia Development Authority, and his submittal of a grant application with the Office of Local Defense and Community Cooperation, a federal agency that provides grants to local communities for national defense purposes.

On March 11, 2025, the Commission received a complaint from Jonathan Tallman regarding Greg Smith, Executive Director for the Columbia Development Authority. At its June 13, 2025 meeting, the Commission considered the information presented in the preliminary review and found cause to open an investigation. The focus of the investigation was to determine whether there is sufficient evidence to indicate that Greg Smith violated Government Ethics Law.

At a meeting on December 9, 2025, the Commission considered the information presented in the investigation report. (#INV21). The Commission voted to continue the investigation by up to 30 days for the purpose of additional fact-finding. This report incorporates the additional fact-finding.

///

1 The information gathered in this investigation indicates that Greg Smith failed to declare
2 a conflict of interest when taking actions which would have a financial benefit for himself,
3 thus violating ORS 244.120(1)(c). The information reviewed in this case also indicates
4 that Greg Smith violated ORS 244.040(1) by using his position to obtain a substantial
5 pay increase, an opportunity that was only available to him because of the position he
6 holds as a public official.

7
8 **RELEVANT STATUTES AND ADMINISTRATIVE RULES:** The following Oregon
9 Revised Statutes and Administrative Rules are applicable to the issues addressed here:

10
11 **ORS 244.020 Definitions.** As used in this chapter, unless the context requires
12 otherwise:

13
14 (1) "Actual conflict of interest" means any action or any decision or any
15 recommendation by a person acting in a capacity as a public official, the effect of
16 which would be to the private pecuniary benefit or detriment of the person or the
17 person's relative or any business with which the person or a relative of the
18 person is associated unless the pecuniary benefit or detriment arises out of the
19 circumstances described in subsection (13) of this section.

20
21 (13) "Potential conflict of interest" means any action or any decision or
22 recommendation by a person acting in a capacity as a public official, the effect of
23 which could be to the private pecuniary benefit or detriment of the person or the
24 person's relative, or a business with which the person or the person's relative is
25 associated * * *.

26
27 (15) "Public official" means the First Partner and any person who, when an
28 alleged violation of this chapter occurs, is serving the State of Oregon or any of
29 its political subdivisions or any other public body as defined in ORS 174.109 as
30 an elected official, appointed official, employee or agent, irrespective of whether
31 the person is compensated for the services.

1
2 **ORS 244.040 Prohibited use of official position or office.** (1) Except as
3 provided in subsection (2) of this section, a public official may not use or attempt
4 to use official position or office to obtain financial gain or avoidance of financial
5 detriment for the public official, a relative or member of the household of the
6 public official, or any business with which the public official or a relative or
7 member of the household of the public official is associated, if the financial gain
8 or avoidance of financial detriment would not otherwise be available but for the
9 public official's holding of the official position or office.

10
11 (2) Subsection (1) of this section does not apply to:

12 (a) Any part of an official compensation package as determined by the public
13 body that the public official serves. * * *

14
15 **OAR 199-008-0005 Definitions of terms in ORS Chapter 244** * * *

16 (3) The term "official compensation package" means the wages and other
17 benefits provided to the public official. To be part of the public official's "official
18 compensation package", the wages and benefits must have been specifically
19 approved by the public body in a formal manner, such as through a union
20 contract, an employment contract, or other adopted personnel policies that apply
21 generally to employees or other public officials. "Official compensation package"
22 also includes the direct payment of a public official's expenses by the public
23 body, in accordance with the public body's policies. * * *

24
25 **ORS 244.120 Methods of handling conflicts; Legislative Assembly; judges;**
26 **appointed officials; other elected officials or members of boards.** * * *

27
28 (2) An elected public official, other than a member of the Legislative Assembly, or
29 an appointed public official serving on a board or commission, shall:

30
31 (a) When met with a potential conflict of interest, announce publicly the nature of

1 the potential conflict prior to taking any action thereon in the capacity of a
2 public official; or
3

4 (b) When met with an actual conflict of interest, announce publicly the nature of
5 the actual conflict and:
6

7 (A) Except as provided in subparagraph (B) of this paragraph, refrain from
8 participating as a public official in any discussion or debate on the issue out
9 of which the actual conflict arises or from voting on the issue.
10

11 (B) If any public official's vote is necessary to meet a requirement of a minimum
12 number of votes to take official action, be eligible to vote, but not to
13 participate as a public official in any discussion or debate on the issue out of
14 which the actual conflict arises. * * *
15

16 **INVESTIGATION:** The focus of the investigation in this case was to determine whether
17 Greg Smith used or attempted to use his position at the Columbia Development
18 Authority to obtain a salary increase for himself and whether he declared a conflict of
19 interest prior to taking any actions or making any decisions or recommendations that
20 would have financially benefited him personally. The preliminary review indicated that
21 there was a substantial objective basis to believe that Greg Smith failed to declare a
22 conflict of interest while negotiating with Office of Local Defense and Community
23 Cooperation (OLDCC) regarding a salary increase and used his position to negotiate a
24 salary increase for himself through the OLDCC grant application process. (#INV1).
25

26 Separate allegations regarding Executive Director Smith's failure to declare conflicts of
27 interest as it relates to his relationship with the Bank of Eastern Oregon were dismissed
28 by the Commission at the June 13, 2025 meeting where the preliminary review report
29 was addressed. (#INV1, INV8).
30

31 ///

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1 Background Information – Columbia Development Authority

2 The CDA is an intergovernmental organization comprised of five public entities: the Port
3 of Umatilla, Umatilla County, Port of Morrow, Morrow County, and the Confederated
4 Tribes of the Umatilla Indian Reservation. Pursuant to the Amended and Restated
5 Columbia Development Authority Intergovernmental Agreement, one of its member
6 public entities will serve as the fiscal agent for the CDA. The CDA's fiscal agent is
7 responsible for, among other things: receiving funds and making payments on behalf of
8 the CDA, as authorized by the CDA Board; and, if requested by the CDA Board,
9 providing employer services on behalf of the CDA, including making arrangements for
10 payroll and any agreed upon benefits to employees of the CDA. (#PR1). During the
11 period relevant to this review, the Port of Morrow served as the CDA's fiscal agent.
12 According to Eileen Hendricks, Chief Financial Officer for the Port of Morrow, the Port
13 has been the CDA's fiscal agent since before Greg Smith became the Executive
14 Director. (#INV14).

15
16 During the period relevant to this review, the CDA employed three people: Greg Smith,
17 Executive Director; Debbie Pedro, Assistant to the Executive Director and Economic
18 Development Coordinator; and Emily Collins, Project Coordinator. Greg Smith began
19 serving as Executive Director of the CDA in 2015 and has been serving in that capacity
20 for approximately ten years. (#PR3, #INV11). During his interview, he stated that he
21 was initially hired to oversee the transition of 11,000 acres to local control. He explained
22 that now, his responsibility is to assist in disbursement of land to CDA partners.

23
24 Debbie Pedro joined the CDA in 2019 and initially served as Assistant to the Executive
25 Director. She subsequently was given the title of Economic Development Coordinator.
26 (#INV5). She left the CDA in or around September 2024. (#INV13). Emily Collins,
27 Project Coordinator, joined the CDA in 2023 and is still employed there in a part-time
28 capacity. She's also employed by Gregory Smith & Company, LLC. (#INV6).

29
30 Background Information – Process for Applying for OLDCC Grant

31 CDA has been applying for a grant through the OLDCC since before 2015 when Greg

1 Smith became the CDA Executive Director. (#INV14). Based on the information
2 provided and reviewed, CDA staff worked with OLDCC personnel to put together a draft
3 of the grant application. The Port of Morrow used to be involved in the grant writing
4 process, but has not been part of that process since Greg Smith became Executive
5 Director of the CDA. (#INV14).

6
7 CDA staff sent drafts of grant application materials to OLDCC by email. OLDCC
8 personnel provided feedback on issues identified in the grant application materials and
9 the sufficiency of the information provided. Once draft language developed, it was
10 added to the grant portal. Multiple people had access to the grant portal, including all
11 CDA staff, certain Port of Morrow personnel, and OLDCC personnel. Changes were
12 made to the information in the grant portal by OLDCC personnel, but could also be
13 made by CDA staff. OLDCC would advise CDA staff when they believed the application
14 was complete and when the grant should be submitted. Port of Morrow, as the fiscal
15 agent for CDA, was responsible for ultimately submitting the application for final
16 approval. According to Port of Morrow personnel, the only role they played in the grant
17 submission process was related to the submission and they did not make changes to
18 the grant application. (#PR3, #PR25, #INV5, #INV11, #INV14).

19
20 When the OLDCC grant was awarded, Port of Morrow, as the CDA's fiscal agent,
21 signed as the grant awardee and agreed to all of the terms and conditions associated
22 with the grant. (#INV10, #INV19).

23
24 Based on information collected from interviews conducted and the documents obtained
25 during this investigation, the CDA Board was not involved in drafting the grant
26 application. Rather, the grant application was completed by CDA staff and OLDCC
27 personnel and submitted by the Port of Morrow. The CDA Board first saw the grant
28 application once it was completed and, sometimes, once the grant had already been
29 awarded. Specifically Executive Director Smith noted that when the CDA Board saw the
30 OLDCC grant application depended on the timing. He included the following chart to

31 ///

illustrate the timing of OLDCC approval versus CDA Board approval over the past four years:

Year	OLDCC Approval	CDA Board Approval
2021	April 6, 2021	February 18, 2021
2022	June 9, 2022	June 28, 2022
2023	July 3, 2023	February 28, 2023
2024	May 14, 2024	June 25, 2024

(#PR3).

According to Debbie Pedro and Executive Director Smith, the OLDCC budget application generally included cost of living increases that were not separately approved by the CDA Board prior to their inclusion in the grant application. (#INV5, #INV11).

Based on statements from Executive Director Smith and CDA Board Chair Kim Puzey, the budget included in the OLDCC grant application effectively served as the organizational budget for the CDA. (#INV2, #INV4, #INV11). Executive Director Smith advised that 2025 is the first year that the CDA has had a formally adopted budget. (#INV11).

It is important to note that while Commission staff was advised that: it was common practice to include cost of living pay increases in the OLDCC grant application; there was no separate CDA Board-approval required to include those cost of increases in the OLDCC grant application; and there was no separate CDA Board-approval required to effectuate those cost of living pay increases. (#INV11). Commission staff has also been advised that there are no policies, procedures, employment contract, employee handbook or other document that sets forth the way in which the CDA Executive Director's raise, if any, would be approved. (#INV6, #INV20).

Port of Morrow staff explained that once they signed the award, there was no further

1 steps, as far as they were aware, to effectuate the grant. The CDA Board approval of
2 the grant determined whether the CDA wanted to accept the funds and comply with the
3 terms and conditions associated with the OLDCC grant award. (#INV14).

4
5 2024 OLDCC Grant Application

6 OLDCC is a federal agency that provides grants to local communities. CDA, through its
7 fiscal agent, Port of Morrow, submitted a grant application to OLDCC in 2024. (#INV19).
8 Commission staff reviewed the version of the 2024 OLDCC grant application that was
9 part of the meeting materials for the June 25, 2024 CDA Board meeting. (#PR22). The
10 grant application includes the following language:

11
12 Compensation packages have been approved by the Columbia Development
13 Authority Board of Directors and is provided through the Port of Morrow.
14 Requested compensation reflects a significant board-approved increase salary
15 adjustment to prior grant period's existing salaries beginning April 1, 2024. The
16 CDA board is in agreement that compensation for the top two employees through
17 research of other like positions in the Pacific Northwest is approved and will bring
18 those salaries to the correct levels in accordance with management and other
19 local and state comparable salaries. (#PR22).

20
21 The OLDCC grant application states:

22
23 The Executive Director (ED) role also holds the role of CEO. The CEO reports
24 directly to the CDA Board and is responsible for all operations, business, and
25 management of the CDA. The CDA is designating the Executive Director CEO
26 position as the "key" position, see attached resume. Recognizing the OLDCC
27 salary cap of \$195,000, the federal funding request will be \$123,350 and locally
28 funded match for the grant will be \$71,650. (#PR22).

