



# **Oregon Government Ethics Commission**

Commission Meeting Materials

February 6, 2026

Public Session



## OREGON GOVERNMENT ETHICS COMMISSION

Meeting Minutes

December 12, 2025

9:00 a.m.

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

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

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

Members of the Press, present via Teams: Shaanth Nonguneri, Oregon Capitol Chronicle; Dianne Lugo, Statesman Journal; Whitney Woodworth, Statesman Journal; Betsy Hammond, Oregonian; Griffin Beach, Elkhorn Media Group; Ross Smith, Boiler Bay Beacon; Michael Kane, East Oregonian; Jane Vaughn, Jefferson Public Radio; Scott Stoddard, Grants Pass Daily Courier; Scott Carroll, News Review.

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(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. There were still audio issues that were quickly resolved.

**Public Session Item 1**, Comments from the Chair. Chair Fiskum explained his rationale for adding a “Comments from Commissioners” section to the agenda. He also encouraged Commissioners to focus on improvements to the Public Meetings Law.

**Public Session Item 2**, Comments from the Commissioners. Payne clarified a comment she made at the December 9, 2025 special meeting. When discussing scheduling and possibly moving the January 9<sup>th</sup> meeting, she made an off-handed comment about the fact that she will be chair at the January 9<sup>th</sup> meeting. She explained that she wanted to clarify that comment, because she should have said “depending on the outcome of today’s meeting.” She explained that the

comment was based on the fact that the vice-chair traditionally does move up to become chair, but it is completely dependent on the election today. That election is not predetermined in any sort of way and there have been no discussions outside of a public meeting about any predetermined votes. Payne stated that it was just a careless comment and she should have been more careful with her words.

**Public Session Item 3**, Payne moved that the Commission approve the Meeting Minutes for November 14, 2025. Roll call was taken as follows: McAuley, aye; Payne, aye; Janci, aye; Resendiz Gutierrez, aye; Thompson, aye; Helt, aye; Melter, abstain; Fiskum, aye. Motion passed 7-0, 1 abstention.

Thompson said while he doesn't believe it is an actual or potential conflict of interest, he would abstain from voting on items 2 and 3 on the executive session agenda due to a professional relationship with the respondent.

Resendiz Gutierrez declared a potential conflict of interest as to items numbered 1, 2, 3 and 9 on the executive session agenda.

Helt asked for clarification on conflicts of interest in light of her having served in the legislature with Representative Greg Smith. Director Myers confirmed that this sort of professional relationship would not give rise to an actual or potential conflict of interest.

Commission staff sought to clarify unidentified members of the news media before moving into executive session.

Chair Fiskum read the executive session script providing the statutory provisions for the executive sessions to discuss preliminary review reports and complete the Executive Director's performance review and read the announcement to the media.

The Commission convened into Executive Session at 9:22 a.m.  
(File 2)

## **EXECUTIVE SESSIONS**

To consider Preliminary Reviews pursuant to ORS 192.660(2)(f), ORS 244.260(4)(d), ORS 192.685(1), and ORS 171.778(4)(d), and to conduct the annual Executive Director performance review pursuant to ORS 192.660(2)(i).

## **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), as the complaints did not document that the mandatory grievance process had been satisfied.

### **Executive Session Item 1, 25-714PCF, Linda Galas Marten – Washington County**

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, abstain; Thompson, aye; Helt, aye; Melter, aye; Fiskum, aye. Motion passed 7-0 with 1 abstention.

End of Executive Session Consent Calendar.

### **Reports of Preliminary Review**

*Facilitated by Investigators*

**Executive Session Item 2, 25-574ECF – Danielle Bethell, Marion County**  
Recommendation: Move to investigate possible violations of ORS 244.040(1)  
Investigator: Casey Fenstermaker

Respondent did not appear. Investigator Fenstermaker summarized the case, involving questions of whether Danielle Bethell used her position to get her adult daughter out of a traffic ticket. The recommendation was to move the case to investigation.

During the preliminary review, Marion County Counsel provided a written statement in support of Danielle Bethell and indicated that her actions do not rise to an ethics violation. Payne questioned the allegation that the response by county counsel on behalf of a commissioner would lead to improper use of office. Payne stated that it seems OGEAC has received responses from county counsel previously, even on behalf of public officials and inquired as to why it would raise a potential violation in this case. DOJ Counsel Brady explained that it is acceptable for county counsel or city attorney to respond on behalf of the organization itself, particularly if they are taking a position on what occurred factually, but where it becomes a use of office is that a county employee or official cannot use the county attorney as their personal attorney. Payne noted that it seems to happen quite often that county counsel files a response and they may clarify that it is on behalf of the county but asserts there is no violation. Director Myers explained the historical background of use of the public body's attorney as leading to a use of office violation. She explained that if there is a

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policy, agreement, insurance policy, etc. that authorizes the official to use the public body's attorney then it would not be a use of office violation. She pointed out that OGEC issued a staff opinion several years ago to clarify how the public body's attorney can respond without advocating. Payne clarified that it would not be a violation if it was part of their official compensation package and if it is not part of the official compensation package, then the counsel can respond but not represent or advocate on behalf of the individual public official.

Payne moved the Commission find a substantial objective basis to believe that Danielle Bethell may have violated ORS 244.040(1) and the Commission should investigate accordingly. Roll Call was taken as follows: Metler, aye; Janci, aye; Thompson, abstain; Payne, aye; Resendiz Gutierrez, abstain; Helt, aye; McAuley, aye; Fiskum, aye. Motion passed 6-0, with two abstentions.

**Executive Session Item 3, 25-618ECF – Danielle Bethell, Marion County**  
Recommendation: Move to investigate possible violations of ORS 244.120(2)  
Investigator: Casey Fenstermaker

Respondent was not present. Investigator Fenstermaker presented a summary of the preliminary review: The complaint alleged that Danielle Bethell failed to declare a conflict of interest when discussing and voting on contract amendments with a company where her son is employed. Marion County Counsel submitted a letter saying that he had provided her with legal advice regarding the type of conflict she was required to declare. In this case, it appears Danielle Bethell was met with an actual conflict of interest. The recommendation was to move to investigation.

Payne moved that the Commission find substantial objective basis for believing that Danielle Bethell may have violated ORS 244.120(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Payne, aye; Resendiz Gutierrez, abstain; Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, abstain; Fiskum, aye. Motion passed 6-0, with two abstentions.

**Executive Session Item 4, 25-591ELG – Rebekah Sawyer, Douglas County**  
School District 15  
Recommendation: Move to investigate possible violations of ORS 244.120(2)  
Investigator: Casey Fenstermaker

Respondent Rebekah Sawyer was present in person and was accompanied by her husband, with the Chair's permission.

Investigator Fenstermaker summarized the preliminary review: She explained that it covered two issues: Rebekah Sawyer accepting a position as an employee while sitting on the School Board and that she participated when the School Board approved a contract with her husband. It does not appear that she was met with a conflict of interest in the first matter; however, it does appear that she was met with an actual conflict of interest when the School Board considered and voted to approve her husband's contract. It appears she only disclosed a potential conflict and only did so after the discussion of the matter. Staff recommended moving the case to investigation.

Thompson asked what Commission staff would be looking for if this were moved forward. Investigator Fenstermaker said OGEC has the information needed. Commissioner Helt asked for clarification about whether a school board member is allowed to work for the District as an employee. Fenstermaker explained that it was not relevant in this case because Rebekah Sawyer ceased being a board member before beginning her position as an employee.

Rebekah Sawyer stated she did not use her School Board position to influence any hiring and that she resigned from her position before beginning as an employee with the District. She explained that she did state her abstention in the vote on her husband's contract, and she did not actually participate in the discussion. She explained the minutes do state that her conflict of interest is because of her husband's position, but she acknowledged she may not have done it in the correct order, and for that she apologized.

Fiskum commented that this is an example of a case where it would be beneficial to be able to issue a letter of education now. Payne said she was inclined to dismiss, and the Commission has the discretion to do so because even if she didn't do it in the correct order, she took steps to announce and did abstain from the vote. Helt concurred and said it would be overly punitive to worry about the order when the ethical requirements were met.

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

**Executive Session Item 5, 25-607EDP– Sherrie Wilkins, North Gilliam County Health District**

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

Investigator: Daniel Pacheco

Investigator Pacheco summarized the preliminary review: Ms. Wilkins' spouse is employed by the North Gilliam County Health District. Ms. Wilkins was on the Board and participated in the July 31<sup>st</sup> meeting where the Board considered settlement agreements for medical department staff, resulting in a conflict of interest which she failed to declare. It appears she may have violated ORS 244.120(2), and the recommendation was to move the case to investigation.

Fiskum asked if the Commission were to proceed with an investigation what more would we look at. Investigator Pacheco said OGEC has the information needed and most likely would propose a stipulated final order.

Payne moved that the Commission find that there is a substantial objective basis for believing that Sherrie Wilkins may have violated ORS 244.120(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Payne, aye; Resendiz Gutierrez, aye; Fiskum, aye. Motion passed 8-0.

**Executive Session Item 6, 25-608EDP – Grant Wilkins, North Gilliam County Health District**

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

Investigator: Daniel Pacheco

Respondent Wilkins was not present.

Investigator Pacheco summarized the preliminary review: Mr. Wilkins' spouse and brother are employed by the North Gilliam County Health District. Grant Wilkins did not declare a conflict of interest at the July 15, 2025, or July 31, 2025, meetings when discussing policy and settlement agreements for Health District employees. Grant Wilkins is one of three individuals authorized to sign payroll checks that may impact his relatives. Further investigation is needed to find out if he signed or approved payroll checks for his relatives.

Payne moved that the Commission find that there is a substantial objective basis for believing that Grant Wilkins may have violated ORS 244.120(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Payne, aye; Resendiz Gutierrez, aye; Fiskum, aye. Motion passed 8-0.

**Executive Session Item 7, 25-609EDP – Brian Foster, North Gilliam County Health District**

Recommendation: Move to investigate possible violations of ORS 244.120(2) [4]

Investigator: Daniel Pacheco.

Respondent Foster was not present.

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Investigator Pacheco summarized the preliminary review: Mr. Foster was elected to the Board at the July 15<sup>th</sup> District meeting. As a former employee of the Health District, his name was included in a settlement agreement with other Health District employees. Mr. Foster declined the compensation; however, he was still eligible for the funds. He did not declare a conflict of interest and voted on the settlement agreement. Even though he did not accept the money, it did not negate his responsibility to disclose his conflict of interest.

Payne commented that the information on the report listed zero dollars for Brian Foster. Investigator Pacheco noted that the amount was calculated by Health District staff and Foster had made the decision after the fact that he did not want to receive it. Payne asked if the amounts in the report are what was received or the amounts he was entitled to and if it is zero dollars how could he still have a conflict. DOJ Counsel Brady responded that electing not to receive the compensation is a financial detriment, and Foster would still have a conflict. Helt stated that she is inclined to move for dismissal as she sees no conflict of interest. Thompson said he saw Helt's point but recognized the potential conflict - he may have not had an actual conflict because he did not take the money, but he still had a potential conflict because the money was offered. Helt disagreed.

Payne moved that the Commission find that there was a substantial objective basis for believing that Brian Foster may have violated ORS 244.120(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, nay; McAuley, aye; Thompson, aye; Payne, aye; Resendiz Gutierrez, aye; Fiskum, aye. Motion passed 7-1.

**Executive Session Item 8, 25-564EJS – Tom Alfonse**, John Day Water District Recommendation: Move to investigate possible violations of ORS 244.040(1), ORS 244.040(4), ORS 244.179(1), and ORS 244.120(2)

Investigator: Josh Sullivan

Respondent was present via Teams.

Investigator Sullivan summarized the case: Sullivan stated that it appears that Tom Alfonse used his position on the Board to issue checks to himself and his son, Nathan Alfonse, and his business, Alfonse Excavating LLC. The information provided by the district indicated that the payments issued to Nathan Alfonse and Alfonse Excavating LLC were for payroll and services rendered. It appears that he may have been met with actual conflicts of interest each time he participated in reviewing and voting to approve the district's financial transactions which included payments to himself, his son and his business at the Board's monthly

meetings. It also appears that he did not publicly announce an actual conflict of interest or refrain from participating in the matters as a public official.

Tom Alfonse addressed the Commission. Thompson asked him to verify that the checks were signed by him and another board member. Alfonse confirmed that the checks require two signatures. Helt asked that she understands that the district owes him \$70,000 of services that he has not received and how long the debt had been outstanding. Alfonse agreed the amount was correct and it was outstanding since 2018. Payne noted the complications with small governments but argued public officials are still required to announce conflicts of interest and follow procedures. Helt stated she would like to dismiss the case. Thompson agreed with Commissioner Helt and noted that Tom Alfonse's signature was not the only signature on the checks, and he is inclined to dismiss the case. Payne agreed the case should be dismissed.

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

The Commission took a break at 10:25 a.m.  
The Commission reconvened into Executive Session at 10:30 a.m.

**Executive Session Item 9, 25-653EJS– Marc Thalacker, Three Sisters**

Irrigation District

Recommendation: Move to dismiss

Investigator: Josh Sullivan

Respondent Thalacker was present via telephone.

Investigator Sullivan summarized the preliminary review: The complaint alleged that Marc Thalacker may have been met with a conflict of interest when he promoted the district's floating solar project using floating high-density polyethylene (HDPE) floating modules. Marc Thalacker has a business, KRAH USA LLC, that is a manufacturer of HDPE products that are used for the solar project. It appears that KRAH USA LLC has not manufactured a floating solar array nor does it appear that the facility has ever manufactured floating HDPE models nor has the facilities to fabricate them. The recommendation was to dismiss the case. Marc Thalacker addressed the Commission.

Payne moved that the Commission should dismiss the complaint against Marc Thalacker. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye;

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McAuley, aye; Thompson, aye; Payne, aye; Resendiz Gutierrez, abstain; Fiskum, aye. Motion passed 7-0; 1 abstention.

**Executive Session Item 10, 25-347LCF– Melissa Unger, Lobbyist**

Recommendation: Move to dismiss

Investigator: Casey Fenstermaker

Respondent was not present. Attorney Andrea Pla was present via telephone.

Investigator Fenstermaker summarized the preliminary review: The complaint alleged a violation of Lobby Law by Melissa Unger and Service Employees International Union 503 (SEIU) by providing constituent postcards to legislators that may have misrepresented individual support for House Bill 3838 (HB3838). According to the complaint, the postcards contained statements of personal support for the bill that were known to be false. There was not a substantial objective basis to believe the SEIU postcards contained any misrepresentation, and the recommendation was to dismiss the case.

Thompson asked if the person that filled out the postcard had told SEIU the opposite of what the postcard said. Fenstermaker said it was a timing issue. The person signed the petition first then attempted to alter the language of the petition saying that they did not agree with the bill, but the message automatically went out with the subject heading of support for the bill as it was an automated process.

Helt asked if the wording on the petition was different than that of the postcard. Fenstermaker replied that the petition included more information and the postcard was much briefer but substantially included the same information. Payne said it would be helpful to move to investigation to further understand the information. Attorney Pla addressed the Commission.

Payne moved that the Commission find there is a substantial objective basis for believing that Melissa Unger may have violated ORS 172.764 and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Payne, aye; Resendiz Gutierrez, aye; Fiskum, aye. Motion passed 8-0.

**Executive Session Item 11, 25-396LLG – Raluca Stoica, Lobbyist**

Recommendation: Move to dismiss

Investigator: Casey Fenstermaker

Respondent was not present.

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Investigator Fenstermaker summarized the preliminary review: The complaint alleged Raluca Stoica failed to report lobbying activity for House Bill 3838. Lobbyists are required to register in OGE's Electronic Filing System within 3 days of exceeding the lobbying threshold. During the preliminary review, Raluca Stoica provided a detailed account of the time spent lobbying against HB3838, which did not meet the requirements for registration (24 hours in a quarter period). The recommendation was to dismiss the case.

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

**Executive Session Item 12, 25-423PCF – Claire Hall**, Lincoln County  
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 199-050-0055  
Investigator: Casey Fenstermaker  
Respondent was not present.

Investigator Fenstermaker summarized the preliminary review: It appears Hall may have violated Public Meetings Law when the Lincoln County Board of Commissioners voted to exempt positions from a hiring freeze by email and through the NeoGov portal. Public Meetings Law requires that all official actions taken by a governing body be taken by a public vote and the results of all votes be recorded by name. It appears that Claire Hall violated Public Meetings Law when they voted electronically. Additionally, it appears that Claire Hall convened an electronic meeting with a quorum for the purpose of making decisions and failed to take minutes or a recording of the meeting. The recommendation was to move this case to investigation.

Payne moved that the Commission find there is a substantial objective basis for believing that Claire Hall 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 199-050-0055 and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Payne, aye; Resendiz Gutierrez, aye; Fiskum, aye. Motion passed 8-0.

### **Benton County School District 509J**

Investigator: Casey Fenstermaker

**Executive Session Item 14, 25-623PLG – Sami Al-Abdrabbuh**

**Executive Session Item 15, 25-624PLG – Christine Hawkins**

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**Executive Session Item 16, 25-625PLG – Terese Jones**  
**Executive Session Item 18, 25-627PLG – Luhui Whitebear**  
**Executive Session Item 19, 25-628PLG – Bernard Wang**

Recommendation: Move to Investigate possible violations of ORS 192.640 and OAR 199-050-0040(3)

Investigator: Casey Fenstermaker

Respondents Al-Abdrabbuh, Hawkins, Jones, Whitebear and Wang attended via Teams. Attorney Camila Osternik, attended via Teams, and represented the School District. Confidentiality was waived as to the presence of the school district's attorney and the cases were heard together.

Investigator Fenstermaker summarized the preliminary review: The complaint alleged that the school board members violated Public Meetings Law by not providing specific details of what was discussed in Executive Session. The preliminary review concluded that the meeting notice regarding the public session failed to provide sufficient information about what would be discussed in the public session to allow the public to determine if they were interested in attending. The recommendation was to move the cases to investigation.

Thompson asked Fenstermaker to elaborate on the timing issue raised by Sami Al-Abdrabbuh in his correspondence to the Commission. Fenstermaker said that staff had 60 days from the date the complaint was received to complete the preliminary review report and have it signed by the Executive Director. Sami Al-Abdrabbuh had argued that OGEC was required to complete the report and issue him a copy within 60 days.

Attorney Osternik addressed the Commission to explain activities of the meeting preparation and publication. Sami Al-Abdrabbuh, Hawkins, Jones, Whitebear and Wang all addressed the Commission. Their comments were all similar, challenging the finding, the scope of OGEC's review, and the validity of the finding given the timing issue raised by Sami Al-Abdrabbuh. They also raised a response that Sami Al-Abdrabbuh received during an OGEC Public Meetings Law training on December 8, 2025 which he argued supported that the notice at issue was sufficient. Helt asked what would need to be further investigated. Fenstermaker responded that the meeting notice did not provide sufficient specificity as to the information or agenda items that were going to be discussed during the special meeting. The recommendation is to move to Investigation because OGEC staff believe that a violation occurred as there was missing or incomplete information on the agenda.

Director Myers commented and clarified that they did not need to identify the complaint of the student. Coming up with the right language for the agenda,

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governing bodies have to be careful about not disclosing confidential information but at least give the public an idea of the context of what matters will be discussed.

Fiskum asked if OGEC training encompasses the kind of notices that Director Myers just explained. Director Myers responded that the training does not provide specific examples but does cover that the notices need to be specific enough to identify matters to be discussed. Fiskum asked if the school board relied on legal counsel advice or OGEC trainings and what effect that has. Director Myers explained the penalty matrix takes into consideration if governing bodies that rely on counsel advice. Myers indicated that if the Commission were to move forward to investigation, the recommendation would be at most a Letter of Education.

Director Myers explained the timing issue regarding the preliminary review phase and timelines of the investigation. Resendiz-Gutierrez expressed concern about the information that needs to be disclosed versus the requirement to maintain information as confidential. Director Myers responded indicating that OGEC training courses can certainly provide more clarity on the subject. Resendiz-Gutierrez commented that there was a training opportunity regarding the subsections of law.

Payne asked OGEC staff to read the context of Sami Al-Abdrabbuh's question, the one presented at the December 8, 2025, OGEC Public Meetings Law training, in the chat. Stephanie Heffner read the questions and shared her screen regarding guidance on the executive session questions.

Thompson commented that he read the statute on the timing issue and agreed with Director Myers that there was no timing issue. He stated he thought the school board made a valiant effort to comply with the Executive Session posting requirements on a confidential issue, so he is not prepared to move forward on this as they have made a good faith effort to comply. Fiskum commented that the public body relied on OGEC trainings and legal counsel advice. Helt reiterated the same sentiments and thanked the school board members for their service.

#### **Executive Session Item 14, 25-623PLG – Sami Al-Abdrabbuh**

Payne moved to dismiss the complaint against Sami Al-Abdrabbuh. 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, 25-624PLG – Christine Hawkins**

Payne moved to dismiss the complaint against Christine Hawkins. 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, 25-625PLG – Terese Jones**

Payne moved to dismiss the complaint against Terese 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 18, 25-627PLG – Luhui Whitebear**

Payne moved to dismiss the complaint against Luhui Whitebear. 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 19, 25-628PLG – Bernard Wang**

Payne moved to dismiss the complaint against Bernard Wang. 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.

**Benton County School District 509J**

**Executive Session Item 13, 25-622PLG – Judah Largent**

Investigator: Casey Fenstermaker  
Respondent was not present.

Investigator Fenstermaker summarized the preliminary review:

The notification of the complaint was emailed to Judah Largent at the school board email on September 23, 2025. Payne expressed concern about respondents not receiving notice of a case having been opened against them.

Director Myers stated that the emails OGEC staff sends to the respondents are not exhibits and staff add the emails to the case files of where and when the complaint information was sent. Payne added that it may be helpful to have that information included in the Google drive so Commissioners can see that it was properly sent. Director Myers pointed out that staff were not notified of any issues until the day before the meeting. Fiskum contended that notice was provided to Judah Largent. After discussion, it was determined that the notice issue was irrelevant since the Commissioners had determined it was appropriate to dismiss the case on the merits.

Payne moved to dismiss the complaint against Judah Largent. 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.

### **Benton County School District 509J**

#### **Executive Session Item 17, 25-626PLG – Shauna Tominey**

Investigator: Casey Fenstermaker

Respondent was not present.

Investigator Fenstermaker summarized the complaint for Agenda Item 17. The summary was the same as for agenda items 14-16 and 18-19.

Payne moved to dismiss the complaint against Shauna Tominey. 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.

The Commission recessed for Lunch from 12:05-12:35 p.m.

The Commission entered into Public Session at 12:35 p.m.

#### **Roll Call of Commissioners**

Commissioner Resendiz Gutierrez was excused for the remainder of the meeting.

The Commission thanked Dave Fiskum for his 8 years of service as a commissioner, including his terms as a Chair. Former Commissioner Dan Mason addressed the Commission and Fiskum, thanking him for his service. Former Executive Director Ron Bersin addressed the Commission and Fiskum and applauded Fiskum for all his efforts, including helping pass 4 bills, such as the one that allowed Fiskum to serve 2 terms.

Fiskum confirmed with Director Myers that the Executive Session provisions stated earlier were still applicable for continuing and re-entering Executive Session. The Commission re-entered Executive Session at 12:50 p.m.

### **City of Portland**

**Executive Session Item 20, 25-610PSM – Candace Avalos**

**Executive Session Item 21, 25-611PSM – James Dunphy Jr**

**Executive Session Item 22, 25-612PSM – Mitch Green**

**Executive Session Item 23, 25-613PSM – Sameer Kanal**

**Executive Session Item 24, 25-614PSM – Tiffany Koyama Lane**

**Executive Session Item 25, 25-615PSM – Angelita Morillo**

Recommendation: Move to investigate possible violations of ORS 192.630(2)

Investigator: Daniel Pacheco

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Attorney Benjamin Haile was present via Teams and Representing Avalos, Green, Lane and Morillo. The cases were heard together and confidentiality was waived regarding the presence of Attorney Benjamin Haile.

Investigator Pacheco summarized the preliminary review: The respondents, together, are nicknamed the Peacock Caucus or referred to as the Peacock Members. The Peacock Members held a private retreat in August 2025. Their attendance resulted in a quorum of several committees being present and engaging in deliberations outside of a public meeting. Pacheco stated if the case was moved to investigation, OGE staff would need to gather additional information regarding the Peacock Members' communications to determine if the retreat violated Public Meetings Law.

Haile commented that the retreat was for interpersonal relationship building. He stated that the Peacock Members were aware that a quorum would constitute a public meeting. He argued that Pacheco's recommendation to proceed further relies on too many faulty inferences about what people could have intended if they had reached the last agenda item for the retreat, which they did not. He argued that if one of the city council members brought up a topic that required decision making, another would have said to stop. He reiterated that the retreat was not a planning session and they did not plan to talk about priorities. Haile argued the cases should be dismissed.

Ms. Avalos addressed the Commission to explain her position, and that she understands transparency and Public Meetings Law. Ms. Koyama Lane addressed the Commission and stated there were no policy determinations or deliberations. Mr. Green addressed the Commission to convey his respect for the Commission, and the retreat was within the bounds of the law.

Attorney Haile conveyed a statement from Ms. Morillo that she understands and respects Public Meetings Law and worries about the chilling effect of censoring intent that may cause people not talking to one another unless something is perfect.

Mr. Kanal addressed the Commission to convey his experience serving on the council and the difficulties that it brings in making people feel they can be a part of government and not feel excluded and how to have conversations that don't violate Public Meetings Law.

Payne had a question directed to Attorney Haile regarding the 'Draft' agenda for the retreat. She noted that it does not say 'Draft' and asked whether there was another agenda issued or provided to the Commission. Payne's second question

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was whether any councilors other than Avalos and Green filled out the worksheets and whether those were the only worksheets that were provided to the Commission.

Attorney Haile responded that the agenda provided to the Commission was the only agenda and Ms. Avalos later prepared the worksheet with the questions and answers. Ms. Avalos stated that it was the closest in time to the meeting and her answers are telling as to what she and the group intended to talk about. She advised that is why they referred to the agenda as a draft, as it came out several days earlier and was just a brainstorm to focus attention on what could be discussed. Attorney Haile explained that as far as he knows, only Avalos and Green filled them out. He also thinks that some people didn't even look at the agenda. According to Attorney Haile, Ms. Morillo told him she didn't even look at the agenda.

Fiskum asked Investigator Pacheco about the committees. Pacheco responded with the names of 4 committees developed by the City Council that the Peacock Members belong to and would constitute a quorum of.

Helt asked if the Peacock Members' retreat was ever publicly noticed. Attorney Haile responded that it was not noticed, it was a private meeting and not considered a public meeting. Payne commented on the intent to deliberate and the content of the agenda and stated that she was inclined to move to investigation to answer more questions. Thompson agreed. Metler asked additional investigation would entail. Pacheco responded that he would like to question each member individually regarding the retreat.