29
30 The 2024 grant application was awarded on May 14, 2024. The notice of award was
31 signed by the Port of Morrow, as the CDA's fiscal agent, on May 20, 2024. (#INV19).

1
2 Executive Director Smith's Written Response

3 During the preliminary review, Executive Director Smith provided a written response
4 through his attorney, Amanda Gamblin. (#PR3)
5

6 Executive Director Smith provided background information regarding the CDA budget
7 process. Executive Director Smith states that until recently, the Port of Morrow was the
8 CDA's fiscal agent and as its fiscal agent, obtained an annual grant from the federal
9 OLDCC to fund the CDA's operations. Executive Director Smith states, "Because CDA
10 was not the grant recipient, it had limited insight into the communications and
11 relationship between the OLDCC and the Port of Morrow, although the CDA played a
12 meaningful role in drafting the grant application with the OLDCC." (#PR3).
13

14 Executive Director Smith states that the OLDCC required the grant application to
15 include a budget for the CDA:
16

17 * * * Every year the CDA staff, in conjunction with the OLDCC project manager,
18 created the initial drafts of the grant application including the CDA budget by
19 working on a cloud-based document that resided on the OLDCC's systems.
20 Since my hire in 2015, my cost-of-living salary increases, and those of staff, have
21 been included in the CDA budget at this stage. I do not recall the CDA ever
22 having a separate meeting to approve salary increases since my hire in 2015.
23

24 I have never accessed the grant application documents including the
25 accompanying CDA budget because I have never been trained to use the
26 OLDCC's grant portal. Rather, this process is handled by CDA staff and the Port
27 of Morrow.
28

29 Each year, once the OLDCC and the CDA agreed on the CDA budget, including
30 salary increases, and how much of it the OLDCC would fund through the
31 government grant, the Port of Morrow reviewed and submitted the grant

1 application to the OLDCC. Once the OLDCC approved the Port of Morrow's grant
2 application the CDA then knew how much of its budget the OLDCC grant would
3 cover. * * * (#PR3).

4
5 Executive Director Smith notes that in some years the CDA Board approved the CDA
6 budget before the OLDCC approved the grant application and other years, the grant
7 application was approved prior to the CDA Board's approval of the CDA budget. He
8 notes that in his experience, drafting the grant application was a negotiation with CDA
9 staff, the Port of Morrow and the OLDCC. Executive Director Smith explains: "[t]he CDA
10 budget was fluid and changing until the OLDCC agreed to the numbers. So that the
11 CDA board had concrete budget numbers to vote on, it made more sense for the CDA
12 board to approve the budget after the OLDCC agreed to it." (#PR3).

13
14 Executive Director Smith states that in December 2023, he asked the CDA Board to
15 discuss a merit pay increase for himself and the CDA staff. He states that he was asked
16 to provide a salary study to the CDA Board Chair, which was provided on January 15,
17 2024 and that the CDA Board instructed him to discuss salary increases with the
18 OLDCC to see how much of the salary increases would be covered by the OLDCC
19 grant funds. (#PR3).

20
21 Executive Director Smith states that in 2024 CDA staff worked with OLDCC to create
22 the initial draft of the OLDCC grant application and CDA budget. He states that during
23 that process, he and CDA staff discussed pay increases with the OLDCC, which were
24 included in the CDA budget. He states, "[i]n May 2024, the Port of Morrow reviewed the
25 grant application and CDA budget, which included the exact pay increase amounts,
26 signed the application and submitted it to the OLDCC on May 2, 2024...The OLDCC
27 approved the grant on May 14, 2024." (#PR3).

28
29 Executive Director Smith states that on June 21, 2024, as part of the June 2024 CDA
30 Board meeting packet, the CDA Board members were provided with the OLDCC grant
31 application budget, "including the exact numbers for the proposed pay raises to each

1 staff member and the grant application budget narrative.” He states that the materials
2 were also placed on the CDA’s website. Executive Director Smith states that at the June
3 2024 meeting, the CDA Board unanimously approved the CDA budget, including the
4 pay raises. (#PR3).

5
6 Executive Director Smith states that in September 2024, a CDA Board member brought
7 the following language in the OLDCC grant application to his attention:

8
9 Compensation packages have been approved by the Columbia Development
10 Authority Board and is provided through the Port of Morrow. Requested
11 compensation reflects a significant board approved increase salary adjustment to
12 prior grant periods existing salaries beginning April 1, 2024. (#PR3).

13
14 Executive Director Smith states:

15
16 My concern was that at the time the Port of Morrow submitted the grant
17 application to the OLDCC, the CDA board had not approved the salary
18 increases. If this statement was in the Port of Morrow’s grant application, it was
19 important to alert the OLDCC. I immediately called the OLDCC project manager
20 who went into the cloud-based document and corrected the statement to remove
21 the part indicating that the salary increases were board approved. The OLDCC
22 project manager did not seem concerned and did not indicate that the grant
23 approval would be affected by the change. (#PR3)

24
25 Executive Director Smith states that he was accused by several CDA Board members
26 of writing the statement regarding the board-approved salary increases knowing that it
27 was false. “Despite my repeatedly telling them that I did not write the statement, was
28 unaware of it, and that the OLDCC corrected it as soon as the board brought it to my
29 attention, they continued to push their false narrative.” (#PR3).

30
31 Executive Director Smith writes that at the September 20, 2024 CDA Board meeting, he

1 stated that he owned the mistake on the OLDCC grant application in part because he
2 was not prepared to discuss the topic at the meeting and in part because he believes
3 that as Executive Director, he is responsible for the work that leaves the CDA
4 “regardless of which team member made the error.” (#PR3).

5
6 Executive Director Smith states that “[t]he error could have been made by CDA staff, or
7 by Port of Morrow staff, or by the OLDCC, which all had access to the document.”

8 Executive Director Smith states that on April 30, 2024, the OLDCC said that they made
9 changes to the salary section of the budget justification. He states: “I have no way of
10 knowing what revisions the OLDCC made on the grant portal that day, but this email
11 shows that anyone, including the OLDCC, may have drafted the verbiage regarding
12 salary increases.” (#PR3).

13
14 Executive Director Smith states that he believes part of the issue was that the new CDA
15 Board members were unfamiliar with the budget process:

16
17 Had the CDA board members requested an investigation they would have
18 discovered the CDA negotiated pay increases with the OLDCC at the board’s
19 discretion...The statement that the budget included “board approved” salary
20 increases was one the Port of Morrow made to the OLDCC in its grant
21 application. It is not a statement that I made or that the CDA made to either the
22 OLDCC or to the CDA board. In fact, Mr. Tallman admits that CDA staff notified
23 the OLDCC in an email that the salary increases were not board-approved.
24 (#PR3).

25
26 Executive Director Smith concludes with the following:

27
28 As far as the CDA is aware, the Port of Morrow submitted a grant application to
29 the OLDCC containing what may be a mistake, although because the CDA is not
30 the grant recipient it has limited insight into the relationship and communications
31 between the Port of Morrow and the OLDCC. The one thing that is clear is that

1 neither I nor CDA staff made any false statements to the OLDCC or the CDA
2 board. I do not know how to access the grant portal documents and could not
3 have typed any such statement. And CDA staff is not ultimately responsible for
4 the application – the Port of Morrow is. In 2024, the CDA followed the same
5 budget and salary increase approval process the CDA has used since at least
6 2015. The CDA has never had a separate board meeting to approve salary
7 increases. Two board members, unfamiliar with the CDA budget process or the
8 board’s instructions to me at the December 2023 board meeting to discuss salary
9 increases with the OLDCC jumped to conclusions, and without notice or
10 investigation, excoriated me and the CDA staff in a public forum in an apparent
11 attempted coup. (#PR3).

12
13 Timeline of Events Relative to this Investigation

14 The following is a timeline of events that occurred during the timeframe relevant to this
15 investigation.

- 16
17 • November/December 2023: Executive Director Smith begins conversations with
18 the CDA Board regarding a salary increase for CDA staff. (#PR3, #INV11,
19 #INV13).
- 20
21 • December 11, 2023: Executive Director Smith’s performance and wages are
22 discussed in an executive session. (#INV13, #INV16).
- 23
24 • January 14, 2025: Executive Director Smith sends an email to CDA Board
25 members regarding a proposed pay increase. The pay increase would increase
26 Executive Director Smith’s pay from \$129,000 to \$238,000. The email requested
27 the matter be heard at the CDA Board’s January 18, 2024 meeting. The email
28 also contained a letter addressed to Board Chair Kim Puzey, which provided the
29 salaries of other reuse authority executives and a proposed motion for the
30 approval of his salary increase. (#PR17, #INV17).

31 ///

- 1 • January 18, 2024: CDA Board Meeting postponed due to inclement weather.
2 (#INV15).
3
- 4 • January 26, 2024: CDA staff sends what is identified as the initial draft of the
5 budget justification and narrative. The budget justification includes a pay increase
6 for Executive Director Smith, which would bring his salary to \$238,000. The
7 budget justification also includes language indicating that the significant pay
8 raises for Executive Director Smith and Debbie Pedro are “board-approved.”
9 (#INV7).
10
- 11 • February 21, 2024: OLDCC personnel reach out to CDA staff expressing
12 concerns about the “excessive increase in personnel salaries.” (PR18, #INV7).
13
- 14 • February 27, 2024: CDA Board Meeting cancelled. (#INV15).
15
- 16 • March 26, 2024: CDA Board Meeting held. No reference to salary increases for
17 CDA Executive Director in meeting recording or on meeting minutes. (#INV2,
18 #INV3).
19
- 20 • April 23, 2024: CDA Board Meeting held. No reference to salary increases for
21 CDA Executive Director in meeting recording or on meeting minutes. (#INV2,
22 #INV3).
23
- 24 • May 28, 2024: CDA Board Meeting cancelled. (#INV15).
25
- 26 • June 25, 2024: CDA Board Meeting held. “Grant Overview” is listed as an action
27 item in the minutes. CDA Board votes to approve the 2024 OLDCC grant
28 application. It’s unanimously approved. No separate action is taken by the CDA
29 Board regarding Executive Director Smith’s pay increase or whether the pay

1 increase should be retroactive to coincide with the grant period, April 1, 2024 to
2 March 31, 2025. (#INV2, #INV3).

- 3
- 4 • June 26, 2024: Executive Director Smith emails Eileen Hendricks, Chief Financial
5 Officer for the Port of Morrow, advising that the 2024 OLDCC grant application
6 had been approved and that the pay increase is supposed to be retroactive to
7 April 1, 2024. (#INV8).

- 8
- 9 • July 11, 2024: CDA Board Meeting held. CDA Board votes to approve the
10 meeting minutes from the June 24, 2024 meeting. No discussion of CDA staff
11 salaries occurs. (#INV2, #INV3).

- 12
- 13 • July 23, 2024: CDA Board Meeting held. No discussion of CDA staff salaries
14 occurs. (#INV15).

- 15
- 16 • August 2024: CDA Board Meeting cancelled. (#INV15).

- 17
- 18 • September 4, 2024: Executive Director Smith reaches out to OLDCC regarding
19 the “board-approved” language in the 2024 OLDCC grant application. The
20 OLDCC project manager removes the language and makes a note regarding the
21 same. (#PR24).

- 22
- 23 • September 17, 2024: CDA Board Meeting canceled. (#INV15).

- 24
- 25 • September 20, 2024: CDA Board Meeting held. Executive Director Smith is
26 confronted with allegations related to the language in the 2024 OLDCC grant
27 application. Executive Director Smith accepts responsibility for the error but
28 requests an opportunity to discuss a CDA employee’s performance in executive
29 session. The request is denied. (#INV2, #INV3).

- January 2025: OLDCC first reaches out formally to the Port of Morrow, requesting information as to why the grant application included the “board-approved” language. (#PR23).
- February 24, 2025: Executive Director Smith sends an email to the CDA Board to which he attached a statement that he indicates was released that morning. The statement describes his actions as it relates to the OLDCC application process, as well as the pay increases and “board-approved” language contained in 2024 the OLDCC application. (#PR23).