#### **Executive Session Item 20, 25-610PSM – Candace Avalos**

Payne moved that the Commission find that there is a substantial objective basis for believing that Candace Avalos may have violated ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

#### **Executive Session Item 21, 25-611PSM – James Dunphy Jr**

Payne moved that the Commission find that there is a substantial objective basis for believing that James Dunphy Jr may have violated ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

#### **Executive Session Item 22, 25-612PSM – Mitch Green**

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Payne moved that the Commission find that there is a substantial objective basis for believing that Mitch Green may have violated ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 23, 25-613PSM – Sameer Kanal**

Payne moved that the Commission find that there is a substantial objective basis for believing that Sameer Kanal may have violated ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 24, 25-614PSM – Tiffany Koyama Lane**

Payne moved that the Commission find that there is a substantial objective basis for believing that Tiffany Koyama Lane may have violated ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 25, 25-615PSM – Angelita Morillo**

Payne moved that the Commission find that there is a substantial objective basis for believing that Angelita Morillo may have violated ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Ochoco West Water & Sanitary Authority**

**Executive Session Item 26, 25-525PCF – Michael Papin**

**Executive Session Item 27, 25-526PCF – Dan Parks**

**Executive Session Item 28, 25-527PCF – Richard Lopez**

**Executive Session Item 29, 25-528PCF – Tony Sneath**

**Executive Session Item 30, 25-529PCF – Mitch Logan**

**Executive Session Item 31, 25-530PCF – Aiden Humphrey**

**Executive Session Item 32, 25-531PCF – Bob Wolverton**

**Executive Session Item 33, 25-694PCF – James Dunkin**

**Executive Session Item 34, 25-695PCF – Ross Scrocca**

**Executive Session Item 35, 25-696PCF – Mary Scrocca**

Recommendation: Move to investigate possible violations of ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3)

Investigator: Casey Fenstermaker

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Respondents Tony Sneath, Ross Scrocca and Mary Scrocca were present via telephone. Respondents Papin, Parks, Lopez, Logan, Humphrey, Wolverton and Dunkin were not present.

Investigator Fenstermaker summarized the preliminary review: Four grievances involving four separate meetings were combined into one complaint. During this time the composition of the board changed so there are 2 individuals that attended all of the meetings, three individuals that were there for the December meeting and the remaining individuals for the July meeting. Justin Alderman, as a representative of the Prineville Review, requested to be notified of any governing body meeting by OWWSA. However, he continuously did not receive meeting notices in a timely manner. With respect to the December meeting in questions, the meeting notice did not include any information for electronic access, communication accommodations or interpretive aides, and there may have been discussions outside of a public meeting regarding OWWSA membership. Across all of the grievances, there was no information on the website as to who grievances should be addressed to, which is a requirement in OGE's administrative rules. With respect to the July meetings, OWWSA failed to provide timely notices to the Prineville Review, failed to provide agendas or list principal subjects specific enough to permit members of the public to recognize matters in which they were interested, failed to provide electronic access to meetings, and identified incorrect subsections for executive sessions. The recommendation was to move the cases to investigation.

Tony Sneath addressed the Commission to state his opinion that he attended by phone at the end of the meeting and did not appreciate the implication that he was granted remote access to the meeting.

Ross Scrocca addressed the Commission and stated that this is a very small community entity, that they are all volunteers, and none has the expertise to know a lot of the things that they are or are not supposed to be doing. He stated he was only at the December meeting as a filler and had no involvement after that. He explained they were involved with attorney Jerad Reed who was helping to navigate all the things the complainant was throwing at them and they were under the impression that he knows what he is doing when it comes to the law. He explained they were working to provide the electronic access to the meetings. He explained it was not intentional to keep people out and corrections were made after he left.

Mary Scrocca addressed the Commission and said that they were working with the law firm to correct the issues. At the time they didn't have the ability to provide remote access and it was their understanding they were not required to

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provide it. However, they began the process to mitigate that issue. She addressed asserted that they made it clear to Mr. Aldermann, through the communication of the attorney's office, that they did not hold an executive session outside of their regular meeting in December. Members were appointed at the regular meeting in December in open public session. No executive session was held and that's why there is no record of it. Helt asked if they have staff or if it is all-volunteer. Mary Scrocca replied that they have 2 staff members. Thompson stated that there are more questions that need answers and would support moving forward.

**Executive Session Item 26, 25-525PCF – Michael Papin**

Payne moved that the Commission find that there is a substantial objective basis for believing that Michael Papin may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 27, 25-526PCF – Dan Parks**

Payne moved that the Commission find that there is a substantial objective basis for believing that Dan Parks may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 28, 25-527PCF – Richard Lopez**

Payne moved that the Commission find that there is a substantial objective basis for believing that Richard Lopez may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 29, 25-528PCF – Tony Sneath**

Payne moved that the Commission find that there is a substantial objective basis for believing that Tony Sneath may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 30, 25-529PCF – Mitch Logan**

Payne moved that the Commission find that there is a substantial objective basis for believing that Mitch Logan may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 31, 25-530PCF – Aiden Humphrey**

Payne moved that the Commission find that there is a substantial objective basis for believing that Aiden Humphrey may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 32, 25-531PCF – Bob Wolverton**

Payne moved that the Commission find that there is a substantial objective basis for believing that Bob Wolverton may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 33, 25-694PCF – James Dunkin**

Payne moved that the Commission find that there is a substantial objective basis for believing that James Dunkin may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 34, 25-695PCF – Ross Scrocca**

Payne moved that the Commission find that there is a substantial objective basis for believing that Ross Scrocca may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Executive Session Item 35, 25-696PCF – Mary Scrocca**

Payne moved that the Commission find that there is a substantial objective basis

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for believing that Mary Scrocca may have ORS 192.640, ORS 192.660(2), ORS 192.670, OAR 199-050-0040, OAR 199-050-0070 and OAR 199-040-0020(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

### **Own Motion Preliminary Reviews**

None.

The Commission adjourned Executive Session at approximately 2:07 p.m.

### **(File 3)**

Reconvene Regular Open Session

## **CONSENT CALENDAR**

**Recommendation:** Letters of Education

### **Lobbyist Penalty Correspondence**

**Public Session Item 4**, Rebecca Gladstone, Current: 2025 Q2, \$50

**Public Session Item 5**, Jana McLellan, Current: 2025 Q3, \$150

### **Lobbyist Client Penalty Correspondence**

**Public Session Item 6**, POR12837X LLC, Current: 2025 Q3, \$1,000

### **Statement of Economic Interest Penalty Correspondence**

None.

Given the length of December 12, 2025's meeting, Public Session Items 4-6 on the Consent Calendar were delayed and moved to the January 9, 2026 meeting. No action was taken during the December 12, 2025 meeting, per Executive Director Myers' recommendation.

End of Consent Calendar

### **Lobbyist Penalty Reductions**

**Public Session Item 7**, Dineen Crowe, Rec: 2024 Q4 LOE, 2025 Q3 \$20

### **Lobbyist Client Penalty Reductions**

**Public Session Item 8**, Eugene Emeralds, Rec: 2025 Q2 \$30, 2025 Q3 \$100

**Public Session Item 9**, Mattress Recycling Council, Rec: 2022 Q3 LOE, 2025 Q3 \$20

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**Statement of Economic Interest Penalty Reductions**  
None.

Given the length of December 12, 2025's meeting, Public Session Items 7-9 were delayed and moved to the January 9, 2026 meeting. No action was taken during the December 12, 2025 meeting, per Executive Director Myers' recommendation.

**STIPULATED FINAL ORDERS – Consent Calendar**  
**Recommendation:** Letter of Education

- Public Session Item 10, 24-457XJS – Katie McMillan, City of Umatilla**
- Public Session Item 11, 24-622XDP – Katie McMillan, City of Umatilla**
- Public Session Item 12, 25-164PJS – Linda Nishioka, City of Salem**
- Public Session Item 13, 25-167PJS – Vanessa Nordyke, City of Salem**
- Public Session Item 14, 25-226EDP – Maggie Harris, Oregon Housing & Community Services**
- Public Session Item 15, 25-250EJS – Gregory Dunn, City of Waldport**
- Public Session Item 25-256XJS – Gregory Dunn, City of Waldport**
- Public Session Item 17, 25-259XJS – Jayme Morris, City of Waldport**
- Public Session Item 18, 25-260XJS – Gerald Townsend, City of Waldport**
- Public Session Item 19, 25-261XJS – Richard Booth, City of Waldport**
- Public Session Item 20, 25-262XJS – Michelle Severson, City of Waldport**
- Public Session Item 21, 25-263XJS – Susan Woodruff, City of Waldport**
- Public Session Item 22, 25-486PLG – Margaret McCrea, City of Johnson City**
- Public Session Item 23, 25-535PLG – Vincent Whitehead, City of Johnson City**
- Public Session Item 24, 25-537PLG – Jackie Moritz, City of Johnson City**
- Public Session Item 25, 25-538PLG – Luan Evans, City of Johnson City**

Helt stated she would be abstaining from voting on the Public Session Consent Agenda, Items 14-25.

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: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, abstain; Fiskum, aye. Motion passed 6-0-1 abstention.

End of Consent Calendar

**STIPULATED FINAL ORDERS**  
**Civil Penalties**

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**Public Session Item 26, 23-157EMW – Earl Smith, Vernonia Rural Fire Protection District**  
Recommendation: \$500 Penalty  
Investigator: Daniel Pacheco

Investigator Pacheco summarized the case, stipulated final order, and confirmed that the respondent agreed to the proposed penalty.

Payne moved that the Commission approve the proposed Stipulated Final Orders as the final orders in this case and that the chairperson be authorized to sign them as such. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

#### **DEFAULT FINAL ORDERS**

None.

#### **REPORTS OF INVESTIGATIONS – Consent Calendar**

None.

#### **REPORTS OF INVESTIGATIONS**

**Public Session Item 27, 25-194ELG – Shaun Pritchard, City of Roseburg Homeless Commission**  
Recommendation: Move to dismiss  
Investigator: Susan Myers  
Attorney David Elkanich and Shaun Pritchard were present via Teams.

Director Myers summarized the investigation and determined that UCAN is not a business with which Sean Pritchard is associated and therefore he was not met with a conflict of interest. Attorney Elkanich addressed the Commission and expressed his agreement with Commission staff's conclusion.

Payne moved that the Commission dismiss the complaint against Shaun Pritchard. Roll Call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

**Public Session Item 27-A, 25-160ECF – Greg Smith, Executive Director, Columbia Development Authority**  
Recommendation: Make Preliminary Findings of Violations of ORS 244.040(1)

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and ORS 244.120(1)(c)

Investigator: Casey Fenstermaker

Neither Greg Smith nor his attorney were present.

Investigator Fenstermaker explained that this was the same case that was brought before the Commission on December 9, 2025 when Commission staff requested and the Commission granted a 30-day extension of time to continue fact-finding. She explained the actions taken after the December 9<sup>th</sup> meeting and indicated that the case was now ready for the Commission's consideration.

Investigator Fenstermaker broke the case into 3 periods of time: the application process for the Office of Local Defense Community Cooperation (OLDCC) grant application; obtaining the CDA Board approval for the 2024 OLDCC grant application; and following the approval of the 2024 OLDCC grant application. Fenstermaker provided background on the process the Columbia Development Authority (CDA) went through while pursuing the OLDCC grant, what the grant funds were used for, and how the grant application was treated by the CDA. Fenstermaker proceeded to describe the conflicts of interest and prohibited use of office violations that arose during each part of the process. Fenstermaker outlined that for there to be a prohibited use of office violation, the Commission would need to find that Greg Smith was a public official, that he used or attempted to use his public office, that the use or attempted use of the office was to obtain a financial gain for himself, and that the financial gain wouldn't have been available to him but for his holding that public position.

Commissioner Janci asked Fenstermaker questions regarding the salary increase, addressing specific areas of the report. Fiskum asked if we know what Smith's current salary was. Payne provided comments. Helt asked if the Investigator had enough time to complete the investigation.

Payne moved that the Commission find that there is sufficient evidence that Greg Smith has violated ORS 244.040(1) and ORS 244.120(1)(c) and that the Commission adopt the Investigation Report as its preliminary findings and order this case move to a contested case proceeding or a negotiated settlement entered. Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 7-0.

## **OPINIONS, ADVICE, AND CORRESPONDENCE**

### **Advisory Opinions**

None.

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### **Staff Opinions**

None.

### **Staff Advice – Informational Letters**

**Public Session Item 28, 25-678I– Obie Rutledge**, Oregon Legislative Assembly

Re: Application of ORS Chapter 244 to fundraising activities

### **Public Meetings Law Training Approval Letters**

**Public Session Item 29, 24-556T – OSBA Extension**

### **Other Correspondence**

None.

### **Miscellaneous Items**

*Facilitated by Staff*

### **Public Session Item 30, Trainers' Report**

Given the length of the meeting, Fiskum requested that the report stand as given.

### **Public Session Item 31, Executive Director's Report**

Given the length of the meeting, Fiskum requested that the report stand as given. Executive Director Myers agreed that was appropriate.

### **Public Session Item 32, Election of Chair and Vice-Chair for 2026**

Chair Nomination- Shenoa Payne

Fiskum nominated Payne for the role of Chair in 2026 and asked if there were other nominations. There were none. Payne declared a potential conflict of interest and abstained from voting on the position of Chair.

Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, abstain; Janci, aye; Thompson, aye; Helt, aye; Fiskum, aye. Motion passed 6-0-1 abstention.

Fiskum nominated Thompson as the Vice-Chair. Fiskum asked whether there were any other motions to be made. There were none. Thompson declared a potential conflict of interest and abstained from voting on the position of Vice-Chair.

Roll call was taken as follows: Metler, aye; McAuley, aye; Payne, aye; Janci, aye; Thompson, abstain; Helt, aye; Fiskum, aye. Motion passed 6-0-1 abstention.

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The Commission convened into Executive Session at 2:45p.m.

**Executive Session Item 36, Executive Director’s Performance Review**

The Commission met in executive session to consider and discuss the performance review of Executive Director Myers. Notice was provided to the Executive Director, who opted to have the review in Executive Session.

The Commission convened into Regular Open Session at 3:00p.m. No further discussion or action was taken with respect to the Executive Director’s performance review.

The Commission adjourned the Meeting at approximately 3:02 p.m.

The next Regular Meeting of the Oregon Government Ethics Commission is scheduled for January 9, 2026, at 3218 Pringle Road SE, Suite 220, Large Conference Room, Floor 2, Salem, Oregon 97302.

DRAFT

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## OREGON GOVERNMENT ETHICS COMMISSION

Meeting Minutes

January 9, 2026

9:00 a.m.

Commission Chair Shenoa Payne and Commissioner Jonathan Thompson were present in person. Commissioners Peter Janci, Ann Metler, and Cheri Helt were present via Teams. Commissioners Alicia McAuley, Richard Burke, and Iván Resendiz Gutierrez joined at 9:15 a.m.

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

Department of Justice (DOJ) Counsel Daniel Gilbert was present in person.

Members of the Press, present via Teams: Dianne Lugo, Statesman Journal; Whitney Woodworth, Statesman Journal; Justin Alderman, Prineville Review

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(File 1)

Chair Payne called the meeting to order at 9:00 a.m. Roll call was completed by Payne to confirm attendance of the Commissioners.

**Public Session Item 1**, Comments from the Chair. Chair Payne stated that the Commission has taken on a behemoth task by taking on Public Meetings Law and would like the Commissioners to think of ways to help improve the process.

**Public Session Item 2**, Comments from the Commissioners. Commissioner Janci thanked Commissioners Payne and Thompson for serving as Chair and Vice Chair respectively.

Executive Director Myers noted that the chat functionality associated with the electronic meeting was being turned off and if there were any technical issues to please email herself, Becky Maison, or Stephanie Heffner for assistance.

**Public Session Item 3**, Commissioner Thompson moved that the Commission approve the Meeting Minutes for December 9, 2025. Roll call was started but paused when it was realized that with only 5 Commissioners and Melter

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abstaining, there would not be a quorum. Item was held until Commissioner Burke was able to join.

Chair Payne stated she had an actual conflict of interest with Executive Session Item #2 due to a complaint being filed against her so she would be abstaining from the Executive Session Consent Calendar, Items 1-2.

Several Commissioners emailed stating they were unable to join. Commission decided to end the meeting and restart the meeting. Roll call was completed by staff. 8 Commissioners were in attendance at the beginning of the meeting.

**Public Session Item 3**, Commissioner Thompson moved that the Commission approve the Meeting Minutes for December 9, 2025. Roll call was taken as follows: Helt, aye; McAuley, aye; Janci, aye; Resendiz Gutierrez; aye; Thompson, aye; Burke, aye; Melter, abstain; Payne, aye. Motion passed 7-0, 1 abstention.

Chair Payne redeclared her conflict of interest for Executive Session Item #2.

Commissioner Resendiz Gutierrez declared a potential conflict of interest for Executive Session Item #4 as they are a client of his firm.

Chair Payne read the executive session script providing the statutory provisions for the executive sessions to discuss preliminary review.

The Commission convened an Executive Session at 9:22 a.m.  
(File 2)

### **EXECUTIVE SESSIONS**

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

Chair Payne exited the room at 9:22 a.m.

### **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), as the complaints did not document that the mandatory grievance process had been satisfied.

**Executive Session Item 1, 25-759PCF, Alex Chiper – City of Dundee**

**Executive Session Item 2, 25-787PCF, Shenoa Payne – Oregon Government**

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Ethics Commission

Commissioner Thompson and Executive Director Myers explained how the Executive Session Consent calendar works by request from Commissioner Helt.

Commissioner McAuley moved that the Commission approve the Executive Session Consent Calendar as presented to the Commission. Roll call was taken as follows: McAuley, aye; Janci, aye; Resendiz Gutierrez, abstain; Thompson, aye; Helt, aye; Melter, aye; Payne, abstain. Motion passed 7-0 with 1 abstention.

End of Executive Session Consent Calendar.

Chair Payne rejoined the meeting at 9:26 a.m.

### **Reports of Preliminary Review**

*Facilitated by Investigators*

**Executive Session Item 3, 25-661EJS – Mary Schamehorn**, City of Bandon  
Recommendation: Move to investigate possible violations of ORS 244.060  
Investigator: Josh Sullivan

Respondent was not present. Investigator Sullivan summarized the preliminary review and that it appears that Mary Schamehorn violated ORS 244.060 by failing to file a complete and accurate Statement of Economic Interest.

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Mary Schamehorn may have violated ORS 244.060 and the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 8-0.

**Executive Session Item 4, 25-652EJS – Daniel Kerns**, Port of Morrow  
Recommendation: Move to Dismiss  
Investigator: Josh Sullivan

Respondent was not present. Investigator Sullivan summarized the preliminary review and the self-complaint by Daniel Kerns. Sullivan advised that it does not appear that Kerns violated ORS 244.

Commissioner Thompson moved that the Commission dismiss the complaint against Daniel Kerns. Roll call was taken as follows: Resendiz Gutierrez, aye;

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Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 8-0.

**Executive Session Item 5, 25-684EDP – Tammie Williams, City of Echo**  
Recommendation: Move to investigate possible violations of ORS 244.040(1) and ORS 244.120(2)  
Investigator: Daniel Pacheco

Respondent Tammie Williams was present via Teams. Investigator Pacheco summarized the preliminary review and the recommendation to move to investigation. Pacheco advised that it appears that Williams may have violated ORS 244 by voting to change city plans which would affect her properties and business. It appears that Williams failed to declare a conflict of interest with regards to her businesses and may have used her position for financial gain.

Respondent Williams addressed the Commission and thanked Pacheco for helping her develop a conflict-of-interest declaration. She stated that it was a learning experience for her. She stated that she did not mean to violate anything. She stated that she is fine if she needs to step back from the City Council if she needs to as she wants the best for the city.

Chair Payne asked if Pacheco had looked at the class exception. Pacheco stated if the case moved to investigation, he would look at the class exception.

Commissioner Thompson stated that he would recommend that Williams take advantage of the free trainings and resources available from OGE. Commissioner Burke agreed and stated that he believes that Williams should not resign but take the trainings and hang around.

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Tammie Williams may have violated ORS 244.040(1) and ORS 244.120(2) and the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 8-0.

### **Madras Aquatic Center**

**Executive Session Item 6, 25-655PCF – Ervey Dominguez, Madras Aquatic Center**

**Executive Session Item 7, 25-656PCF – Jean McCloskey, Madras Aquatic Center**

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**Executive Session Item 8, 25-657PCF – Jinnell Lewis, Madras Aquatic Center**  
**Executive Session Item 9, 25-658PCF – Rebecca Blaho, Madras Aquatic Center**

**Executive Session Item 10, 25-659PCF – Frank Maynard, Madras Aquatic Center**

Recommendation: Move to Dismiss  
Investigator: Casey Fenstermaker

None of the respondents were present. Compliance & Enforcement Coordinator Fenstermaker summarized the preliminary reviews and the recommendation to dismiss the complaints. Fenstermaker advised that the Board had amended the agenda during the Public Session, which is permissible per Public Meetings Law and that it did not appear a decision was made during executive session.

Commissioner Thompson moved that the Commission dismiss the complaints against Ervey Dominguez, Jean McCloskey, Jinnell Lewis, Rebecca Blaho, and Frank Maynard. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

### **Lebanon Aquatic District**

**Executive Session Item 11, 25-665PSM – Kim Kendall, Lebanon Aquatic District**

**Executive Session Item 12, 25-668PSM – Darla Bulmer, Lebanon Aquatic District**

**Executive Session Item 13, 25-669PSM – Jereme Guenther, Lebanon Aquatic District**

**Executive Session Item 14, 25-670PSM – Julie Miller, Lebanon Aquatic District**

**Executive Session Item 15, 25-671PSM – Elaine Wilder, Lebanon Aquatic District**

Recommendation: Move to Dismiss

Investigator: Susan Myers

Respondent Kendall, Bulmer, and Wilder were present via telephone.

Respondents Guenther and Miller were not present.

Director Myers summarized the preliminary reviews and the recommendation to dismiss the cases. Director Myers explained the volunteer handling the Zoom portion of a meeting had accidentally muted the meeting. When the board discovered the issue, they contacted a reporter that had an audio recording so they could post both the audio and the Zoom recording at the same time. Director

Myers noted that no one had been attending the meeting via Zoom, so no one had been able to notify the board during the meeting that there was an issue. The board took steps to resolve the issue upon identification.

Respondent Kendall stated that she wanted to thank the Commission for taking the time to review the issue. Bulmer addressed the Commission and thanked the Commission as well.

Commissioner Thompson moved that the Commission dismiss the complaints against Kim Kendall, Darla Bulmer, Jereme Guenther, Julie Miller, and Elaine Wilder. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

### **Own Motion Preliminary Reviews**

None.

### **Other Items**

None.

### **Reconvene Regular Open Session**

The Commission adjourned Executive Session at 10:02 a.m.

**(File 3)**

### **Reconvene Regular Open Session**

The Commission reconvened Public Session at approximately 10:02 a.m.

## **CONSENT CALENDAR**

**Recommendation:** Letters of Education

### **Lobbyist Penalty Correspondence**

**Public Session Item 4, Rebecca Gladstone, 2025 Q2, \$50**

**Public Session Item 5, Jana McLellan, 2025 Q3, \$150**

**Public Session Item 6, Grace Fortson, 2025 Q3, \$2,100**

**Public Session Item 7, Justin Low, 2025 Q3, \$30**

### **Lobbyist Client Penalty Correspondence**

**Public Session Item 8, POR12837X LLC, 2025 Q3, \$1,000**

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## **Statement of Economic Interest Penalty Correspondence**

None.

Director Myers explained the Consent Calendar carried over from the December 12, 2025 meeting due to the extended length of the meeting. Chair Payne explained that the items that are not on the Consent Calendar will be addressed when that item comes up on the agenda.

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

End of Consent Calendar

## **Lobbyist Penalty Reductions**

*Presented by Executive Director*

### **Public Session Item 9, Dineen Crowe, Rec: 2024 Q4 LOE, 2025 Q3 \$20**

Director Myers explained the recommendation and the lobbyist's history. Commissioner Helt asked if there is a process in place if a person is on leave. Chair Payne asked if a person is on leave, are they considered an active lobbyist. Director Myers advised that a person is considered an active lobbyist until they are not registered and then they are required to file for the period in which they were last active. Commissioner Helt stated that she does not feel lobbyists should not have to file if they are on leave. Payne advised that would require legislative change. Director Myers stated that the Commission does have discretion if they would like to waive penalties. Commissioner Helt stated she would like all the penalties to be waived. Commissioner Thompson said he would be willing to issue a letter of education but would require an additional look and maneuvering to address how to line up leave with the filing requirements.

Commissioner Thompson moved that the Commission issue a Letter of Education for both violations in lieu of the staff recommendation. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

### **Public Session Item 10, Elsie Elling, Rec: 2025 Q2 LOE, 2025 Q3 \$20**

Director Myers explained the staff recommendation.

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Commissioner Thompson moved that the Commission approve the recommended filing penalty reduction. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

### **Lobbyist Client Penalty Reductions**

*Presented by Executive Director*

#### **Public Session Item 11, Eugene Emeralds, Rec: 2025 Q2 \$30, 2025 Q3 \$100**

Director Myers explained the staff recommendation.

Commissioner Thompson moved that the Commission approve the recommended filing penalty reduction. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

#### **Public Session Item 12, Mattress Recycling Council, Rec: 2022 Q3 LOE, 2025 Q3 \$20**

Director Myers explained the staff recommendation.

Commissioner Thompson moved that the Commission approve the recommended filing penalty reduction. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

#### **Public Session Item 13, Foster Homes of Healing, Rec: 2025 Q3, no reduction**

Director Myers explained the staff recommendation. Commissioner Helt stated that she would like to waive the penalty as it feels punitive since they are no longer going to be lobbying in Oregon and she supports their mission. Thompson stated that OGEC cannot set the precedent if a commissioner supports a mission to waive penalties based on that.

Commissioner Thompson moved that the Commission approve the recommended filing penalty reduction. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, nay; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-1.

### **Statement of Economic Interest Penalty Reductions**

None.

The Commission recessed for a break from 10:30 a.m. to 10:45 a.m.

Commissioner Resendiz Gutierrez declared a potential conflict of interest for Public Session Items 14-16, as his firm works for the City, but he does not.

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**STIPULATED FINAL ORDERS – Consent Calendar**  
**Recommendation: Letter of Education**

- Public Session Item 14, 25-163PJS – Paul Tigan, City of Salem**  
**Public Session Item 15, 25-166PJS – Deanna Gwyn, City of Salem**  
**Public Session Item 16, 25-168PJS – Micki Varney, City of Salem**  
**Public Session Item 17, 25-277PLG, 25-411PLG – Shannon Chisom, Oregon Trail Academy**  
**Public Session Item 18, 25-281PLG, 25-415PLG – Mark Ramsey, Oregon Trail Academy**  
**Public Session Item 19, 25-283PLG, 25-415PLG – Amee Curtis, Oregon Trail Academy**  
**Public Session Item 20, 25-283PLG, 25-414PLG – Katrina Ramsey-Murrer, Oregon Trail Academy**  
**Public Session Item 21, 25-284PLG, 25-413PLG – Heather Lara, Oregon Trail Academy**  
**Public Session Item 22, 25-285SCF – Greg Smith, Oregon Legislative Assembly**

Commissioner Thompson 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: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, abstain; Payne, aye. Motion passed 7-0, 1 abstention.

End of Consent Calendar

**STIPULATED FINAL ORDERS**  
**Civil Penalties**

Commissioner Resendiz Gutierrez declared a potential conflict of interest for Public Session Item #23 as his firm represents Marc Thalacker, but he personally is not involved.

- Public Session Item 23, 25-212EJS – Marc Thalacker, Three Sisters Irrigation District**  
**Recommendation: \$4,000 Penalty**  
**Investigator: Josh Sullivan**

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Respondent Thalacker was not present. Investigator Sullivan summarized the case and the recommendation of the penalty of \$4,000 as it appears that Thalacker did not declare a conflict of interest and may have violated ORS 244.