Email to CDA Board and Letter to Kim Puzey, Chairman of the CDA

On January 14, 2025, Executive Director Smith sent an email to the CDA Board. The email states:

* * * Attached, please review a request for consideration of employee compensation. This was an issue discussed at the December meeting, in which no action was taken. I hope I have addressed these items of discussion. Please be prepared to discuss and make a motion on Thursday, January 18, 2024. * * * (#INV17).

The letter states that on December 11, 2023, Executive Director Smith requested a discussion on CDA staff salary adjustments. The letter states:

* * * As you know, this conversation stalled out over the question of the CDA hiring a “compensation consultant” and also creating a new compensation review policy...I also appreciate the board’s fiduciary conservatism; however, I contend our positions are unique and our circumstances unprecedented.”

The letter included the following motion:

I, _____, move the Columbia Development Authority increase our Executive Directors salary to \$238,000, with the additional benefit of reasonably

1 viable life insurance and compensation for executive continued education, as
2 pursued by the Executive Director. In addition, our Executive Director shall have
3 authority to increase the Assistant to the Executive Director to \$130,000.
4 (#PR17).

5
6 Emails between CDA Staff and OLDCC Personnel

7 Commission staff reviewed emails between CDA staff and OLDCC staff. The first email,
8 dated January 26, 2024, is from Debbie Pedro and indicates that the Narrative, Budget
9 Justification and associated documents for the 24-25 grant cycle are attached. The
10 email states: "This is our first draft." (#INV7).

11
12 The document attached to that email includes the following language:

13
14 * * * Compensation packages have been approved by the Columbia
15 Development Authority Board of Directors and is provided through the Port of
16 Morrow. Requested compensation reflects a significant board-approved increase
17 salary adjustment to prior grant period's existing salaries beginning April 1, 2024.
18 The CDA board is in agreement that compensation for the top two employees
19 through research of other like positions in the Pacific Northwest is approved and
20 will bring those salaries to the correct levels in accordance with management and
21 other local and state comparable salaries. The increase also considers that our
22 assumption over the past five-year salary adjustment of 3% was significantly
23 below market in our area and the 2024 increase will bring us in closer line with
24 actual local salaries of those in similar positions. The following is the breakdown
25 of personnel wages and benefits federal and local share of salaries totaling
26 \$644,133 (\$601,133 for the grant). As suggested by OLDCC to add the additional
27 funding of the top two employees' salaries to local share section in the budget. * *

28 *

29
30 * * * Executive Director – The Executive Director (ED) role also holds the role of
31 CEO. The CEO reports directly to the CDA Board and is responsible for all

1 operations, business, and management of the CDA. The CDA is designating the
2 Executive Director CEO position as the "key" position, see attached resume.
3 OLDCC Funding \$123,350 and Local Funding \$114,650 at the base rate of \$124
4 per hour totaling \$238,000 base annual salary. Recognizing the OLDCC salary
5 cap of \$195,000, the locally funded match for the grant will
6 be \$73,650 with the balance funded separately. * * * (#INV7).

7
8 On February 21, 2024, Tim Robert responded to the email, indicating that he had
9 reviewed the documents. He indicated that the budget justification looked good but that
10 OLDCC was unable to support the amount requested for federal funding. Tim Robert
11 wrote:

12
13 The primary concern is the excessive increase in personnel salaries. If these new
14 salaries are approved, I recommend shifting the increase to the non-federal
15 column and keeping the federal amount roughly the same as previous years.
16 (#INV7).

17
18 June 24, 2025 CDA Board Meeting

19 The meeting minutes and recording indicate that approval of the OLDCC grant
20 application was on the agenda. The discussion regarding the OLDCC grant application
21 included a statement from Executive Director Smith that without this grant, we lose the
22 grant and we become self-funded. "It's pretty important to approve the grant." (#INV2,
23 #INV3).

24
25 There is discussion about the budget contained in the 2024 OLDCC grant application.
26 The recording indicates that there is confusion among some of the Board members
27 regarding what exactly they are approving. JD Tovey, CDA Board Member, notes that
28 they're being asked to approve the grant application but also points out that there is a
29 budget included. JD asks questions about whether the budget included in the 2024
30 OLDCC grant application is an organizational budget and notes that there are likely
31 other expenditures and sources of income. Executive Director Smith advises that the

1 grant budget is “primarily what we operate off of.” Executive Director Smith goes on to
2 say that “nothing in this has changed in years.” (#INV3).

3
4 There was continued discussion regarding the budget and the grant application.
5 Executive Director Smith indicates that they are already in the grant year and are
6 already behind. He indicates that the Port of Morrow is now funding the CDA. After
7 further discussion, the grant application was approved unanimously. (#INV3).

8
9 Information from the Port of Morrow

10 Eileen Hendricks, Chief Financial Officer for the Port of Morrow, and Lisa Mittelsdorf,
11 Executive Director for the Port of Morrow, spoke with Commission staff two different
12 times. Each time, Eileen Hendricks emphasized that OLDCC and CDA prepare the
13 OLDCC grant application materials. Each time, Eileen Hendricks stated that the most
14 they do in terms of preparation of the grant is to submit it. She explained they do not
15 review the grant application materials for accuracy. (#PR25, #INV14)

16
17 During the most recent conversation, Eileen Hendricks advised that the first time she
18 recalled seeing a draft of the 2024 OLDCC application, she recognized that the local
19 match was different, specifically as it related to the personal services category. When it
20 came time to submit the grant application for approval through the grant portal, she
21 recalled asking Debbie Pedro if the CDA had Board approval. On May 2, 2025, Debbie
22 responded indicating that it was not Board approved. Her email states: “We have
23 always had the grant approved first, then share it with the Board for approval.”
24 (#INV18).

25
26 Eileen Hendricks also discussed receiving the email on June 26, 2024 from Executive
27 Director Smith wherein he stated:

28
29 * * * The minutes are attached from our board meeting for approval of the
30 OLDCC April 2024-March 2025 grant and budget including admin-wages and
31 benefits, contractual,

1 operational/supplies and travel expenses.

2
3 I sure appreciate all you do, the new wage structure should be retroactive to April
4 1, 2024.* * * (#INV8).

5
6 September 20, 2024 CDA Board Meeting

7 Commission staff review the meeting minutes and recording for the September 20, 2024
8 CDA Board meeting. The meeting included accusations against Executive Director
9 Smith regarding the language in the 2024 OLDCC grant application. Executive Director
10 Smith explained with the Board the OLDCC process for submitting a grant for approval.
11 Ultimately, a motion was made to have CDA staff “return their salaries back and return
12 their retroactive pay.” The motion carried. (#INV2, #INV3).

13
14 During the course of the meeting, Executive Director Smith stated that he owned the
15 mistake of the board-approved language in the grant application. He asserted he did not
16 know how the language got in the grant application in the first place. He also requested
17 an executive session to discuss CDA employee performance, which was denied.
18 (#INV2, #INV3).

19
20 OLDCC Letter and Conversation

21 In a letter dated February 21, 2025, the OLDCC reached out to the Port of Morrow
22 regarding the language included in the 2024 OLDCC grant application. (#PR23).

23
24 The letter states:

25
26 It is now clear that CDA’s 2024 budget justification submission did not accurately
27 represent the CDA Board’s involvement in the salary increases. An email
28 submitted to the OLDCC Project Manager on March 11, 2024, from
29 columbiaassistant@gmail.com, includes a draft budget narrative as an
30 attachment that clearly states: Compensation packages have been approved by
31 the Columbia Development Board of Directors and is [sic] provided through the

1 Port of Morrow. This statement became part of the final award. * * * Reviewing
2 the attachments that accompanied the March 11-14 exchanges and the separate
3 March 11 email shows the OLDCC Project Manager did not alter the statement
4 that the salaries were approved by the CDA Board, which is the material issue. *
5 * * (#PR23).
6

7 Commission staff spoke with Elizabeth Chimienti, Deputy Director for Community
8 Adjustment at the Department of Defense, OLDCC. Deputy Director Chimienti explained
9 that in 2023, OLDCC and the CDA started working on a draft of the new OLDCC grant
10 application. She advised that it is common for a project manager to be involved in the
11 process of drafting the grant application because they can assist with conformity to the
12 rules, including making sure that costs are allowable, allocable and reasonable. She
13 noted that the original draft had serious problems, including the huge pay increase,
14 which would have increased the Executive Director's salary by more than \$100,000.
15 The OLDCC project manager provided feedback and recommended that CDA bring the
16 salaries down and explain why the amount was reasonable. (#PR24).
17

18 Deputy Director Chimienti stated that there was a back and forth regarding the grant
19 application between OLDCC and CDA. She advised that it is not uncommon for tracked
20 changes to be included in documents from an OLDCC project manager, in part because
21 it is easier to provide assistance that way, especially to smaller agencies. (#PR24).
22

23 Deputy Director Chimienti advised that to the best of her recollection, the language
24 regarding "board-approved salaries" was in the budget justification "from the get go."
25 She stated that at no time did the OLDCC project manager change the rationale
26 language for the salary increases. She noted that from a policy perspective, OLDCC
27 would not have moved forward with the salaries in the budget if they had known they
28 were not approved by the CDA Board. She stated that while there is no written policy on
29 that, it is a policy in practice because they want to be careful not to put communities in a
30 situation where they are on the hook for matching funds. (#PR24).
31

///

1 Deputy Director Chimienti advised that OLDCC was notified by Executive Director Smith
2 on September 4, 2024 of the erroneous "board-approved" language. At that point,
3 according to Deputy Director Chimienti, Tim Robert changed the budget justification to
4 remove that language and then made a note in the system. She advised that Tim
5 Robert was on administrative leave. (#PR24).

6
7 "A Message from Greg Smith"

8 Executive Director Smith sent an email to the CDA on February 24, 2025, attaching a
9 statement that he indicated was released that morning. The email does not state where
10 the information was released. (#INV13).

11
12 The statement begins by indicating that Executive Director Smith does not believe
13 publicly available information regarding his employment at the CDA adequately
14 represents certain events. He explains that since he was hired by the CDA, he has not
15 received a merit increase. He states in December 2023:

16
17 * * * the Board instructed me to investigate the compensation of comparable
18 positions. I was then to negotiate with the [OLDCC] for the highest annual budget
19 grant award I could get. This was done so the CDA board would know (before it
20 voted on pay increases) what portion of would be covered by the OLDCC grant.*
21 * * (#INV13).

22
23 He goes on to state that he reported his research to the Board Chair,

24
25 * * * showing that the average salary of like positions was \$245,065. My salary
26 was \$129,027...As the Board directed, I proceeded to negotiate pay increases
27 with the OLDCC, initially requesting \$238,000 from both the OLDCC and the
28 Board Chair. The OLDCC imposed its salary cap for key employees and
29 approved a salary for me of \$195,000...As I was in frequent discussion with the
30 CDA Board Chair about the salary negotiation, I naturally reported this to the
31 Chair who responded approvingly. * * * (#INV13).

1
2 The statement continues:

3
4 * * * The Port of Morrow, as the fiscal agent of the CDA, must review, approve,
5 and sign the OLDCC grant application. In early May 2024 the Executive Director
6 of the Port of Morrow, who was a CDA board member at the time, gave me the
7 directive to negotiate a pay increase and had attended every CDA board meeting
8 since, reviewed, approved, and submitted the grant application. * * * (#INV13).

9
10 With respect to the “board-approved” language that appeared in the OLDCC grant
11 application, Executive Director Smith wrote:

12
13 It is currently unknown who drafted this statement. I did not, as grant drafting is
14 handled by staff working in tandem with the OLDCC Project Manager who all
15 work simultaneously on a cloud-based document. I reviewed the document prior
16 to submitting it to the Port of Morrow for signature, and do not recall this
17 statement. But if I read it, it may not have caused me to pause because I had
18 been working openly with the CDA Board Chair on this very topic for months and
19 understood (from our December meeting) that I had the board’s approval for pay
20 increases. (#INV13).

21
22 The statement goes on to describe that Executive Director Smith circulated the board
23 packet “including the CDA budget, the budget narrative and the grant application as
24 approved by the OLDCC and the Port of Morrow. The materials specifically addressed
25 my pay increase, along with pay increases for two other CDA employees. The budget
26 was approved unanimously...” (#INV13).