Commissioner Thompson moved that the Commission approve the proposed Stipulated Final as the Order as the final order and that the chairperson be authorized to sign it as such. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, abstain; Payne, aye. Motion passed 7-0, 1 abstention.

### **DEFAULT FINAL ORDERS**

None.

### **REPORTS OF INVESTIGATIONS – Consent Calendar**

None.

### **REPORTS OF INVESTIGATIONS**

Commissioner Resendiz Gutierrez declared a potential conflict of interest for Public Session Item #24 as his firm represents the entity where the respondent works generally, but he personally is not involved.

#### **Public Session Item 24, 24-488EAM – Ashwaq Omar, Oregon Health Authority**

Recommendation: Move to Dismiss

Investigator: Daniel Pacheco

Respondent Omar was not present. Investigator Pacheco summarized the case and the recommendation to dismiss. Pacheco advised that they determined that it appears the Omar did not use their position for financial gain and was not a relative under the definition in ORS 244.

Chair Payne stated that the report was complex and really recognized the different cultures and was an excellent report.

Commissioner Thompson moved that the Commission dismiss the complaint against Ashwaq Omar. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, abstain; Payne, aye. Motion passed 7-0, 1 abstention.

#### **Public Session Item 25, 25-577PLG – Mike Tranquilla, City of Johnson City**

Recommendation: Move to Dismiss

Investigator: Susan Myers

Respondent was not present. Director Myers summarized the case and the recommendation to dismiss as the respondent as he was not a part of the Board

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when the serial communications were occurring.  
Commissioner Thompson moved that the Commission dismiss the complaint against Mike Tranquilla. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

## OPINIONS, ADVICE, AND CORRESPONDENCE

### Advisory Opinions

*Facilitated by Staff*

**Public Session Item 26, 25-725A – Megan Thornton**, City of Beaverton, re application of the class exception

Investigator Sullivan summarized the request for a Commission Advisory Opinion and a request for class exception. Commissioner Helt asked if they have to declare a potential of interest if there is a class exception. Director Myers explained that if a class exception applies, they do not need to declare a conflict of interest. Chair Payne explained that the Commission must be the ones to decide if a class exception exists and that requesting a Commission Advisory Opinion is a good way to prevent a violation by addressing any class issues ahead of time.

Commissioner Thompson moved that the Commission approve the Commission Advisory Opinion as written and that the chairperson be authorized to sign it as such. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

### Staff Opinions

None.

### Staff Advice – Informational Letters

**Public Session Item 27, Jeston Black**, Multnomah County  
re gift clause analysis

### Legal Expense Trust Fund, Portland City Council

**Public Session Item 27A**, Request to establish Legal Expense Trust Fund for Candace Avalos, Portland City Council

**Public Session Item 27B**, Request to establish Legal Expense Trust Fund for Mitch Green, Portland City Council

**Public Session Item 27C**, Request to establish Legal Expense Trust Fund for Tiffany Koyama Lane, Portland City Council

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**Public Session Item 27-D**, Request to establish Legal Expense Trust Fund for Angelita Morillo, Portland City Council

**Public Session Item 27-E**, Request to establish Legal Expense Trust Fund for Sameer Kanal, Portland City Council

Ben Haile, Attorney, was present via Teams. Director Myers explained the process for establishing legal expense trust funds, filing requirements, and how the funds can be used. Haile addressed the Commission and stated that he was establishing the Funds on behalf of the 5 Portland City Councilors that had been in front of the Commission in December. He stated that he is tracking his time that is being utilized for their cases, but his time is being donated via pro bono and using the trust fund is the most transparent way to report it.

**Public Session Item 27A**, Request to establish Legal Expense Trust Fund for Candace Avalos, Portland City Council

Commissioner Thompson moved the Commission determine that the application presented meets the requirements of ORS 244.205 to 244.221, and that Candace Avalos be authorized to establish a legal expense trust fund. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

**Public Session Item 27B**, Request to establish Legal Expense Trust Fund for Mitch Green, Portland City Council

Commissioner Thompson moved the Commission determine that the application presented meets the requirements of ORS 244.205 to 244.221, and that Mitch Green be authorized to establish a legal expense trust fund. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

**Public Session Item 27C**, Request to establish Legal Expense Trust Fund for Tiffany Koyama Lane, Portland City Council

Commissioner Thompson moved the Commission determine that the application presented meets the requirements of ORS 244.205 to 244.221, and that Tiffany Koyama Lane be authorized to establish a legal expense trust fund. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

**Public Session Item 27-D**, Request to establish Legal Expense Trust Fund for Angelita Morillo, Portland City Council

Commissioner Thompson moved the Commission determine that the application presented meets the requirements of ORS 244.205 to 244.221, and that Angelita

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Morillo be authorized to establish a legal expense trust fund. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

**Public Session Item 27-E, Request to establish Legal Expense Trust Fund for Sameer Kanal, Portland City Council**

Commissioner Thompson moved the Commission determine that the application presented meets the requirements of ORS 244.205 to 244.221, and that Sameer Kanal be authorized to establish a legal expense trust fund. Roll call was taken as follows: Metler, aye; Janci, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 8-0.

**Public Meetings Law Training Approval Letters**

None.

**Other Correspondence**

None.

**Miscellaneous Items**

*Facilitated by Staff*

**Public Session Item 28, Trainers' Report**

Trainer Ruth Sylvester summarized the training activities since the last trainer's report.

**Public Session Item 29, Executive Director's Report**

Director Myers summarized the agency's activities since the last executive director's report, including pending hire for a new Investigator (Compliance Specialist 2) and ongoing workgroup meetings.

The Commission adjourned the meeting at approximately 11:26 a.m.

The next regularly scheduled Commission meeting will be February 6, 2026, at 3218 Pringle Road SE, Suite 220, Large Conference Room, Floor 2, Salem, Oregon 97302.

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**OREGON  
STATE  
TREASURY**

Elizabeth Steiner, MD  
Oregon State Treasurer

George Naughton  
Deputy State Treasurer

1/21/2026  
Oregon Government Ethics Commission  
3218 Pringle Rd. SE, #220  
Salem, OR 97302-1544

Dear Oregon Government Ethics Commission:

Please find this letter of explanation regarding my 2025 Q 4 late filing and subsequent request to waive the related penalties. I have been registered as a lobbyist for Oregon State Treasury since January of 2025 and have just come up on a year. The delay occurred due to an internal miscommunication in our office. The reminder notifications from the Commission were being sent to a personal email address that is not checked on a regular basis and therefore was missed. My assistant who provides an extra reminder for me did not receive this notification, although she did make sure we all had our renewals in and OST had their quarterly filing in as well.

This was not an intentional oversight, but rather a misunderstanding regarding email correspondence. We were under the impression, based on original training, that a work address could not be used for these reminders as it had to be linked to my personal lobby account.

As a result, we missed this filing reminder while our office was working on the renewal registrations for our lobbyists and filing the client/employer Q4 report. Once I noticed the late filing notifications, we took immediate steps to address this and ensure compliance going forward.

I respectfully request your consideration in waiving the penalty on my lobby record, as the delay was unintentional and a genuine misunderstanding as opposed to neglect or disregard for the requirements. Thank you for your time in reviewing this request.

Sincerely,  
*/s/ Sybil*

Sybil Ackerman-Munson  
Chief of Staff  
Oregon State Treasury

[Sybil.ackerman-munson@ost.state.or.us](mailto:Sybil.ackerman-munson@ost.state.or.us)

(cc) [katie.slebodnik@ost.state.or.us](mailto:katie.slebodnik@ost.state.or.us)

Prior Violations: 2019 Q4, \$10 pd  
Current Penalties: 2025 Q4, \$50  
Recommendation: Letter of Education *SM*



Treasurer's Office - Capitol  
900 Court Street NE, Room 159  
Salem, OR 97301-3896  
503.378.4329

Main Office  
867 Hawthorne Ave SE  
Salem, OR 97301  
503.378.4000

[oregon.gov/treasury](http://oregon.gov/treasury)  
[oregon.treasurer@state.or.us](mailto:oregon.treasurer@state.or.us)

**From:** [John Calhoun](#)  
**To:** [Mail \\* OGEC](#)  
**Subject:** Late penalty  
**Date:** Friday, January 16, 2026 4:03:50 PM

---

You don't often get email from john@johncalhoun.org. [Learn why this is important](#)

I forgot to file my report for Q4 as a volunteer citizen lobbyist. I just saw that I have a \$10 penalty for not filing on time. I don't always see emails that get separated and then buried in a ton of non-personal emails. I was told that you might consider waiving the \$10 penalty which I would appreciate.

John Calhoun

Past Violations: None  
Current Penalties: 2025 Q4, \$10  
Recommendation: 1st Violation - Letter of Education *SM*

**From:** [FOSTER Jessica \\* OGEC](#) on behalf of [Mail \\* OGEC](#)  
**To:** [HUNTER David \\* OGEC](#)  
**Subject:** Fw: Account registration penalty waiver request  
**Date:** Wednesday, January 21, 2026 9:09:05 AM

---

Dear Members of the Commission,

I am writing to formally request a waiver of the \$30 in registration penalties associated with my account ([harris.queshi@getflex.com](mailto:harris.queshi@getflex.com)).

On October 14, 2025, I terminated my registration as a lobbyist for Flexible Finance, and I subsequently left the company in November 2025. Because my former professional email address was the primary contact for my registration, I did not receive the notices regarding the Q4 2025 filing. I only became aware of the penalty a few days ago when my former employer forwarded the correspondence to me. Upon receipt, I acted immediately to complete the Q4 2025 registration.

I do not intend to lobby in the State of Oregon or represent this company in the near future. Given that this is my first instance of a filing penalty with the Oregon Government Ethics Commission, I respectfully request that you waive the accrued fees.

Thank you for your time and consideration of this request.

Best regards,

Harris Qureshi

Past Violations:  
Current Penalties: 2025 Q4, \$30  
Recommendation: 1st Violation - Letter of Education

*SM*

**From:** [FOSTER Jessica \\* OGEC](#) on behalf of [Mail \\* OGEC](#)  
**To:** [HUNTER David \\* OGEC](#)  
**Subject:** Fw: Waiver of Fees for late reporting  
**Date:** Tuesday, January 20, 2026 12:26:15 PM

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Hello,

I would like to draw your attention to an issue with a email address listed in your outgoing communication that no longer exists. I'm currently listed on a profile for the City of Milton-Freewater for reporting a lobbyist that we have contracted with. The main profile contact was Chad Morris who was our city manager. He is no longer affiliated with our city. When I received the email, I email back to the email listed in the email notice I received which is [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov) explaining that Chad Morris was no longer with the city and how do I go about changing the name to our current Interim City Manager. I got no response from my email. I received another notice email, so I again sent another email to the address listed in the notice which was [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov) , still no response from OGEC. So today, I called to see if I could get some help, the person who helped me was very helpful and was able to change the name on the profile. I told the OGEC person that I've been sending emails to the email address listed in the notification email and they told me that email goes nowhere and the system doesn't generate a "bounce-back" either. So I was reaching out trying to get this resolved and had no idea the email listed was no good. I respectfully request the fees assessed to the City of Milton-Freewater for not reporting in a timely manner be waived due to this error by your organization.

I would also like to bring to your attention when I did get the report filed today, in the email communication back, it has the same email to contact [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov).

I called and spoke to an OGEC representative, who again was very helpful and they gave me the current email to contact OGEC about this issue.

I look forward to hearing from you.

Kind regards,  
Leanne

Leanne Steadman, CMC  
City Recorder  
City of Milton-Freewater  
PO Box 6  
722 S. Main  
Milton-Freewater, OR 97862  
(541)938-8233 | [www.mfcity.com](http://www.mfcity.com)



Past Violations: None  
Current Penalties: 2025 Q4, \$50  
Recommendation: 1st Violation - Letter of Education

*SM*

**From:** [Info](#)  
**To:** [Mail \\* OGEC](#)  
**Subject:** Oregon Mining Association - Fee waiver  
**Date:** Tuesday, January 20, 2026 9:21:25 AM

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You don't often get email from [info@oregonpropertyowners.org](mailto:info@oregonpropertyowners.org). [Learn why this is important](#)

Hello,

We are requesting a penalty waiver for Oregon Mining Association late filing of our ethics report.

I apologize for the late filing; we are in the middle of a staffing transition. This should not happen again.

Thank you,

Desi Kurtz & Olivia Hunnicutt  
Oregon Mining Association

Past Violations: None  
Current Penalties: 2025 Q4, \$50  
Recommendation: 1st Violation - Letter of Education *SM*

**From:** [Rory Steele](#)  
**To:** [HUNTER David \\* OGEC](#)  
**Subject:** Penalty Relief  
**Date:** Friday, January 23, 2026 9:50:33 AM

You don't often get email from [rsteele@intersectionus.com](mailto:rsteele@intersectionus.com). [Learn why this is important](#)

Dear Oregon Government Ethics Commission,

I am writing on behalf of Intersection Government Affairs and Advocacy to respectfully request relief from penalties associated with the late filing of our 3rd and 4th quarter reports for this year.

The late filings were unintentional and resulted from internal administrative oversight during a period of staffing and operational transition. Once the issue was identified, we took immediate steps to correct the filings and to strengthen our internal compliance processes to prevent this from occurring again.

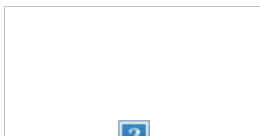
Intersection Government Affairs and Advocacy is committed to full transparency and compliance with Oregon ethics and reporting requirements, and we take these obligations seriously. We respectfully ask the Commission to consider granting relief from the assessed penalties in light of our corrective actions and compliance history.

Thank you for your time and consideration. Please let me know if any additional information would be helpful.