27
28 Executive Director Smith goes on to explain that at the September 20, 2024, he was
29 met with accusations of misleading the board members by including the “board-
30 approved” statement in the budget narrative. He stated:

31 ///

1 * * * They apparently understood the statement to mean that the CDA Board had
2 approved the pay increases by a board vote before the June 20, 2024 board
3 meeting. They then apparently leapt to the conclusion that I had inserted the
4 sentence into the OLDCC grant application to deceive not only them, but also the
5 federal government into awarding me a pay increase. * * * (#INV13).

6
7 Executive Director Smith explains that because he had no notice that such allegations
8 would be levied against him at the meeting, he did not have an opportunity to
9 investigate the situation and respond accordingly. He explained:

10
11 * * * because I am responsible for the work that leaves the CDA I took, and
12 continue to take, full responsibility for the sentence being written in a manner that
13 allegedly confused them. I could not, however, have an open conversation about
14 the document without discussing the work performance of other CDA employees
15 which I will only do in executive session to protect their constitutional right to be
16 free from public criticism without notice or an opportunity to be heard. I requested
17 to go into executive session so that we could have a more thorough discussion,
18 which acting Board Chair Shafer denied. Therefore, I could do little else but
19 repeatedly tell the board that "I own it." * * * (#INV13).

20
21 Executive Director Smith also stated that neither Board Member Kelly Doherty or Board
22 Member J.D. Tovey:

23
24 appeared to consider that their lack of historical knowledge of the budget process
25 or of past board directives might inform their opinions. Neither appeared to
26 consider that Chair Puzey, who was absent, might have additional insights
27 including the nature of my ongoing open communications about the matter.
28 (#INV13).

29
30 Conversation with Kim Puzey

31 Commission staff spoke with CDA Board Chair Kim Puzey regarding Greg Smith and

1 the salary increases included in the 2024 OLDCC grant application. Board Chair Puzey
2 recalled a conversation with Executive Director Smith regarding his compensation as it
3 related to a counterpart at the Pueblo, Colorado reuse authority (Pueblo). He recalled
4 that Pueblo has fewer acres and a larger staff than the CDA, and the Pueblo executive
5 director is paid more than the CDA's Executive Director. (#INV4).

6
7 With respect to the salary increase included in the 2024 OLDCC grant application,
8 Board Chair Puzey indicated salary increases were handled through the budget
9 process. According to Board Chair Puzey, it was his understanding that the OLDCC
10 was agreeable to whatever the local reuse authority found acceptable in terms of CDA
11 employee salaries. Board Chair Puzey recalled that the budget packet went out to the
12 CDA Board members, a meeting was held regarding the budget and the budget was
13 approved unanimously. He emphasized that the process for approving CDA employee
14 salaries was through the budget process. (#INV4).

15
16 Board Chair Puzey could not recall the language in the grant indicating that the salaries
17 were "board-approved," the tense of the language or the timing of the language as
18 compared to the timing of the approval. Other than the conversation regarding Pueblo,
19 he could not recall discussing the amount of Executive Director Smith's compensation.
20 (#INV4).

21
22 Conversation with Debbie Pedro

23 Commission staff spoke with Debbie Pedro regarding her time at the CDA and her
24 involvement with the 2024 OLDCC grant application. She indicated that she started at
25 the CDA in 2019. Debbie Pedro explained that Executive Director Smith was involved
26 in the grant writing process. She did not recall the language from the 2024 OLDCC
27 grant indicating that the salaries had been approved by the CDA Board. She did not
28 recall Greg Smith specifically telling her to include that language in the grant. She could
29 not recall any conversations with Tim Robert regarding that specific language in the
30 grant application. She explained that the language of the grant application narrative
31 describes things that the CDA hoped to accomplish during the year. Debbie Pedro

1 explained that drafts of the grant language were shared by email before they were
2 finalized and entered into the grant portal. She confirmed that Executive Director Smith
3 reviewed the grant application prior to it being submitted to the OLDCC for approval.
4 (#INV5).

5
6 Debbie Pedro recalled that the salary increases included in the 2024 OLDCC grant
7 application were more than previous years. She stated that increases in salary were
8 proposed each year in the OLDCC grant application to address cost of living increases.
9 She indicated that the compensation numbers for CDA employees were provided to her
10 by Executive Director Smith. She explained that she did not participate in any research
11 regarding the executive director's compensation. (#INV5).

12
13 Debbie Pedro recalled that the CDA Board approved the budget one month and then
14 approved the meeting minutes of the budget meeting the next month. She stated that
15 CDA staff did not take the wages until the budget was approved by the Board. Debbie
16 Pedro emphasized that standard procedure would be for the CDA Board members to
17 have read and reviewed the grant application materials, asked questions, and called out
18 aspects of the grant application for more discussion or research. Debbie Pedro could
19 not recall whether the 2024 OLDCC grant application, including the proposed budget
20 and salary increases, was presented to the CDA Board prior to being submitted to
21 OLDCC for approval. She could not recall any questions from the CDA Board regarding
22 the salaries when the budget packet was presented to the CDA Board. (#INV5).

23
24 Debbie Pedro recalled that once the language in the grant was application was
25 discovered, Executive Director Smith reached out to OLDCC to update the language.
26 (#INV5).

27
28 Conversation with Emily Collins

29 Commission staff spoke with Emily Collins, Project Coordinator at the CDA. She also
30 explained that she is an employee of Executive Director Smith's personal company. She
31 explained that she's been with the CDA since 2023 and assisted with the 2024 OLDCC

1 grant application. She explained that she drafted the narrative portion of the grant
2 application. She explained that she provided grammatical edits to the budget
3 justification but did not come up with the numbers and did not write any of the content.
4 (#INV6).

5
6 Emily Collins indicated that she was aware of the language regarding board approved
7 salary increases and believed that language was in the drafts she reviewed. She could
8 not recall having any discussions with Executive Director Smith or Debbie Pedro
9 regarding that language. She explained that it was her first grant and did not recall the
10 language raising any red flags for her. (#INV6).

11
12 When asked about whether she was aware that the salary increases had not been
13 approved by the CDA Board at the time the granted application was drafted, she
14 explained that she views the narrative differently. In her opinion, the language was all
15 projection until the CDA Board approved it, because the grant wasn't approved and
16 wasn't solidified until the CDA Board approved it. She explained that she could see that
17 language being in there because the person writing it could have thought as soon as the
18 grant was approved the language was correct and the narrative didn't go into effect until
19 the grant was approved. She added that from her understanding, the approval by the
20 OLDCC was more of an approval of what they were willing to provide as funding if the
21 grant application was approved by the CDA Board. (#INV6).

22
23 Emily Collins could not recall having conversations with Tim Robert, or being in the
24 room when either Executive Director Smith or Debbie Pedro were having conversations
25 with him. She explained that the 2024 grant application process was the same one they
26 had been using each year, that there was nothing different. She explained that in her
27 opinion, there was no point in bringing a proposal to the CDA Board until the details
28 were worked out with OLDCC because they didn't want to confuse the CDA Board with
29 multiple drafts. She indicated that would have been confusing and would have made the
30 process take longer. (#INV6).

31 ///

1 Conversation with CDA Board Member JD Tovey

2 Commission staff spoke with JD Tovey on December 8, 2025. JD Tovey recalled his
3 first meeting was December 11, 2023 and that his predecessor on the CDA Board,
4 Donald Sampson, had filled him in on Executive Director Smith's request for a salary
5 increase. He recalled that he received an email from Executive Director Smith
6 requesting a vote on the salaries at the January 18, 2024 CDA Board meeting. JD
7 Tovey recalled being on vacation in Rome at the time and waking up early to ensure he
8 could participate in the CDA meeting and vote against the requested pay increase. He
9 did not recall any other conversations regarding Executive Director Smith's salary,
10 except what he described as "off-handed comments" by Board Chair Kim Puzey that
11 Executive Director Smith deserved the raise. (#INV12).

12
13 JD Tovey recalled the June 24, 2024 CDA Board meeting. He recalled only receiving
14 the grant material approximately a week before the meeting. He recalled asking whether
15 there was anything new or unusual in the budget and being told by both Executive
16 Director Smith and Board Chair Kim Puzey that it was pro forma, something that was
17 done every year. (#INV12).

18
19 JD Tovey recalled Executive Director Smith reaching out to the Port of Morrow, as
20 CDA's fiscal agent, requesting the increase in pay and stating that it was retroactive. He
21 recalled it raising red flags for Eileen Hendricks at the Port of Morrow. He also recalled
22 that once Executive Director Smith was made aware of the "board-approved" language
23 in the 2024 OLDCC grant application, he didn't bring it to the Board's attention. Rather,
24 instead of there being a formal approval of the change to the grant application, JD
25 Tovey recalled that Executive Director Smith just "tried to fix it." (#INV12).

26
27 Conversation with Executive Director Greg Smith

28 Commission staff spoke with Executive Director Smith on December 8, 2025. His
29 attorney was present for the conversation. Executive Director Smith advised on multiple
30 occasions that he was not responsible for putting the 2024 OLDCC grant application
31 together. He advised that the numbers that are included in the grant application come

1 from the Port of Morrow and OLDCC, not the CDA. He explained that based on his
2 understanding of the process, the numbers for the grant application were derived from
3 the prior year's application and a conversation about what was needed or not needed
4 going forward. From there, a new budget was created. He stated he was not part of
5 those conversations. (#INV11).

6
7 He explained on multiple occasions how he understood the grant application process to
8 work: there was a back and forth among Port of Morrow, OLDCC and CDA. Once the
9 OLDCC gave the thumbs up, the grant application was awarded, budget was adopted
10 by the Board and then OLDCC proceeded with final grant agreement. In 2024, he
11 advised that the OLDCC grant was taken to the Board, that the Board "hastily" approved
12 it and then the grant was finalized. He emphasized that to assume one person wrote the
13 grant application would be inaccurate. (#INV11).

14
15 Regarding pay increases, he explained that the conversation began in or around
16 November 2023. At first, he advised only performance was discussed at the December
17 11, 2023 executive session, but then explained that to the extent wages were
18 discussed, it was regarding him collecting information about salaries of comparable
19 positions and having a discussion with OLDCC. He recalled being told that for his
20 salary, he should go for the highest number that the OLDCC would approve. He stated
21 that he was told to talk to OLDCC and see what they were willing to pay. He recalled
22 conversations among himself, Kim Puzey and Lisa Mistedorf, a group that he referred
23 to as being a "subcommittee" regarding the pay increase. He stated that Kim and Lisa
24 requested compensation research and he completed that research doing numerous
25 Google searches of similar positions. (#INV11).

26
27 With respect to the January 15, 2024 memo directed to Kim Puzey, at first, Executive
28 Director Smith did not recall finishing the memo or sending it to anyone. After some
29 discussion, he recalled sending "something."
30 He explained that salary discussions were stalled in and around late 2023, early 2024.
31 Don Sampson, former CDA Board Member, had one idea regarding how compensation

1 should be navigated while CDA Board Chair Kim Puzey and CDA Board Member Lisa
2 Mittelsdorf had a different idea. He recalled conversations with Kim Puzey and Lisa
3 Mittelsdorf but could not recall if he sent anything in writing. He explained that he never
4 received final direction on the salary other than to “navigate the salary to the highest
5 possible amount,” a direction which he attributed to Kim Puzey and Lisa Mittelsdorf. He
6 advised that he was not sure whether the rest of the CDA Board was aware of his
7 conversations with Kim Puzey and Lisa Mittelsdorf, citing CDA Board turnover.
8 (#INV11).

9
10 When asked when Executive Director Smith spoke to OLDCC regarding the salary
11 increase, he advised that he “never spoke to them.” He stated that the first time he
12 spoke to anyone at OLDCC, it was in September or October 2024 when he reached out
13 to them regarding the “board-approved” language in the budget justification. He
14 explained that he didn’t navigate the salary question because “the politics were so ugly.”
15 He stated that the politics on the CDA Board had changed and with the new board he
16 let the subject of a salary increase “drop.” (#INV11).

17
18 When asked at what point he reviewed a draft of the 2024 OLDCC grant application,
19 Executive Director Smith stated that he never reviewed it and doesn’t recall reviewing it.
20 He stated that the grant application was provided to him when it was completed. He
21 advised he did not submit the January 14, 2025 memo addressed to Kim Puzey to the
22 team putting the 2024 OLDCC grant application materials together. (#INV11).