Sincerely,

Rory Steele

--



**Rory Steele**

*Partner*

c: 202-615-3064

[rsteele@intersectionus.com](mailto:rsteele@intersectionus.com)

[www.intersectionus.com](http://www.intersectionus.com)

Past Violations: None

Current Penalties: 2025 Q3, \$90; 2025 Q4, \$70

Recommendation: 1st Violation - Letter of Education;  
2nd 50% Reduction - \$35

*SM*

**From:** [Davin Aoyagi](#)  
**To:** [HUNTER David \\* OGEC](#)  
**Subject:** Turo Inc. Q3 2024 Lobbying Expenditure Report and Penalty Waiver Request  
**Date:** Monday, January 12, 2026 10:00:32 AM

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To the Oregon Government Ethics Commission,

My name is Davin Aoyagi, writing on behalf of Turo Inc. I am reaching out regarding recent communications about outstanding Oregon lobbying reporting items and associated penalty accruals.

By way of context, due to the termination of Turo's contract with our Oregon lobbyist and internal staffing changes, Turo was unaware that a Q3 2024 filing was required. I apologize for the confusion and appreciate the Commission's guidance on our reporting obligations. Upon being informed of this oversight, we took immediate action to rectify the compliance issue. Please accept this letter as confirmation that we have now corrected the filing by submitting the required Q3 2024 report.

In light of this context, I humbly and respectfully request that the Commission consider reducing the fees and penalty amounts associated with this late filing. Should you have any questions, please do not hesitate to contact me at [daoyagi@turo.com](mailto:daoyagi@turo.com) or at 808-286-2190.

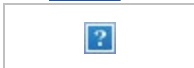
Sincerely,  
Davin Aoyagi  
Turo Inc.  
Senior Government Relations Manager

--

**Davin Aoyagi**  
Senior Government Relations Manager

 (808) 286-2190

 [turo.com](mailto:daoyagi@turo.com)



Past Violations: 2021 Q3, \$20 pd; 2021 Q4, \$40 pd;  
2022 Q3, \$20 pd; 2022 Q4, \$20 pd; 2023 Q1, \$10 pd

Current Penalties: 2023 Q3, \$100; 2023 Q4, \$30; 2024 Q3, \$5,000

*SM* Recommendation: 1st Violation, Letter of Education;  
2nd Violation 50% Reduction - \$15  
3rd Violation 30% Reduction of \$1,500 (owes \$3,500)

**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of )  
 )  
Roak TenEyck )  
 )  
\_\_\_\_\_ )  
 )  
**STIPULATED FINAL ORDER**  
**CASE NO. 24-461XJS**

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 Roak TenEyck.

2. **JURISDICTION:** At all material times, Roak TenEyck 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, Roak TenEyck 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 was no 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 Roak TenEyck, 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. 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. Roak TenEyck did not declare an actual or potential conflict of interest, and did not refrain from participating in the vote on the matter.
- M. The Commission contends that by taking action to adopt a policy implementing the previously approved Council stipends when he voted to approve Resolution 31-2023 on March 7, 2023 Roak TenEyck violated ORS 244.120(2), because he failed to declare an actual or potential conflict of interest, and violated ORS 244.040(1), because this action modified his 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. Roak TenEyck 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). He further asserts that he did not knowingly or intentionally violate these statutes and that he has legal and factual bases to argue against the

alleged violations, but he 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. 24-461XJS and acted to find cause to initiate an investigation of this matter. Roak TenEyck 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. Roak TenEyck 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 Roak TenEyck within the scope of the above-referenced proceedings.
- E. Roak TenEyck 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, Roak TenEyck 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, Roak TenEyck 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.

Roak Dale TenEyck  
Respondent: Roak TenEyck

01/15/26  
Date

\_\_\_\_\_  
Shenoa Payne, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of )  
 )  
Roak TenEyck )  
 )  
\_\_\_\_\_ )  
 )

**STIPULATED FINAL ORDER**  
**CASE NO. 24-624XDP**

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 Roak TenEyck.
  
2. **JURISDICTION:** At all material times, Roak TenEyck was the Council Member for the City of Umatilla. He 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, Roak TenEyck 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). Roak TenEyck 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 15<sup>th</sup> 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 15<sup>th</sup> meeting, Council Member TenEyck 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 15<sup>th</sup> executive session did not capture the discussion during that executive session, Roak TenEyck 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 TenEyck 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 TenEyck asserts that he did not knowingly or intentionally violate ORS 192.650. He also states that he 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. 24-624XDP and acted to find cause to initiate an investigation of this matter. Roak TenEyck has indicated that he 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, Roak TenEyck 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 Roak TenEyck within the scope of the above-referenced proceedings.
- D. Roak TenEyck 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, Roak TenEyck 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, Roak TenEyck 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.

*Roak Dale TenEyck*

\_\_\_\_\_  
Respondent: Roak TenEyck

01/15/2026

\_\_\_\_\_  
Date

\_\_\_\_\_  
Shenoa Payne, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of )  
Erin Kilcullen )  
\_\_\_\_\_ )  
**STIPULATED FINAL ORDER**  
**CASE NO. 25-161EAM**

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 Erin Kilcullen.
  
2. JURISDICTION: At all material times, Erin Kilcullen was the Manager for Deschutes County Soil & Water Conservation District (District). As such, Erin Kilcullen was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
  
3. STIPULATED FACTS:
  - A. In November 2024, District Measure #9-176 was passed which increased the District’s budget. Subsequently, the District created a Transition Committee (Committee) to research and make recommendations to the Board on budgeting and staff restructuring decisions. The Board designated three Board Members and three District staff to be part of the Committee. Erin Kilcullen volunteered to be part of the Committee.
  
  - B. 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)].

- C. 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 the matter in a specific manner.
- D. As the District Manager, Erin Kilcullen's appointing authority is the District Board. To disclose a conflict of interest, Erin Kilcullen would need to submit a written notice of the nature of their conflict of interest to the Board and then follow the Board's directives on how to proceed.
- E. From November 2023 through April 2025, Erin Kilcullen created the Board agenda on eight separate occasions as part of their official job duties which included items that would or could financially impact their official compensation package.
- F. Prior to participating in the decisions, recommendations, and actions described above, Erin Kilcullen failed to provide written notice to their appointing authority of the nature of their conflicts of interest. By failing to do so, Erin Kilcullen violated ORS 244.120(1)(c).
- G. When a public official serving on a board or commission is faced with a conflict of interest (potential or actual), such as Erin Kilcullen while serving on the Committee, they 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)].

- H. From November 2024 through February 2025, Erin Kilcullen, as a Committee member, discussed and made recommendations at thirteen Committee meetings and at District Board meetings via “Transition Committee Update[s]” which included matters concerning their own official compensation package.
- I. The decisions, recommendations, and actions described in paragraphs 3(E) and 3(H) would or could financially impact Erin Kilcullen personally. Therefore, Erin Kilcullen was met with conflicts of interest requiring disclosure.
- J. The actions described in paragraphs 3(E) constitute one violation of ORS 244.120(1)(c) with seven equivalent actions. The actions described in paragraphs 3(H) constitute one violation of ORS 244.120(2) with twelve equivalent actions.
- K. The Commission contends 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 finding one violation of ORS 244.120(1)(c) with seven equivalent actions and one violation of ORS 244.120(2) with twelve equivalent actions.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On June 13, 2025, the Commission considered information in the preliminary review phase of Case No. 25-161EAM and acted to find cause to initiate an investigation of this matter. Erin Kilcullen has indicated that they wish 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 of each of the violations described in paragraphs 3(K).
- C. In lieu of a civil penalty, Erin Kilcullen 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 Erin Kilcullen within the scope of the above-referenced proceedings.
- E. Erin Kilcullen 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, Erin Kilcullen 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, Erin Kilcullen 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:  
  
724733D9B82340B...  
\_\_\_\_\_  
Respondent: Erin Kilcullen

January 5, 2026  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Shenoa Payne, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date



C. ORS 244.060 includes the following information in the requirements for SEIs:

- All names under which the public official or candidate and members of the household of the public official or candidate do business and the principal address and a brief description of each business. [ORS 244.060(2)].
- Each source of income exceeding an aggregate amount of \$1,000 during the preceding calendar year, if that income was derived from an individual or business that has been doing business, does business, or could reasonably be expected to do business with, or has a legislative or administrative interest in the governmental body they serve. [ORS 244.060(8)].

D. Archie Garrett is the listed member and registered agent of A.K.A. LLC on the Oregon Secretary of State's (SOS) business records; however, he did not report the business on Section 1 of his 2025 SEI, in violation of ORS 244.060(2).

E. Bandon Sushi LLC is a business located in and operating within the City of Bandon; thus, it has a legislative or administrative interest, distinct from the general public, in Archie Garrett's decisions or votes as a City Councilor. Archie Garrett did not report the business on Section 7 of his 2025 SEI, in violation of ORS 244.060(8).

F. 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 244.060(2) and one violation of ORS 244.060(8).

G. On August 14, 2025, Archie Garrett submitted an amended SEI report, adding A.K.A. LLC to Section 1 of his 2025 SEI and adding Bandon Sushi LLC to Section 7 of his 2025 SEIs.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On October 10, 2025, the Commission considered information in the preliminary review phase of Case No. 25-425EJS and acted to find cause to initiate an investigation of this matter. Archie Garrett has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. In lieu of a civil penalty, Archie Garrett 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, allegations and charges that have been or could be asserted against Archie Garrett within the scope of the above-referenced case.
- D. Archie Garrett 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 these matters and shall be binding upon all parties.

By signing this agreement, Archie Garrett 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, Archie Garrett 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: Archie Garrett

January 14, 2026  
Date

\_\_\_\_\_  
Shenoa Payne, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of )  
 )  
 )  
 Colin Vurek )  
 )  
 )  
 \_\_\_\_\_ )

**STIPULATED FINAL ORDER**

**CASE NO. 25-333EDP**

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 Colin Vurek.
  
2. **JURISDICTION:** At all material times, Colin Vurek was the Developmental Disability Specialist for Lane Community College. As such, she was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
  
3. **STIPULATED FACTS:**
  - A. Lane Community College (LCC) provides job training to adults with developmental and intellectual disabilities. This training program is known as the Specialized Support Services (S3 Program) and helps participating students gain life skills. As LCC’s Developmental Disability Specialist, Colin Vurek is the lead supervisor for the S3 Program (which includes staff and participating students).
  
  - B. ORS 244.025(1) provides that a public official, a candidate, or their relatives or household members, may not solicit or receive any gift(s) with an aggregate value in excess of \$50 during a calendar year from a source that could reasonably be expected to be known to have a legislative or administrative interest. A legislative or administrative interest is an economic interest, distinct from that of the general public, in any matter subject to the public official’s decision or vote, or that of the candidate if elected. [ORS 244.020(10)].

- C. Between September 17<sup>th</sup> through September 19<sup>th</sup>, 2023, Ms. Vurek had a cleaning crew, which charged by the hour at a rate of \$45 per mover, clean her home. Also present was an S3 Program student (the Student), who performed non-College related tasks (Personal Labor) for at least 7 hours, by helping Ms. Vurek clean her home. From 2024 to 2025, the Student also performed other Personal Labor for Ms. Vurek such as taking the garbage out of her home at least once every one to three months.
- D. Colin Vurek has never compensated the Student for their Personal Labor. As the Student is part of the S3 Program, which Ms. Vurek oversees, the Student had a legislative or administrative interest in Ms. Vurek's actions as a public official. At least one of these instances, the Personal Labor by the Student in September 2023, exceeded the \$50 gift limit.
- E. By accepting the Personal Labor from a source that could reasonably be known to have a legislative or administrative interest in her actions as a public official, Colin Vurek violated ORS 244.025(1).
- F. 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.
- G. On May 30, 2025, Ms. Vurek called LCC S3 Program employee, Patricia Robinson, on her personal phone number stating that she had fallen and could not get up. Ms. Vurek demanded that Ms. Robinson have the Student, who was currently working, leave the worksite to help her.

- H. Rather than call for ambulance services on May 30<sup>th</sup>, Ms. Colin attempted to use her position as the S3 Program lead supervisor (and as Ms. Robinson's superior) to avoid the financial detriment associated with medical transportation services. Additionally, her receipt of a gift with a legislative or administrative interest in September 2023 did not meet the use of office gift exceptions resulting in a separate violation. These opportunities were only available to Ms. Vurek but for her official position as the Developmental Disability Specialist. Thus, Ms. Vurek violated ORS 244.040(1).
- I. ORS 244.040(4) provides that a public official "may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official."
- J. "Confidential information" is defined in OAR 199-008-0005(5) to include any record that is exempt from public disclosure or inspection under state law, or any information obtained in the course of or by reason of holding position as a public official that is not publicly disclosed.
- K. LCC S3 Program staff use walkie-talkie issued devices to coordinate with each other and students for work related matters. The private phone numbers of S3 Program staff are kept in an internal LCC directory that is only accessible to LCC staff and is not publicly available.
- L. Because of Ms. Vurek's position as a Developmental Disability Specialist, when contacting Patricia Robinson on her personal phone number on May 30, 2025, Ms. Vurek used the confidential information of LCC staff resulting in a personal gain. By doing so, Colin Vurek violated ORS 244.040(4).

- M. 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 the matter in a specific manner.
- N. As the Developmental Disability Specialist, Ms. Vurek's appointing authority is LCC's Dean of Workforce Development, Justin Chin. To disclose a conflict of interest, Ms. Vurek would need to submit a written notice of the nature of her conflict of interest to the Dean of Workforce Development and then follow the department's directives on how to proceed.
- O. The actions described in paragraphs 3(H) and 3(L), resulted in Colin Vurek being met with a conflict of interest. By failing to provide written notice to her appointing authority of the nature of her conflict of interest, Ms. Vurek violated ORS 244.120(1)(c).
- P. The actions described in paragraphs 3(E), 3(H), 3(L) and 3(O) constitute one violation of ORS 244.025(1), ORS 244.040(1) with one equivalent action, ORS 244.040(4) and ORS 244.120(1)(c).
- Q. 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 244.025(1), ORS 244.040(1) with one equivalent action, ORS 244.040(4) and ORS 244.120(1)(c).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On September 13, 2025, the Commission considered information in the preliminary review phase of Case No. 25-333EDP and acted to find cause to initiate an investigation of this matter. Colin Vurek 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(Q).
- C. Colin Vurek will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$3,000 in order to settle and compromise this matter.
- D. The civil penalty in paragraph 4(C), above, will be paid in installments of \$125 per month, beginning March 1, 2026, paid no later than the 15<sup>th</sup> of each month, until paid in full. If a payment becomes 10 days or more delinquent, the entire balance will be assigned to the Oregon Department of Revenue for collection.
- E. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Colin Vurek within the scope of the above-referenced proceedings.
- F. Colin Vurek 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, Colin Vurek 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, Colin Vurek 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:  
  
BD1C42F3CF4D4EA  
\_\_\_\_\_  
Respondent: Colin Vurek

January 22, 2026  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Shenoa Payne, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of )  
 )  
 ) **STIPULATED FINAL ORDER**  
 )  
Jamee Millard ) **CASE NO. 25-324EAM**  
 )  
 )  
\_\_\_\_\_ )

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 Jamee Millard.

2. JURISDICTION:

A. At all material times, Jamee Millard was the Acting District Forester, North Cascade District, for the Oregon Department of Forestry. As an employee of the State of Oregon, Jamee Millard was a public official as defined in ORS 244.020(15).

B. On September 12, 2025, the Commission considered information in the preliminary review phase of case #25-324EAM and acted to find cause to open an investigation of this matter.

3. APPLICABLE LAW:

A. ORS 244.040(1) prohibits a public official from using or attempting to use their official position or office to obtain financial gain or avoid financial

detriment for the public official, their relatives, members of their household, or any business with which the public official, their relatives, or members of their household are associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office.

- B. ORS 244.040(2)(a) provides certain exceptions to this provision, one of which is if the financial gain or avoidance of financial detriment is part of the public official's official compensation package as determined by the public body that the public official serves.
- C. OAR 199-008-0005 defines official compensation package as the wages and other benefits provided to the public official. The wages and benefits must be in writing and have been specifically approved by the public body in a formal manner, such as through a contract or personnel policy.
- D. At the time relevant to this review, ORS 244.020(1) and (13) define actual and potential conflicts of interest, respectively. A conflict of interest is any action or decision or any recommendation by a public official, the effect of which would be (actual conflict of interest) or could be (potential conflict of interest) to the private pecuniary benefit or detriment of the public official, their relative or any business with which either the public official or their relative is associated.
- E. When an appointed official is faced with a conflict of interest, they are required to notify their appointing authority in writing of the nature of the conflict of interest and request that the appointing authority dispose of the matter giving rise to the conflict. [ORS 244.120(1)(c)].

#### 4. STIPULATED FACTS

- A. On March 6, 2025, the Secretary of State's State Government Accountability hotline received a complaint that Jamee Millard was using a state vehicle to commute from their residence to their worksite.
- C. The Oregon Department of Forestry conducted an investigation and confirmed that Jamee Millard used a state vehicle to commute from her home in Sweet Home to her office in Stayton. The investigation further confirmed that Jamee Millard was not approved to use the state vehicle for her personal commute.
- D. The improper use of the State vehicle occurred between February 27, 2025 through March 28, 2025 and that a round trip between the Stayton Office and Jamee Millard's home in Sweet Homes was a total of 70 miles per day.
- E. The Oregon Accounting Manual's Private Vehicle Milage Reimbursement Rate for calendar year 2025 was \$0.70 per mile. Using that rate to calculate the cost of fuel and wear on the vehicle, by using the State vehicle to commute rather than his personal vehicle, Jamee Millard avoided a financial detriment of approximately \$1,062.00.
- F. Jamee Millard acknowledged the improper use of the State vehicle during course of OGEC's investigation as well as during the Commission meeting on September 12, 2025.

5. CONCLUSION/VIOLATION

- A. The actions described in paragraphs 4(D) constitutes one violation of ORS 244.040 and one violation of ORS 244.120(c), with 23 equivalent violations.

- 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 244.040(1) and one violation of ORS 244.040, with 23 equivalent violations.

6. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. Jamee Millard 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), Jamee Millard will pay a civil penalty in the amount of \$1,000 in order to settle and compromise this matter.
- C. The civil penalty in paragraph 6(B) will be paid in installments of \$250 per month, beginning on March 1, 2026. Each payment will be due on the first of the month until the penalty is paid in full. All payments will be interest free. If a payment becomes 10 days or more delinquent, the entire balance will be assigned to the Oregon Department of Revenue for collection.
- D. Jamee Millard releases, settles and compromises any and all claims, allegations and charges which have been asserted by the Commission in the above-referenced case against Jamee Millard.
- E. Jamee Millard 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, Jamee Millard 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, Jamee Millard 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: Jamee Millard

January 27, 2026  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Shenoa Payne, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

Removed from Agenda

# OREGON GOVERNMENT ETHICS COMMISSION

## INVESTIGATION

**CASE NO:** 25-465EJS  
**DATE:** January 14, 2026  
**RESPONDENT:** NULTON, Karl, Board of Directors, Three Sisters Irrigation District  
**COMPLAINANT:** NETTER, Ted  
**RECOMMENDED ACTION:** Move to Dismiss

1 **SYNOPSIS:** Karl Nulton is the Vice President on the Board of Directors (Board) for the  
2 Three Sisters Irrigation District (TSID). The complaint in this matter alleged that Karl  
3 Nulton violated the prohibited use of office statute by using his official position on the  
4 Board to receive water otherwise not permitted by his water rights as a property owner.  
5 The complaint states that Karl Nulton owns property with junior water rights within the  
6 geographical area controlled by TSID, and he was required to shut off his water when  
7 water delivery dropped below 100% for all TSID water users on July 28, 2025. The  
8 complaint alleges that Karl Nulton told Jim Williams, the Water and Hydro Manager for  
9 TSID, that he would not be shutting off his water, and states that Karl Nulton may have  
10 used his position to continue using water after July 28, 2025 when he was ineligible for  
11 water delivery.

12  
13 On November 14, 2025, after considering the information in preliminary review, the  
14 Commission found cause to open an investigation. The focus of the investigation was to  
15 determine whether there was sufficient evidence to conclude that Karl Nulton used his  
16 position to obtain a personal financial benefit or to avoid a financial detriment, in violation  
17 of ORS 244.040(1) and ORS 244.120(2). Based on the information obtained in this  
18 investigation, Karl Nulton used TSID water for irrigation during the period of July 28,  
19 2025 through August 11, 2025; however, the evidence does not support a finding that he

1 used his position to obtain a personal financial benefit or avoid a financial detriment that  
2 would not have been otherwise available. Consequently, Karl Nulton was not met with a  
3 prohibited use of office or conflict of interest when he used TSID water to irrigate his  
4 property.

5

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

8

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

11

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

17 \* \* \* \* \*

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

23 \* \* \* \* \*

24

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

26 **prohibited actions.** (1) Except as provided in subsection (2) of this section, a public  
27 official may not use or attempt to use official position or office to obtain financial gain or  
28 avoidance of financial detriment for the public official, a relative or member of the  
29 household of the public official, or any business with which the public official or a relative  
30 or member of the household of the public official is associated, if the financial gain or  
31 avoidance of financial detriment would not otherwise be available but for the public  
32 official's holding of the official position or office. \* \* \*

1 **ORS 244.120 Methods of handling conflicts.** \* \* \* (2) An elected public official, other  
2 than a member of the Legislative Assembly, or an appointed public official serving on a  
3 board or commission, shall:

4 (a) When met with a potential conflict of interest, announce publicly the nature of  
5 the potential conflict prior to taking any action thereon in the capacity of a public  
6 official; or

7 (b) When met with an actual conflict of interest, announce publicly the nature of  
8 the actual conflict and:

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

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

16 (3) Nothing in subsection (1) or (2) of this section requires any public official to announce  
17 a conflict of interest more than once on the occasion which the matter out of which the  
18 conflict arises is discussed or debated.

19 (4) Nothing in this section authorizes a public official to vote if the official is otherwise  
20 prohibited from doing so.

21 \* \* \* \* \*

22  
23 **INVESTIGATION:** On August 6, 2025, the Oregon Government Ethics Commission  
24 (Commission) initiated a preliminary review based on information provided in a signed  
25 complaint from Ted Netter. According to the complaint, Karl Nulton owns property with  
26 junior water rights within the geographical area controlled by TSID. The complaint states  
27 that on July 28, 2025 water delivery dropped below 100% for all TSID water users. The  
28 complaint states that when water delivery drops below 100%, TSID ends water delivery  
29 for junior water users; however, Karl Nulton did not turn off his irrigation. The complaint  
30 further alleges that Karl Nulton told Jim Williams, the Water and Hydro Manager for  
31 TSID, that Karl Nulton would not be shutting off his water. The complaint states that on  
32 August 4, 2025, water delivery reached 70%; however, it states that Karl Nulton still had

1 not turned off his irrigation. Ted Netter alleges that Karl Nulton used his position as Vice  
2 President on the Board for TSID to receive water otherwise not permitted by his water  
3 rights as a property owner. (#PR1).

4  
5 At the Commission's November 14, 2025 meeting, the Commission considered the  
6 information presented in the preliminary review report and found cause to open an  
7 investigation. The focus of the investigation was to determine whether there was  
8 sufficient evidence to indicate that Karl Nulton violated ORS 244.040(1) or ORS  
9 244.120(2)(a). Specifically, the investigation focused on whether Karl Nulton used or  
10 attempted to use his official position to avoid a financial detriment and whether he was  
11 faced with a conflict of interest that required disclosure.

12  
13 Three Sisters Irrigation District

14 The Three Sisters Irrigation District provides irrigation water to the 7,572 acres of  
15 certified water rights attached to land owned by farming and ranching interests located  
16 within the Cascade foothills. Three Sisters Irrigation District is a quasi-governmental  
17 corporation, a political subdivision of the State of Oregon, duly organized and operated  
18 under Oregon law governing irrigation and other special districts. (#PR2).

19  
20 Response

21 On August 21, 2025, Karl Nulton provided a written response to the complaint. In the  
22 response, Karl Nulton confirms that he is the owner of the property mentioned in the  
23 complaint, 17285 Jordan Road, Sisters, Oregon 97759, and he states that he is a junior  
24 irrigation water rights holder for the same property. The response states that on July 14,  
25 2025, Karl Nulton purchased and applied 2,100 pounds of fertilizer to his property, and  
26 on July 21, 2025, he received an email from TSID providing a schedule of water  
27 availability and delivery for all irrigation right holders. Karl Nulton states that he was out  
28 of the area from July 27th through August 4th, during which time his irrigation system  
29 was scheduled to operate automatically. He states that the system cannot be turned off  
30 or adjusted remotely. (#PR3).

31 ///

32 ///

1 The response states that on July 28, 2025, TSID announced that water delivery was  
2 reduced to 80%, and that junior water had ended. Karl Nulton states that when he saw  
3 the announcement, he called Jim Williams to let him know that he was out of town, he  
4 needed to continue to irrigate because he had just fertilized his field, and he could not  
5 come back to turn off his water. Karl Nulton states that on August 5th, he received an  
6 email from TSID announcing that water delivery was at 70% and “if junior water was  
7 used, there would be a penalty charged.” Karl Nulton states that he called TSID  
8 Financial Administrative Manager Emilia Ellington and told her that he needed to  
9 continue irrigating, and he informed her that he would pay the penalty charge. Karl  
10 Nulton states that it was important to continue irrigating to dissipate the fertilizer he had  
11 applied to his field. The response states that on August 11, 2025, well water was made  
12 available to designated properties in the district for supplemental water irrigation. Karl  
13 Nulton states that he continued to water as permitted by TSID. Karl Nulton states that  
14 he does not stand to benefit from irrigating his field, as he gives the harvested hay to his  
15 neighbor’s equestrian operation each year. (#PR3).

16

#### 17 Emilia Ellington Email

18 On August 22, 2025, Commission staff received an email from Emilia Ellington,  
19 Financial Administrative Manager for TSID, stating that she recalled a phone  
20 conversation with Karl Nulton on August 5, 2025. She states that during the  
21 conversation, she was not instructed to allow Karl Nulton to continue using water. She  
22 states, “He did mention paying a penalty charge due to being out of town when junior  
23 rights ended.” Emilia Ellington also states that Karl Nulton has supplemental well water  
24 irrigation rights he acquired when he purchased his property. (#PR4).

25

#### 26 Jim Williams Phone Call

27 On August 25, 2025, Commission staff spoke with Jim Williams, Water and Hydro  
28 Manager for TSID. Jim Williams stated that when junior water delivery ended on July  
29 28, 2025, Karl Nulton called him stating that he was out of town and he could not return  
30 to shut his water off. Jim Williams stated that Karl Nulton’s water should have been off  
31 from July 28, 2025 through August 11, 2025; however, he continued to irrigate his  
32 property. Jim Williams explained that he typically gives landowners several days as a

1 “grace period” for irrigation systems that should not be operating, and he stated that  
2 TSID rarely issues penalties for unauthorized irrigation. (#PR5).

3  
4 During his phone conversation with Commission staff, Jim Williams appeared to indicate  
5 that he had been involved in shutting off Karl Nulton’s water in 2024, and that Karl  
6 Nulton had subsequently mentioned on several occasions that he did not want his water  
7 shut off again. Jim Williams also appeared to indicate that, on July 28, 2025, Karl Nulton  
8 told him not to shut off the irrigation water for his property. Jim Williams stated that, as a  
9 TSID employee, he is required to follow direction from the Board including Vice  
10 President Karl Nulton. (#PR5).

11  
12 Karl Nulton Statement

13 In response to the preliminary review report for this case, Karl Nulton provided a written  
14 statement for the Commission to consider at its November 14th meeting. (#IR1, #IR2).  
15 In his statement, Karl Nulton states, “as to the use of irrigation district water for my  
16 junior water rights for the dates of July 29 thru August 4, I plead guilty.” He states that  
17 when he was notified that water delivery had ended, he contacted Jim Williams and  
18 indicated that he needed to continue irrigating, and he expected well water to soon  
19 become available. He states that when he spoke to Jim Williams, “there was no mention  
20 of shut off at that time.” (#IR2).