23
24 When asked if he was aware of the email communications from OLDCC regarding the
25 fact that they could not support his \$238,000 because of the salary cap, he said he was
26 not aware of them at the time to the best of his remembrance. Then he added that there
27 may have been some “chit chat” about it. When Commission staff asked whether no
28 one let him know that his proposed salary was going to drop by \$40,000, he did not
29 answer the question directly and instead replied, “You have to understand, I gave up on
30 the raise.” Commission staff asked at what point he became aware of the raise that was
31 included in the OLDCC grant application. He recalled that he was not aware of it until

1 the day of the CDA Board Meeting in June 2024. He explained that the CDA Board
2 came to that agenda item and “he skimmed through to see what his pay was going to
3 be.” He asserted, “I didn’t ask. I wasn’t going there.” (#INV11).

4
5 Commission staff advised that Debbie Pedro indicated she got the salary numbers for
6 the 2024 OLDCC grant application from him. He said he did not recall that. Rather, he
7 recalled dropping the issue because there was a brand new CDA Board and they were
8 not in agreement with what he wanted to do with his salary and compensation.
9 (#INV11).

10
11 Commission staff asked about the written statement he issued which was referenced in
12 a March 2025, Salem Reporter article. Executive Director Smith asked Commission
13 staff what they meant by “issued” and said he didn’t recall issuing a statement and
14 advised he certainly wouldn’t have issued one to the Salem Reporter. (#INV11).

15
16 Executive Director Smith explained that he “owned” the mistake at the September 2024
17 Board meeting because both Debbie Pedro and Emily Collins were in attendance and
18 he was trying to protect them and everyone involved in the process. He explained that
19 he didn’t want Debbie or Emily to be attacked. (#INV11).

20
21 He asserted that he did not tell Debbie Pedro to include the “board-approved” language
22 in the 2024 OLDCC grant application and that he did not tell Debbie to include his
23 proposed pay increase in the 2024 OLDD grant application. He also asserted that he
24 could not recall reviewing the 2024 OLDCC grant application prior to submission, when
25 it was brought to his attention that current and former CDA staff recalled him doing do.
26 Executive Director Smith explained that he thought the “board approved” language was
27 meant to be prospective. (#INV11).

28
29
30 OLDCC Grants Management Manual

31 The OLDCC website includes a copy of the Grants Management Manual (Manual),

1 which includes terms and conditions, policies, forms and instructions. The Manual
2 includes a requirement that states material changes in the project or program described
3 in the application including, but not limited to, those identified in the Manual, require
4 prior written approval from the grantor. One material change identified is changes to the
5 budget. (#INV10).

6
7 June 13, 2025 Oregon Government Ethics Commission Meeting

8 The preliminary review report regarding the complaint was presented to the
9 Commission at their June 13, 2025 meeting. Executive Greg Smith did not appear, but
10 he was represented by his attorney, Amanda Gamblin. Attorney Gamblin. Attorney
11 Gamblin stated that the only comment she had was on the conflict of interest issue. She
12 stated that she believed it was undisputed that in December 2023, the CDA board
13 asked Greg Smith to talk to the OLDCC to see how much funding the OLDCC would
14 grant to the Port of Morrow and to potentially raise to the CDA board a vote for raises
15 for CDA staff. She explained that as she understands the Commission's position, when
16 the CDA board directed Greg Smith to talk to the OLDCC they put Executive Director
17 Smith in a conflict of interest position when it directed him to talk to the OLDCC.
18 According to Attorney Gamblin, neither Executive Director Smith nor the CDA Board or
19 their legal counsel saw the conflict of interest. Attorney Gamblin argued that no one
20 recognized a conflict of interest because Executive Director Smith wasn't speaking to
21 someone when he spoke with OLDCC that had the authority to give him a raise. She
22 argued that it was "three degrees removed" from anybody being able to use their
23 position to benefit. (#INV9).

24
25 Attorney Gamblin stated OLDCC does not have the authority to grant a raise to Greg
26 Smith or anybody at the CDA. She also stated that the Port of Morrow does not have
27 the authority to grant a raise to Greg Smith or anyone else at the CDA. Only the CDA
28 had the authority to give him a raise. (#INV9).

29
30 Finally, Attorney Gamblin stated that if the Commission views the conversation with
31 OLDCC as a conflict of interest, it was not on anybody's radar at the time. She

1 confirmed that Greg Smith did not make the written disclosure and did not fulfill the
2 written requirements. Attorney Gamblin advised that if it's the Commission's position
3 that a conflict of interest existed, Executive Director Smith did not know and did not give
4 the written disclosure. (#INV9).

5
6 **CONCLUSIONS:** During the relevant period, Greg Smith was the Executive Director of
7 the Columbia Development Authority. As the Executive Director of the CDA, Greg Smith
8 is a public official as defined in ORS 244.020(15) and is subject to Oregon Government
9 Ethics Laws.

10
11 *Conflicts of Interest of Interest Related to Salary Increase*

12 When an appointed official is met with an actual or potential conflict of interest, that
13 public official is required to notify their appointing authority in writing and request that the
14 appointing authority dispose of the matter giving rise to the conflict. Executive Director
15 Smith was faced with multiple conflicts of interest that he failed to declare relating to the
16 2024 OLDCC grant application approval process.

17
18 *1. Conflicts of Interest Arose during Negotiations with OLDCC*

19 In this case, an actual conflict of interest arose when Executive Director Smith was
20 assisting with the preparation of the OLDCC grant application materials. Despite
21 Executive Director Smith's assertions during his conversation with Commission staff that
22 he did not engage in negotiations with OLDCC, other information, including Executive
23 Director Smith's own written statements. Executive Director Smith's attorney, Amanda
24 Gamblin, stated that Executive Director Smith did not recognize the conflict of interest
25 that arose in the course of negotiating a salary increase with the OLDCC and did not
26 fulfill the written conflict of interest disclosure requirements prior to engaging in those
27 negotiations. When those negotiations began, Executive Director Smith would have
28 received a financial benefit of more than \$110,000. Once those negotiations were
29 finalized, Executive Director Smith had negotiated a \$66,000 increase.

30 ///

1 Because Executive Director Smith knew he was treating the raises in the 2024 OLDCC
2 grant application as a raise that he would receive, based on the historical way they had
3 used the grant approval process in the past, Executive Director Smith was faced with an
4 actual conflict of interest because he would financially benefit from those negotiations.
5 He should have disclosed that conflict in writing and presented it to his appointing
6 authority.

7
8 *2. Conflicts of Interest Arose during CDA Board Approval of OLDCC Grant*
9 *Application*

10 Executive Director Smith recommended approval of the 2024 OLDCC grant application
11 during the June 24, 2025 CDA Board meeting, which included a \$66,000 salary increase
12 for himself. Because Executive Director Smith knew he was treating the raises in the
13 2024 OLDCC grant application as a raise that he would receive, Executive Director
14 Smith was faced with an actual conflict of interest and should have disclosed that conflict
15 in writing and presented it to his appointing authority.

16
17 *3. Conflicts of Interest Arose during Demand for Pay Increase and Retroactive Pay*

18 Executive Director Smith was faced with an actual conflict of interest when he sent an
19 email to Eileen Hendricks on June 26, 2024, asserting that the new salary should be
20 effectuated and that the salary should be retroactive. There was CDA Board order or
21 written authorization that authorized Executive Director Smith to assert that he was
22 entitled to the salary increase at that time or that he was entitled to retroactive pay.
23 Executive Director Smith was faced with an actual conflict of interest because he was
24 going to benefit financially from the action that he took to obtain the financial benefit of
25 the increased salary and retroactive pay.

26
27 *Prohibited Use of Office Relating to the Salary Increase*

28 ORS 244.040(1) prohibits a public official from using or attempting to use their official
29 position or office to obtain financial gain or avoidance of financial detriment for the
30 public official, a relative or member of the household of the public official, or any
31 business with which the public official or a relative or member of the household of the

1 public official is associated, if the financial gain or avoidance of financial detriment
2 would not otherwise be available but for the public official's holding of the official
3 position or office.

4
5 In order for the Commission to find a violation of ORS 244.040(1) (use of office), the
6 Commission must find:

7
8 (1) Greg Smith was a public official.

9 (2) Greg Smith used or attempted to use his public position or office;

10 (3) The use of position/office allowed Mr. Smith to obtain a financial gain or avoid a
11 financial detriment for himself, a relative, member of household, or a business
12 associated with him, a relative, or member of household; and

13 (4) The financial gain or avoidance of financial detriment would not otherwise be
14 available to Mr. Smith but for his holding of the official position/office.

15
16 There is no dispute Greg Smith was a public official during the period relevant to this
17 review. Therefore, the next relevant element is "use of position." "Use" of official position
18 means the public official "availed [themselves] of" a benefit. In other words, the public
19 official took advantage of being a public official. As an example, the Oregon Supreme
20 found that a SAIF employee adding a private vehicle sale to SAIF's fleet vehicle
21 purchase was a "use" of office/position because the employee "bought a car at a price
22 available to [the employee] only as a public official."

23
24 While "use" of office is one element, it alone is not sufficient to find a violation of ORS
25 244.040(1). There must be a financial benefit or avoidance of financial detriment
26 received by the public official that was not otherwise available to the public official but
27 for being a public official. In other words, to find a violation of ORS 244.040(1), the
28 Commission must establish that the public official "would not have obtained such a
29 [financial benefit] in any other way."

30
31 A public official does not have to be successful in using their office for financial gain.

1 Rather, even attempting to use one's public office for their personal financial benefit
2 invokes ORS 244.040(1).
3

4 There are exceptions to this provision. ORS 244.040(2) allows a public official to accept
5 any part of their official compensation package as determined by the public body that
6 the public official serves. OAR 199-008-0005(3) defines official compensation package
7 to mean the wages and other benefits provided to the public official. To be part of the
8 public official's official compensation package, the wages and benefits must have been
9 specifically approved by the public body in a formal manner, such as through a union
10 contract, an employment contract, or other adopted personnel policies that apply
11 generally to employees or other public officials. The term official compensation package
12 also includes the direct payment of a public official's expenses by the public body, in
13 accordance with the public body's policies.
14

15 Based on a review of available information, Executive Director Smith either used or
16 attempted to use his position as the Executive Director of the CDA to financially benefit
17 himself in violation of ORS 244.040(1) on at least three separate occasions. Each is
18 discussed in turn below.
19

20 *1. Development of 2024 OLDCC Grant Application*

21 Information reviewed during this investigation indicates that Executive Director Smith
22 first raised the issue of a salary increase for himself to the CDA Board in November or
23 December 2023. Executive Director Smith submitted documentation to Board Chair Kim
24 Puzey and the other CDA Board members on January 14, 2024. The letter includes a
25 proposed motion which would have increased Executive Director Smith's salary from
26 approximately \$129,000 to \$238,000. The CDA Board did not take up Executive
27 Director Smith's request for a salary increase at a public meeting and did not present or
28
29 vote on the proposed motion that was included in the letter directed to Board Chair
30 Puzey.
31

///

1 Yet, despite the CDA Board not granting the salary increase requested, the initial draft
2 of the 2024 OLDCC grant application states that the salary for the Executive Director is
3 \$238,000 and includes the language that the significant increase in salaries for CDA
4 employees was approved by the CDA Board. The Executive Director's salary was
5 subsequently decreased to \$195,000 during the negotiation process with OLDCC
6 personnel, resulting in an increase in Executive Director Smith's salary of \$66,000.

7
8 During his conversation with Commission staff, Executive Director Smith asserted that
9 because of the politics of the new CDA Board at the time, he let the issue of the salary
10 increase go. He asserted that he did not have a conversation with OLDCC regarding his
11 salary, did not negotiate with OLDCC regarding his salary, and was unaware that an
12 increase was included in the 2024 OLDCC grant application packet. However, that
13 directly conflicts with the statement he issued in February 2025 in which he states:

14
15 * * * I proceeded to negotiate pay increases with the OLDCC, initially requesting
16 \$238,000 from both the OLDCC and the CDA Board Chair. The OLDCC imposed
17 its salary cap for key employees and approved a salary for me of \$195,000, with
18 \$123,350 paid by the OLDCC grant and \$71,650 paid by the CDA.* * * (#INV13).

19
20 It also conflicts with a statement Executive Director Smith provided to Commission staff
21 in which he states: "During that process, CDA staff and I discussed pay increases with
22 the OLDCC, which were included in the CDA budget." (#PR3). Further, Debbie Pedro
23 recalled that Executive Director Smith provided her with the numbers for the CDA
24 employee salaries to be included in the 2024 OLDCC grant application. (#INV5).

25
26 Additionally, during his conversation with Commission staff, Executive Director Smith
27 advised that he could not recall reviewing the 2024 OLDCC grant application prior to the
28 Board meeting where it was presented to the Board. During his conversation with
29 Commission staff, he indicated he was only aware of his salary increase when he
30 "skimmed" through the meeting materials on the day of the CDA Board meeting where
31 the OLDCC grant application was scheduled for discussion. (#INV11). However, this

1 statement is inconsistent with a prior written statement from Executive Director Smith. In
2 his February 2025 statement, he asserts:

3
4 * * * I reviewed the document prior to submitting it to the Port of Morrow for
5 signature, and do not recall this statement. But if I read it, it may not have caused
6 me to pause because I had been working openly with the CDA Board Chair on
7 this very topic for months and understood (from our December meeting) that I
8 had the board's approval for pay increases. * * * (#INV13).

9
10 Executive Director Smith states that the language in the OLDCC grant application that
11 indicated his salary increase was "board-approved" was not included by him and that he
12 did not instruct Debbie Pedro to include that language. Neither Debbie Pedro nor Emily
13 Collins could recall Executive Director Smith telling them to include the language in the
14 2024 OLDCC grant application that the salary increases were board approved. Neither
15 could recall why the language was included.

16
17 Executive Director Smith has indicated that the language regarding the salaries being
18 "board-approved" could have been inserted by CDA staff, OLDCC personnel or
19 individuals with access to the grant portal from the Port of Morrow. However, the
20 available information indicates otherwise and instead points to the fact that the
21 increased salary and the language indicating that the salary was board-approved was
22 included in the grant application from the beginning of the process. Specifically, OLDCC
23 personnel indicated that based on their review of the 2024 OLDCC grant application,
24 the language indicating the increased salary was board approved was there from "the
25 get go." Emily Collins also recalled the language indicating that the CDA employee
26 salary increases were board approved being in the initial draft of the 2024 grant
27 application. A review of an email chain between CDA employees and OLDCC staff
28 includes language that the increased salaries were board approved and include a salary
29 for the executive director in the amount of \$238,000, a more than \$110,000 increase.
30 Therefore, the language regarding the proposed raise and the language that it was
31 already board approved was there the entire time. Executive Director Smith either knew,

1 or had reason to know, based on his reviews of the documents, that the information
2 regarding his proposed salary increase was incorrect.

3
4 Asking for a pay increase alone is not prohibited under ORS 244.040(1). But taking
5 actions and making decisions to obtain or to attempt to obtain a pay increase that was
6 not authorized by the Board is prohibited under Oregon Government Ethics Law. The
7 available information in this case indicates that Executive Director Smith attempted to
8 negotiate a pay increase with the entire CDA Board, and, when unsuccessful included a
9 pay increase of \$238,000 in the 2024 OLDCC grant application. When the initial
10 proposed pay increase was rejected by OLDCC, Executive Director Smith decreased
11 the pay to \$195,000, a still more than \$66,000 increase in his pay. Again, at the time he
12 did not have approval from the CDA Board for such an increase. Executive Director
13 Smith used his position to submit a grant application that included a salary increase for
14 himself that he knew had not been approved by the Board. And in so doing, he
15 attempted to use his position to obtain an unauthorized salary increase.

16
17 But for holding his position as Executive Director of the CDA, Executive Director Smith
18 would not have been in a position to include an unapproved salary increase of \$66,000
19 for himself in the 2024 OLDCC grant application filed by the Port of Morrow, on behalf of
20 the CDA. Executive Director Smith violated ORS 244.040(1) in attempting or using his
21 position to obtain an unauthorized salary increase.

22
23
24 *Email to Port of Morrow regarding Pay Increase and Retroactivity of Pay Increase*

25 Upon approval of the 2024 OLDCC grant application by the CDA Board, reached out to
26 Eileen Hendricks at the Port of Morrow and requested salary changes consistent with
27 the 2024 OLDCC grant application and went so far as to state in his email that the new
28 wage structure should be retroactive to April 1, 2024. As noted above, there were no
29 discussions during the public meetings between November 23, 2023 and June 24, 2024
30 regarding the significant increase in Executive Director Smith's salary, when it should
31 become effective and whether it should be retroactive.

1 The evidence establishes that Executive Director Smith used his position as Executive
2 Director to obtain a retroactive pay increase for himself that had not been previously
3 approved by the CDA Board. His actions violated ORS 244.040(1).

4
5 Executive Director Smith did not indicate to the Board that the grant application included
6 a pay increase for himself. The Board eventually discovered that the OLDCC grant
7 application included a pay increase for Executive Director Smith. After discovering this,
8 at the September 20, 2024, meeting the Board voted to rescind any pay increase to the
9 extent it could be argued the approval of the grant resulted in a pay increase.

10 According to the meeting minutes, the CDA Board voted to require repayment of the
11 unapproved salary from Executive Director Smith. According to information reviewed in
12 this investigation, Executive Director Smith has not repaid the amount.

13
14 While the pay increase was only in effect for a short period of time, the Port of Morrow
15 confirmed that Executive Director Smith did not return the money paid to him consistent
16 with his instructions in the June 25, 2024 email. Therefore, Executive Director Smith's
17 efforts as it relates to the pay increase were not only an attempt; rather, they resulted in
18 an actual financial benefit to Executive Director Smith. The evidence establishes that
19 Executive Director Smith used his position as Executive Director to obtain a pay
20 increase for himself that had not been previously approved by the CDA Board. When
21 ordered to repay the amount, Executive Director Smith did not do so. His actions
22 violated ORS 244.040(1).

23
24 Based on the information available, it appears that Executive Director Smith violated
25 ORS 244.040(1) by using his position to include a pay increase in the OLDCC grant
26 application prior to formal CDA Board approval of that pay increase for himself, by using
27 his position to obtain a retroactive pay increase that had not been approved by the CDA
28 Board, and by failing to repay the amount ordered by the CDA Board to be repaid,
29 despite no written directive from the CDA Board that he was entitled to that financial
30 benefit.

31 ///

RECOMMENDATIONS: There is a preponderance of evidence in this case to establish that Greg Smith failed to properly disclose his conflict of interest, in violation of ORS 244.120(1)(c). There is a preponderance of evidence in this case to establish Greg Smith engaged in a prohibited uses of his position, in violation of ORS 244.040(1), The Commission should further order that the case be moved to a contested case proceeding or that a negotiated settlement be entered. [Motion 10].

///

///

ASSOCIATED DOCUMENTS:

#PR1 Amended and Restated Columbia Development Authority Intergovernmental Agreement, dated July 14, 2014.

#PR2 Complaint filed by Jonathan Tallman, dated March 11, 2025.

#PR3 Response to Complaint filed by Greg Smith, dated April 15, 2025.

#PR4 Email response from Greg Smith, dated May 5, 2025.

#PR5 Email from Mark Lemmon, dated April 8, 2025.

#PR6 BEO Bancorp (BEOB) News, online available at: [Beo Bancorp \(BEOB\) News Headlines | Nasdaq](#)

#PR7 BEO Bancorp, Secretary of State Registration, May 7, 2025.

#PR8 Statement of Economic Interest, Gregory Smith, 2021.

#PR9 Statement of Economic Interest, Gregory Smith, 2022.

#PR10 Statement of Economic Interest, Gregory Smith, 2023.

#PR11 Statement of Economic Interest, Gregory Smith, 2024.

#PR12 Statement of Economic Interest, Gregory Smith, 2025.

#PR13 CDA Board Minutes for September 27, 2022 Meeting.

#PR14 CDA Board Minutes for October 25, 2022 Meeting.

#PR15 CDA Board Minutes for December 22, 2022 Meeting.

#PR16 CDA Board Minutes for November 26, 2024 Meeting.

#PR17 Letter to Kim Puzey from Executive Director Greg Smith, dated January 15, 2024.

#PR18 Emails between OLDCC and CDA regarding OLDCC grant application, January 2024.

1 #PR19 Emails between OLDCC and CDA regarding OLDCC grant application,
2 March 2024.

3 #PR20 Emails between OLDCC and CDA regarding OLDCC grant application,
4 April 2024.

5 #PR21 OLDCC grant application provided by Greg Smith, signed May 2, 2024.

6 #PR22 OLDCC grant application materials posted to the CDA website, available as
7 of May 7, 2025.

8 #PR23 OLDCC Letter to the Port of Morrow, dated February 21, 2025.

9 #PR24 Memorandum to File, Discussion with OLDCC Personnel, dated May 6,
10 2025.

11 #PR25 Memorandum to File, Discussion with Port of Morrow Personnel, dated May
12 2, 2025.

13 #PR26 Email from Executive Director Smith to Port of Morrow regarding CDA
14 Budget Approval, dated June 26, 2024.

15 #INV1 Case No. 25-160ECF, Preliminary Review Report, Greg Smith, dated May
16 9, 2025.

17 #INV2 CDA Board Meeting Minutes, November 2023 through June 2024. Available
18 online at [Board Members and Meetings | Columbia Development Authority](#).

19 #INV3 CDA Board Meeting Recordings, December 11, 2023 through June 25,
20 2025. Available online at [Board Members and Meetings | Columbia
21 Development Authority](#).

22 #INV4 Memo to File, Conversation with Kim Puzey, December 4, 2025.

23 #INV5 Memo to File, Conversation with Debbie Pedro, December 3, 2025.

24 #INV6 Memo to File, Conversation with Emily Collins, December 2, 2025.

25 #INV7 Emails between CDA employees and OLDCC personnel, dated January
26 2024.

27 #INV8 Email from Greg Smith to Eileen Hendricks, dated June 26, 2024.

28 #INV9 Oregon Government Ethics Commission, June 13, 2025 Meeting.
29 Recording available at [June 2025 Commission Meeting Executive Session
30 Part 1 \(Agenda Items 1 - 22\)](#)

31 #INV10 Grants Management Manual, U.S. Department of Defense, Office of Local

1 Defense Community Cooperation. Available at: [Grants Management](#)
2 [Manual](#).
3 #INV11 Memo to File, Conversation with Greg Smith, December 8, 2025.
4 #INV12 Memo to File, Conversation with JD Tovey, December 8, 2025.
5 #INV13 Statement released by Greg Smith, February 24, 2025.
6 #INV14 Memo to file, Conversation with Eileen Hendricks, Lisa Mittelsdorf,
7 December 10, 2025
8 #INV15 Board Members and Meetings webpage, available at: [Board Members and](#)
9 [Meetings | Columbia Development Authority](#)
10 #INV16 CONFIDENTIAL Executive Session Meeting Minutes, December 11, 2023
11 meeting.
12 #INV17 Email from Greg Smith to the CDA Board, dated January 14, 2024.
13 #INV18 Email from Debbie Pedro to Eileen Hendricks, dated May 2, 2024.
14 #INV19 2024 OLDCC Grant Award Notification, signed May 20, 2024.
15 #INV20 Memo to File, Conversation with CDA Board Member John Shafer,
16 December 10, 2025.
17 #INV21 Case No. 25-160ECF, Investigation Report, dated December 8, 2025.
18

PREPARED BY

Casey Fenstermaker

Compliance & Enforcement Coordinator

12.11.2025

Date

APPROVED BY

Susan V. Myers

Executive Director

12/11/2025

Date

REVIEWED BY

Approved by email

Sean T. Brady

Senior Assistant Attorney General

12.11.2025

Date



Oregon

Tina Kotek, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1680

Telephone: 503-378-5105

Fax: 503-373-1456

E-mail: mail@ogec.oregon.gov

Website: www.oregon.gov/ogec

October 29, 2025

Sent via email

Obie Rutledge, Secretary of the Senate
Oregon Legislative Assembly
900 Court St. NE
Salem, OR 97301

Re: Advice No. 25-678I

Dear Mr. Rutledge,

Thank you for reaching out to the Oregon Government Ethics Commission requesting advice on application of the government ethics laws and lobby laws to fundraising activities on behalf of the American Society of Legislative Clerks & Secretaries.

You have explained that you are a member of and on the Executive Committee of the American Society of Legislative Clerks & Secretaries (ASLCS), which is part of the National Conference of State Legislatures (NCSL). Next year, the ASLCS will hold its annual Professional Development Seminar in Washington D.C. ASLCS and its Executive Committee are collectively working together to fund and host the Seminar. Each member of the Executive Committee is hoping to raise a minimum of \$5,000 to contribute to the Seminar, more if possible. Your goal is to work with a few Oregon lobbyists to raise funds for the ASLCS Seminar. Any funds raised would be payable to the NCSL Foundation for State Legislatures, a tax-exempt 501(c)(3) organization. You have asked whether your participation in this fundraising effort is allowed under Oregon's government ethics and lobby laws, and if so, whether there are any limitations, prohibitions, or other considerations of which you should be aware.

First, addressing the government ethics laws in ORS Chapter 244, there are no prohibitions that would prevent you from engaging in this fundraising effort. The laws in ORS Chapter 244 are primarily designed to address public officials who make decisions or take actions in their official positions that would have personal financial impacts on themselves, their relatives or household members, or on any businesses with which they, or their relatives or household members, are associated. In this case, the fundraising efforts that you describe would not appear to have any personal financial impact on you or your relatives or household members. Further, under ORS 244.020(2) and ORS 244.020(3), neither the NCSL nor the ASLCS would appear to qualify as a business with which you are associated. Therefore, you would not be met with a conflict of interest or prohibited use of position if you were to engage in these fundraising efforts on behalf of the ASLCS. And because the funds would not be payable to or received by you, there would be no violation of the gift provisions in ORS 244.025(1).

Second, addressing the lobby laws in ORS Chapter 171, there are not any prohibitions on such fundraising efforts; however, you and the lobbyists involved will need to remain cognizant that any payments made in response to your fundraising efforts will likely qualify as reportable lobbying expenditures. You are a legislative official, as defined in ORS 171.725(7). The definition of lobbying in ORS 171.725(8) includes “attempting to obtain the goodwill of legislative officials.” By responding to your fundraising efforts and donating to the NCSL Foundation for State Legislatures, lobbyists and their clients/employers would be attempting to obtain your goodwill and potentially the goodwill of other Oregon legislative officials. Therefore, the funds donated would need to be reported on the lobbyists’ clients’/employers’ quarterly expenditure reports, as part of the total monies expended for the purpose of lobbying.

This advice letter can only provide guidance as to how the government ethics laws and lobby laws would apply to the situation presented. There may be other statutes, rules, or policies in place that might limit or even prohibit the activities you describe. For example, the Legislative Administration Committee has policies regarding sales and solicitations in the State Capitol. It is not clear whether these policies would apply, and we would recommend checking the Legislative Counsel regarding the proposed fundraising.

Please let me know if you have any additional questions or need further clarification.

Sincerely,



Susan V. Myers
Executive Director

*****DISCLAIMER*****

This staff advice is provided under the authority given in ORS 244.284(1) and ORS 171.776(1). This advice offers guidance on how Oregon Government Ethics Law and Oregon Lobby Law may apply to the specific facts described in your request. This opinion is based on my understanding and analysis of the specific circumstances you described and should not be applied to circumstances that differ from those discussed in this request.



Oregon

Tina Kotek, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1680

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Fax: 503-373-1456

E-mail: mail@ogec.oregon.gov

Website: www.oregon.gov/ogec

November 12, 2025

Callen Sarah Sterling
Oregon School Boards Association
1201 Court St. NE, Suite 400
Salem, Oregon 97301

Re: PML Training Assessment 24-556T

Dear Callen Sarah Sterling,

The Oregon Government Ethics Commission (OGEC) originally approved the Public Meetings Law training provided by the Oregon School Boards Association (OSBA) on November 27, 2024. That original approval was for one year. This letter confirms that OGEC is extending its approval of OSBA's Public Meetings Law training by one year. This extension will expire on November 27, 2026.

As this Public Meetings Law training has been reviewed and approved by OGEC, a member of a governing body who attends and completes this training will satisfy the training requirement set forth in ORS 192.700.

There may be legislative changes to the Public Meetings Law made during the 2026 legislative session. OGEC will be updating its criteria for training approval after the 2026 legislative session and after any necessary rulemaking process resulting from legislative changes. At that point, OSBA will need to update its Public Meetings Law training to reflect such changes and will need to submit its updated training to OGEC for review and approval. If, in the interim, you make any other changes to your training, including changes reflecting updated interpretations or guidance from OGEC, that updated training must also be resubmitted to OGEC for review and approval.

Please do not hesitate to contact this office if you have any questions or desire additional clarification regarding the training approval process.

Sincerely,

Susan V. Myers
Executive Director

OGEC Training Report

November Commission Meeting Facilitators

- **Room/Online Facilitator:** Chris
- **Participation Facilitator:** Ruth
- **Facilitation Lead/Media Contact:** Stephanie

Trainings Completed (November 1, 2025 – November 26, 2025)

These trainings are hosted by public bodies across the state both online and in-person. Some hosted training sessions are open to public officials from other governing bodies to attend. The public body who hosts the training is listed first, followed by the public bodies represented by other attendees.

Area of Law	Public Body	Location
ORS 192	City of Newberg (Chehalem Parks & Recreation District, City of McMinnville)	Newberg
ORS 244 ORS 192	Oregon Community College Association (OCCA) Conference- Legislative Updates	Online
ORS 244	Oregon School Board Association (OSBA) Conference – Two Sessions	Portland
ORS 192	Bay Area Hospital	Online
ORS 192	Associated Students of Oregon State University (ASOSU)	Online
ORS 244	City of Fairview (City of Troutdale)	Fairview
ORS 244	Oregon Fire District Directors Association (OFDDA) Conference	Seaside
ORS 244 ORS 192	Oregon County Counsel Association (OCCA) Conference- Legislative Updates	Eugene

OGEC Webinars (November 1, 2025 – November 26, 2025)

These online trainings are open to anyone to sign-up for through our website. Most of the topics are offered once a month. Public Meetings Law webinars are currently offered at least once a week.

Area of Law	Webinar Topic	November
ORS 244	New Employee	1 Session
ORS 244	New Councilor or Commissioner	1 Session

ORS 244	Use of Office/Conflicts of Interest	1 Session
ORS 244	Gifts	1 Session
ORS 244	Jurisdictional Contact	0 Sessions
ORS 192	Public Meetings Law	5 Sessions
ORS 192	Executive Sessions	1 Session
ORS 171	Lobby Law	0 Sessions

Training Highlights

Training Projects

In addition to training public officials, the Training team has been working on a few projects:

- Ruth put together several email bulletins this past month and is working on this quarter's newsletter, set to be delivered next week.
 - Hiring for an Investigator bulletin: outreach for the open investigator position.
 - Changes to Government Ethics Law bulletin: highlighting the legislative change to conflicts of interest that becomes law in January 2026.
 - Respectful Workplace Training for Lobbyists bulletin: Partnered with the Legislative Equity Office to increase registration for their required trainings.
- Chris is working on staff training focused on Government Ethics Law and coordinating a potential video project.
- Lex updated several of our educational materials. She also is working on an advice-centered project and reviewing our website for accessibility to ensure WCAG compliance for 2026.
 - Updated the Conflicts of Interest Quick Reference Guide.
 - Updated the Respectful Workplace Training Reporting Instructions.
- Molly is working on scheduling and social media communications. She and Stephanie met with Tobias Sherwood from the Office of Cultural Change to ensure our social media messaging fits our DEI plan.

Communication Statistics

With Ruth heading our communications and the team's work on our post-training bulletins, we've seen a great open and click rate this past year. Per GovD's update, in the past 365 days we had:

- An open rate of 44.5%
 - This measures how many people opened the emails we sent to them, which is **about 8% more** compared to the market average of 36.6%.
- A click rate of 18.2%

- This measures how many people opened *and* clicked on our emails, which is **more than 5x** the market average of 3.5%.

Conferences

- Susan and Stephanie were invited to be speakers at the Oregon County Counsel Association Conference on November 21, 2025. They presented on the 2025 legislative updates on Government Ethics Law and Public Meetings Law.
- Chris presented two Government Ethics Law sessions at Oregon School Board Association Conference.
- Stephanie presented at several conferences this month, including training on:
 - 2025 legislative updates to Government Ethics Law and Public Meetings Law to the executive assistants of community college boards at the Oregon Community College Association Conference.
 - Government Ethics Law for the Oregon Fire District Directors Association Conference.

Training Staff

Trainers

Chris Brubaker	503-378-2059	chris.brubaker@ogec.oregon.gov
Lex Tingey	503-378-2245	lex.tingey@ogec.oregon.gov
Ruth Sylvester	503-378-2060	ruth.sylvester@ogec.oregon.gov

Administrative Support

Molly Putnam	503-378-5108	training@ogec.oregon.gov
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Curriculum and Training Coordinator

Stephanie Heffner	503-378-6802	stephanie.heffner@ogec.oregon.gov
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Oregon Government Ethics Commission

November 20, 2025

New Year, New Changes to Ethics Law



Image - Golden Man statue looks to the right across the Salem skyline

Changes to Government Ethics Law!

During the 2025 legislative session, House Bill 2930 passed. This bill changes the definition of the Conflict of Interest provisions in Oregon Government Ethics Law to add public officials' household members.

Change becomes law on January 1, 2026. Here's what to know:

Starting on January 1st, the Conflict of Interest provisions will apply to public officials, their relatives, and members of their household, and any business that a public official, or their relative, or a member of their household is associated with.

In Oregon Government Ethics Law, a member of the household is anyone who lives in a public official's home. Members of the household share an address with the public official.

How does this affect you as a public official?

Public officials are required to make proper disclosures of their conflicts of interest.

HB 2930 means that next year, a public official will be met with a conflict of interest when that public official is taking an official action (a vote, decision, or recommendation)

And

- The action would or could have a private financial impact
- The financial impact can be a benefit (gain) or a detriment (loss)
- The impact is on the public official, or their relative, or a member of their household, or any businesses that any of them are associated with.

The requirements for declaring conflicts of interest have not changed. They are different for employees than for elected public officials, members of boards, councils, and commissions. See OGEC's [Reference Guide on Conflicts of Interest](#) for more details about requirements.

[Sign Up For Updates](#)

[View Enrolled Bill](#)

Identifying Conflicts of Interest

For something to be a conflict of interest under Oregon Government Ethics Law, it must meet three criteria [ORS 244.020(1) & (13)]:



Official Action

You must be taking an official action within your role as a public official.

This could be a vote, decision, or recommendation.



Financial Impact

Your action must create or potentially create a financial impact.

That impact could be a financial benefit or detriment.



Specific People

The financial impact must affect specific people:

You, your relatives, your household members (starting 1/1/26), or an associated business.



Conflict of Interest

Once you've recognized that something meets these criteria and is a conflict of interest, you need to further analyze if it is an **actual conflict of interest** or **potential conflict of interest**.

Actual Conflict of Interest

The financial impact of your action is certain.

For example, you process business permits as part of your public official duties. Your in-laws apply for a permit. You processing their permit would have a certain financial impact; therefore it is an actual conflict of interest.

Potential Conflict of Interest

The financial impact of your action is possible, but not certain.

For example, you are voting on requirements for future city contracts. Your sibling owns a business that could apply for a future city contract. The financial impact is possible, but not certain; therefore it is a potential conflict of interest.

What do you do once you know you have a conflict? Flip the paper over to find out!



Disclosing Conflicts of Interest

When met with a conflict of interest, there are different disclosure requirements depending on the nature of the public official's position.



**Members of the
Legislative Assembly**

- Must announce the nature of the conflict publicly.
- Announcement must be according to the rules of the house of which they are a member, before taking any action on the matter [ORS 244.120(1)(a)].



**Other elected officials
or appointed board and
commission members**

Announce publicly the nature of the conflict of interest. Examples include:

- Announcement during the **public session** of a public meeting.
- Notice on a public webpage.

Then:

- If it is a **potential conflict of interest**, they may continue to participate in the discussion debate or vote on the matter.
- If it is an **actual conflict of interest**, they must refrain from participating in any discussion, debate or vote on the matter [ORS 244.120(2)].

Have questions? Contact us!
Email mail@ogec.oregon.gov
or call 503-378-5105.

Must notify their appointing authority (supervisor, director, etc.) in writing. It must:

- Include the nature of the conflict.
- Request the authority dispose of the matter.

The authority will respond with how to handle the matter. They will either have someone else handle it or give specific instructions on how to proceed. [ORS 244.120(1)(c)].



**Any other appointed
official (describing
public employees)**

- Must be removed from the case giving rise to the conflict.
- Or they must advise the parties of the nature of the conflict [ORS 244.120(1)(b)].



Judges

Minimum Votes Exception: An elected public official (or one serving on a board/commission) may be able to vote with an actual conflict of interest. This exception only applies when their vote is needed to meet the minimum number of votes to take official action. They would still need to make their public disclosure and would not be able to participate in any discussion or debate [ORS 244.120(2)(b)(B)]





Oregon Government Ethics Commission

November 18, 2025

Additional Training Session Added

Registration is quickly filling up for the Legislative Equity Office's (LEO) required Respectful Workplace Training dates. The very last training of 2025 will be held in Portland, on Wednesday, December 17th, from 4:00PM to 6:00PM. **Register now to reserve your spot!**

[Register Now](#)

The law requires that this training must be attended in person, unless one's primary place of residence is outside of Oregon. There is an option to take the training online, once every two years, as a last resort, for reasons such as protected medical leave. (ORS 173.915)

Respectful Workplace Training

More information and a list of all of the available training dates can be found on the LEO's Mandatory Training website page.

[LEO's Mandatory Training](#)

Questions about the training?

Please contact Aislyn Matias, at the LEO. (503)-986-1625
or Aislyn.Matias@OregonLegislature.gov

Already Took the Training? Let OGEC Know!

If you already completed the Legislative Equity Office's Respectful Workplace Training, you still have to report your attendance in OGEC's Electronic Filing System. You must report the date that you completed the training in 2025.

[Electronic Filing System](#)

[Training Reporting Instructions](#)

[Guide to Lobbying in Oregon](#)

Respectful Workplace Training Reporting Instructions

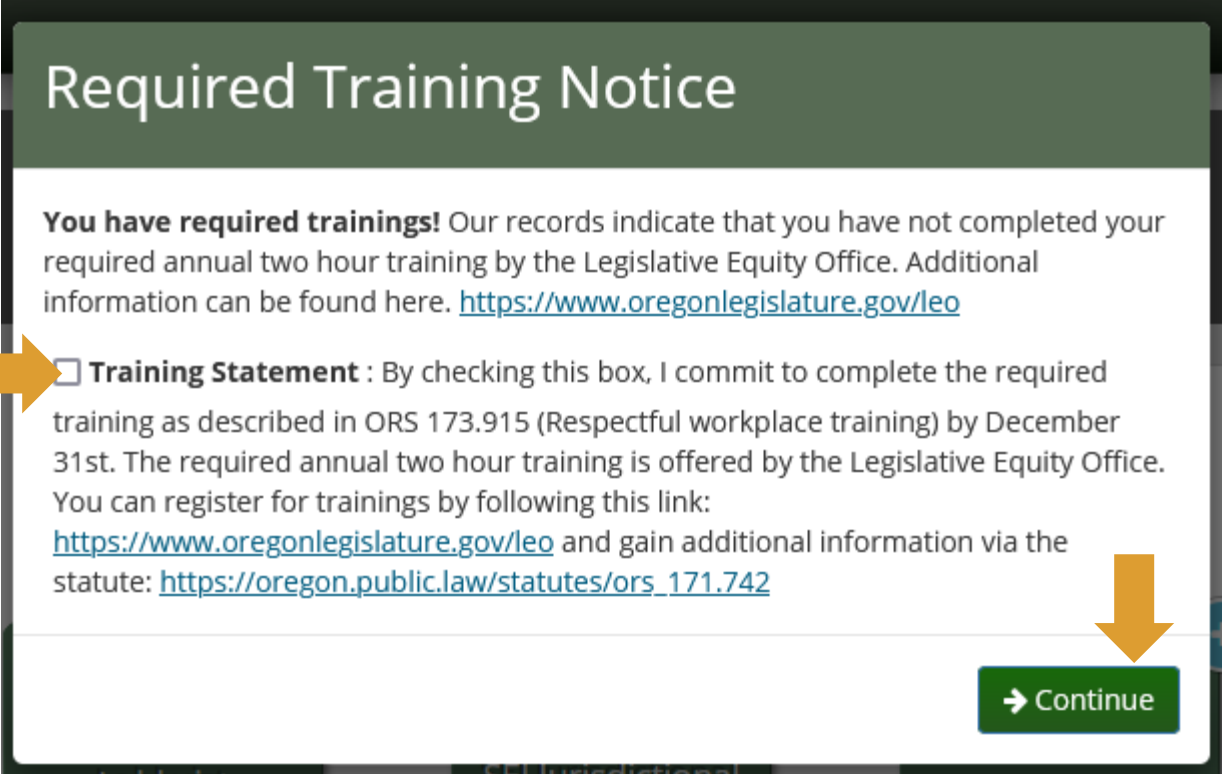
Per House Bill 3377 (2019), all lobbyists in Oregon that were active for any period during a calendar year must complete a two-hour training presented by the Oregon Legislative Equity Office (LEO). Training registration is available on [LEO's website](#).

Lobbyists are required to report their commitment to taking this training and the completion of the training in OGEC's Electronic Filing System (EFS).

How to Report Your Commitment to Taking the Training in EFS

- 1) Log into your lobbyist account on EFS. If you are creating your lobbyist account or logging in for the first time that year, a pop-up will appear reminding you of the training requirement and commitment.

You must click the box saying you are committed to completing the required training before selecting the Continue button.



Required Training Notice

You have required trainings! Our records indicate that you have not completed your required annual two hour training by the Legislative Equity Office. Additional information can be found here. <https://www.oregonlegislature.gov/leo>

☐ **Training Statement :** By checking this box, I commit to complete the required training as described in ORS 173.915 (Respectful workplace training) by December 31st. The required annual two hour training is offered by the Legislative Equity Office. You can register for trainings by following this link: <https://www.oregonlegislature.gov/leo> and gain additional information via the statute: https://oregon.public.law/statutes/ors_171.742

→ Continue

How to Register Your Completed Training in EFS – Reports Tab Option

- 1) From your account, you have two options to record the training. The first option is found by selecting the “Reports” tab.

Reports Registrations Penalties & Sanctions (0) Documents Communications Trainings

Current Reports and Amendments

Year	Quarter	Confirmation Number	Status	Filing Date	Documents	Estimated Expense	Edit / Amend	Delete
2025	Q3	H3DA8AC	Filed	10/1/2025	No	No	+	
2025	Q2	ACX0M0G	Filed	9/3/2025	No	No	+	
2025	Q1	HUUN7T2	Filed	4/11/2025	No	No	+	
2024	Q4	C9HRB4T	Filed	4/11/2025	No	No	+	
2024	Q3	HRRRAWJU	Filed	4/11/2025	No	No	+	
2024	Q2	A171C65	Filed	4/11/2025	No	No	+	
2024	Q1	N88HMH	Filed	4/11/2025	No	No	+	

First Previous 1 Next Last

Show 15 entries

+ File a New Report

+ Submit a New Training

- 2) Below the listed reports are two bright blue buttons. Select the “Submit a New Training” button.
- 3) A Training Submission pop-up will appear with the fields that need to be completed. After filling out the date of the training, training year, training location, training duration, and lobbyist’s principal office location, select “Complete”.

Training Submission

Training *
Respectful Workplace

Training Year *
2025

Date of Training *
2/12/2025

Training Location *
Salem
Training Location is either online (first option) or city in which the training was held.

Training Duration Hours *
2

Principal Office Location *
Oregon
This is the Lobbyist's principal location.

Cancel Continue

- 4) Your training is reported for the year! Remember to come back and report future trainings each calendar year that you are a registered lobbyist in Oregon.

How to Register Your Completed Training in EFS – Trainings Tab Option

- 1) The second option is found by selecting the “Trainings” tab.

Your role is currently set as *lobbyist*.

Your report status is **CURRENT**

Your registration status is **ACTIVE**

Reports Registrations Penalties & Sanctions (0) Documents Communications **Trainings**

Training Reports

Training Name	Commitment Date	Training Duration	Training Location	Principal Office Location	Date of Training	Training Year
Respectful Workplace	4/11/2025	2	Salem	Oregon	2/12/2025	2025

Edit

- 2) A list of the years you have made the commitment to taking the lobbyist training will be shown. Click the “Edit” button on the relevant year to report that you have taken the training.
- 3) A Training Submission pop-up will appear with the fields that need to be completed. After filling out the date of the training, training year, training location, training duration, and lobbyist’s principal office location, select “Complete”.

Training Submission

Training *
Respectful Workplace

TrainingYear *
2025

Date of Training *
2/12/2025

Training Location *
Salem
Training Location is either online (first option) or city in which the training was held.

Training Duration Hours *
2

Principal Office Location *
Oregon
This is the Lobbyist's principal location.

Cancel Continue

- 4) Your training is reported for the year! Remember to come back and report future trainings each calendar year that you are a registered lobbyist in Oregon.



Oregon Government Ethics Commission

November 12, 2025

OGEC is hiring an Investigator (Compliance Specialist 2)

OGEC Investigator duties include:

- Reviewing investigation requests/complaints alleging possible violations of Oregon Ethics Law, Lobby Law, and Public Meetings Law
- Evaluating and determining whether OGEC should proceed with an investigation
- Conducting thorough investigations into possible law violations
- Recommending OGEC action and outcome of cases
- Assessing civil penalties for non-compliance with Oregon laws/rules
- Explaining Oregon Ethics Law, Lobby Law, and Public Meetings Law and rules
- Answering the public's questions about OGEC's jurisdiction
- Presenting reports to OGEC's Commission at public meetings
- Providing written and verbal advice to public officials, lobbyists, and members of the public.

External Applicants

Internal Applicants

Questions? Chat with OGE Team Members!

Join OGE on Teams next week for an Information Session on the Investigator position!

WHEN: Monday, November 17th, 12:00PM - 1:30PM

WHERE: [Microsoft Teams Meeting](#)

MEETING ID: 292 874 271 580 7

PASSCODE: Ab6gt7e5

EXECUTIVE DIRECTOR'S REPORT

12/02/2025

Commission Updates

- Commissioners Thompson and McAuley were confirmed by the Senate on November 19, 2025 to serve their second full terms on the Commission. I appreciate their contributions to the Commission and am pleased that they each agreed to serve an additional term.
- This is Commissioner Dave Fiskum's final Commission meeting. He has completed two full terms on the Commission and has served as the Commission Chair in 2022 and again in 2025. Dave's service and contributions to the Commission over the past eight years are immeasurable. Dave has helped shape some of our procedures, particularly when it comes to Commission meetings. And he has always been thoughtful and considerate, both to respondents and to our staff.

Investigator/Trainer Recruitments

- We currently have two vacancies – one for an investigator and one for a trainer.
 - The recruitment process for the investigator position is close to being completed. We had many applicants. We have in-person interviews scheduled for next week. We hope to have a new investigator join us before the end of the year.
 - The recruitment process for the trainer position is just starting. We will be issuing the job posting on 12/7 and it will close on 12/28. Interviews will be in early January, and we hope to have a new trainer join us in late January/early February.

Legislative Work Group

- The work of the legislative work group is wrapping up. We have a final meeting scheduled for 12/11, at which we will discuss which, if any, proposals could be included in the legislative bills proposed for the 2026 short session.
- Many of those participating in the legislative work group, including us, will continue to work on the issues that remain, either through additional work groups (legislative or otherwise) or through the Oregon Law Commission process.
- We are still working on getting the proposal completed and submitted to the Oregon Law Commission.