21  
22 Karl Nulton states that between August 5, 2025 and August 11, 2025, he irrigated as  
23 allowed based on the TSID email on August 5th placing a penalty charge for junior  
24 water rights holders who continue to use water. He states that he contacted Emilia  
25 Ellington to let her know that he would continue to irrigate and pay the penalty charge.  
26 (#IR2).

27  
28 In his statement, Karl Nulton also clarified that Jim Williams did not turn off his irrigation  
29 water in 2024. Rather, Karl Nulton states that he turned off his own irrigation water to  
30 comply with the directed requirements. (#IR2).

31 ///  
32 ///

1 In his statement, Karl Nulton acknowledges that he used unallocated irrigation water for  
2 several days, but he denies that he directed Jim Williams to keep his water on, and he  
3 denies that he used his position on the Board to obtain the water for irrigation. (#IR2).

4  
5 Jim Williams Statement

6 On November 26, 2025, Jim Williams provided Commission staff with a written  
7 statement, clarifying and correcting “possible misunderstandings” from his August 25th  
8 phone call with Commission staff. In his statement, Jim Williams states that “Karl Nulton  
9 did not tell me to not shut off his water.” He states that, in his sixteen plus years of  
10 working for TSID, the only occasions he remembered turning a farmer’s water off was  
11 when there was a potential for a pond or ditch to overflow and escape their boundaries.  
12 He states that, in the case of junior water rights holders, he typically allows a grace  
13 period of approximately one week before telling them to completely turn their water off.  
14 (#IR3).

15  
16 Jim Williams states that on July 28, 2025, TSID water delivery was reduced to 80%. He  
17 states that Karl Nulton called and informed him that he was out of town, he had recently  
18 fertilized, and he needed to continue using water to fully disperse it. He states that Karl  
19 Nulton was one of two water users that called to discuss the water shut down. He states  
20 that, on August 5, 2025, water delivery was reduced to 70%, and TSID sent an email  
21 stating, “if any junior water is used there will be a penalty charge.” Jim Williams recalls  
22 Karl Nulton calling Emilia Ellington indicating that he would continue to use water and  
23 pay the penalty charge. (#IR3).

24  
25 Jim Williams states that when junior water was reduced to “no usage” on July 28th,  
26 there were approximately eight to ten farmers that did not promptly turn their water off,  
27 and “most others” may have also remained on for a period of time. Jim Williams states  
28 that on August 11th, supplemental well water became available for some water users,  
29 including Karl Nulton. He states that well water would have typically become available  
30 on August 5th, but in 2025, due to an electrical demand cost, it was delayed until  
31 August 11th. Jim Williams states that Karl Nulton used TSID water for irrigation from  
32 July 28th through August 11th; however, the only dates he was ineligible to use water

1 was July 28th through August 4th. Jim Williams emphasized that Karl Nulton “never  
2 directed me to do or not do anything” and that Karl Nulton had agreed to pay the penalty  
3 charge for continuing to irrigate. (#IR3).

#### 4 5 Karl Nulton Phone Call

6 On November 26, 2025, several hours after Jim Williams emailed his written statement,  
7 Karl Nulton called Commission staff asking if the Commission had received any new  
8 information related to his case, and whether there were any updates. Commission staff  
9 informed Karl Nulton that Jim Williams had, in fact, provided a written statement that  
10 same day. (#IR4).

#### 11 12 TSID Billing

13 On January 6, 2026, TSID issued invoice number 24R-5917 to Karl and Patricia Nulton.  
14 The invoice billed a total of \$238.00 for 5.95 units of “well water delivery.” TSID  
15 Financial Administrative Manager Emilia Ellington informed Commission staff that the  
16 invoice includes penalty charges for well water used by Karl Nulton from August 5-11,  
17 2025. On January 12, 2026, TSID received payment from Karl Nulton for invoice  
18 number 24R-5917. (#IR5, #IR6).

19  
20 **CONCLUSIONS:** Karl Nulton was the Vice President on the Board of Directors for the  
21 Three Sisters Irrigation District during the period relative to this investigation. As such,  
22 he was a public official, as defined in ORS 244.020(15), and required to comply with  
23 Oregon Government Ethics Law.

#### 24 25 Prohibited Use of Office

26 Per ORS 244.040(1), Karl Nulton would be engaging in a prohibited use of office any  
27 time he used or attempted to use his position to obtain a financial gain or avoid a  
28 financial detriment, for himself, his relatives or household members, or for any business  
29 with which any of them are associated, and that financial gain or avoidance of detriment  
30 would not otherwise have been available but for Karl Nulton holding his position on the  
31 TSID Board.

32 ///

1 The complaint in this case alleges that Karl Nulton used his official position as Vice  
2 President of the TSID Board to obtain water for irrigation of his private property in  
3 Sisters, Oregon where he holds junior irrigation rights. On July 28, 2025, TSID  
4 announced that water delivery had reached 80% and junior water delivery had ended;  
5 however, Karl Nulton continued to irrigate his property. In his response to the complaint,  
6 dated August 21, 2025, Karl Nulton states that he needed to continue watering because  
7 he had recently fertilized his field, and he was unable to shut off his irrigation system  
8 while he was out of town. In his statement on November 13, 2025, Karl Nulton further  
9 acknowledges that he used unallocated irrigation water from July 29, 2025 through  
10 August 4, 2025.

11  
12 The information available during preliminary review indicated that when Karl Nulton was  
13 informed that junior water delivery had ended, he may have contacted Jim Williams,  
14 TSID Water and Hydro Manager, to ensure that his water delivery would continue. In  
15 investigation, Commission staff received additional information from Jim Williams  
16 clarifying that Karl Nulton did not direct him to leave his irrigation water turned on. Jim  
17 Williams explained that he typically allows a grace period of approximately one week  
18 before telling junior water rights holders to completely turn their water off. TSID staff  
19 indicated that junior water rights holders who continued to use TSID water from August  
20 5, 2025 through August 11, 2025 would be required to pay a penalty charge. Karl Nulton  
21 opted to pay the penalty charge to continue using irrigation water from August 5th  
22 through August 11th. On January 6, 2026, TSID billed Karl Nulton \$238.00 for the well  
23 water he used during this period. Karl Nulton paid the penalty charge on January 12,  
24 2026.

25  
26 Although it appears that Karl Nulton used TSID water not allocated for junior water  
27 rights holders from July 28, 2025 through August 4, 2025, the information in this  
28 investigation is insufficient to support a finding that Karl Nulton used his official position  
29 to direct TSID staff to keep his irrigation system from being shut off while he was  
30 ineligible for water delivery. When Karl Nulton received notifications that he was  
31 ineligible for water delivery, he informed TSID staff that he was out of town and that he  
32 could not turn off his irrigation system, but there is insufficient evidence to conclude that

1 Karl Nulton directed TSID staff to keep his water turned on. The information obtained in  
2 this investigation does not indicate that Karl Nulton used his official position as Vice  
3 President of the TSID Board to obtain a personal financial benefit or avoid a financial  
4 detriment that would not have been otherwise available, or that he violated ORS  
5 244.040(1).

6  
7 Conflict of Interest

8 A public official is met with a conflict of interest when they take any action or make any  
9 decision or recommendation in their official capacity which could or would result in a  
10 private financial benefit or detriment of the person, their relative, or a business with  
11 which they or their relative are associated. Based on the information reviewed during  
12 this investigation, there is not a preponderance of evidence to believe that Karl Nulton  
13 took any actions or made any decisions or recommendations in his official capacity  
14 which allowed him to continue irrigating his property with TSID water. Thus, Karl Nulton  
15 was not met with an actual or potential conflict of interest, and he was not required to  
16 publicly announce any conflicts of interest or abstain from participation in the matter  
17 pursuant to ORS 244.120(2).

18  
19 **RECOMMENDATIONS:** The Oregon Government Ethics Commission should find that  
20 there is not a preponderance of evidence in this case to establish that Karl Nulton  
21 violated ORS 244.040(1) and ORS 244.120(2) and should order that the case be  
22 dismissed. (Motion 7).

23 ///

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32 ///

1 **ASSOCIATED DOCUMENTS:**

- 2 #PR1 Original Complaint submitted 8/6/2025
- 3 #PR2 TSID Website accessed 8/21/2025
- 4 #PR3 Karl Nulton Response received 8/21/2025
- 5 #PR4 Email from Emilia Ellington on 8/22/2025
- 6 #PR5 Memo of Phone Call with Jim Williams on 8/25/2025
- 7 #IR1 25-465EJS Nulton Karl PR dated 10/2/2025
- 8 #IR2 Karl Nulton Statement dated 11/13/2025
- 9 #IR3 Jim Williams Statement received 11/26/2025
- 10 #IR4 Memo of Phone Call from Karl Nulton on 11/26/2025
- 11 #IR5 TSID Billing Karl Nulton on 1/6/2026
- 12 #IR6 Memo of Phone Call with Emilia Ellington on 1/2/2026

PREPARED BY *Joshua Sullivan* 1/14/2026  
Josh Sullivan Date  
Investigator

APPROVED BY *[Signature]* 1/23/26  
Casey Fenstermaker Date  
Compliance & Enforcement Coordinator

REVIEWED BY *Daniel Gilbert* 1/14/2026  
Daniel R. Gilbert Date  
Senior Assistant Attorney General



## MEMORANDUM

DATE: January 26, 2026

TO: Oregon Government Ethics Commission

FROM: Casey Fenstermaker, Compliance & Enforcement Coordinator *CF*

SUBJECT: Case No. 25-423PCF – Claire Hall  
Recommendation for Administrative Dismissal

Claire Hall served as a Commissioner on the Lincoln County Board of Commissioners. The Commission received a complaint against Claire Hall in July 2025 and moved Case No. 25-423PCF to investigation in December 2025. The investigation period has not ended and a stipulated final order has not been finalized as of the date of this memo.

Unfortunately, Claire Hall passed away. Commission staff confirmed that she is deceased. Case No. 25-423PCF must, therefore, be administratively dismissed.



# 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](mailto:mail@ogec.oregon.gov)

Website: [www.oregon.gov/ogec](http://www.oregon.gov/ogec)

January 26, 2026

Honorable Senator Janeen Sollman  
Oregon Legislative Assembly  
900 Court St. NE, S-207  
Salem, OR 97301

Sent via email

RE: Advice Number 26-0081

Dear Senator Sollman:

Thank you for reaching out to the Oregon Government Ethics Commission (Commission) with your inquiry about accepting grant-funded travel expenses for participation in a grant-related convening in Atlanta.

You have explained that Oregon was selected as one of four grantees to participate in the Jobs for the Future (JEFF) Fair Chance to Advance (FC2A) program. From the information provided, it appears that the Higher Education Coordination Commission (HECC) is the subgrant recipient, managing and coordinating the planning for grant implementation. As a member of a steering committee for Oregon, you have been invited to participate in the FC2A convening in Atlanta from March 16 to 18, 2026. The convening will include facilitated sessions, collaborative planning, and cross-state learning. State grantees are required to allocate funds from the grant to cover staff time and travel for the steering committee members. You have asked whether accepting paid travel expenses to attend the March Grantee Kickoff Convening in Atlanta would be permitted under the gift exception in ORS 244.020(7)(b)(F).

Under most circumstances when a public official is offered food, lodging and travel expenses at no cost or at a discount, it would be considered a gift as defined in ORS 244.020(7)(a), and subject to the gift limitations in ORS 244.025. There are exceptions, however, when a public official may accept certain items, such as paid travel expenses. One such exception is in ORS 244.020(7)(b)(F), which applies to reasonable expenses paid for a public official's attendance at a convention, fact-finding mission or trip, conference, or other meeting if the public official is scheduled to deliver a speech, make a presentation, participate on a panel, or represent state government, a local government or a special government body.

For the (F) exception to apply, the travel expenses must be for a fact-finding mission or trip, defined in the Administrative Rules as "any activity related to a cultural or educational purpose, or any activity aimed at providing intergovernmental assistance, such as for the purpose of international aid or sharing best practices, or developing intergovernmental relationships directly related to the public official's duties. The sponsor of a fact finding mission should be directly and immediately associated with the

event or location being visited.” [OAR 199-004-0001(2)]. In this case, the FC2A convening appears to have an educational purpose and is aimed at sharing best practices and developing intergovernmental relationships; therefore it would qualify as a fact-finding mission.

The (F) exception also requires that the expenses must be paid by the federal government, a state or local government, a Native American tribe that is recognized by federal law or formally acknowledged by a state, a membership organization to which a public body pays dues, or a non-profit 501(c)(3) corporation. In this case, HECC, an arm of state government, appears to be administering the grants and paying for the travel expenses from the allocated grant funds. The HECC qualifies as one of the entity types listed in the statute. Alternatively, the source of the grant funds that HECC is administering as a subgrantee appears to be JFF, which is a 501(c)(3) corporation. Therefore, it too would qualify as on the entities listed in the statute.

Based on the available information, the FC2A grant program convening in Atlanta appears to qualify as a fact-finding mission and you would be participating as a representative of state government. The source of the paid travel expenses would appear to be either the HECC or JFF; both are qualifying entities.

Therefore, it appears that all of the requirements would be met for the gift exception in ORS 244.020(7)(b)(F) to apply.

Finally, as you are required to file an Annual Verified Statement of Economic Interest (SEI), please note that ORS 244.060(5) requires SEI filers to identify all expenses with an aggregate value exceeding \$50 received during the preceding calendar year when participating in a convention, mission, trip or other meeting described in ORS 244.020(7)(b)(F). The source paying the travel expenses is required to provide you with written notice within 10 days of paying the expenses. [ORS 244.100]. That would mean that the paid travel expenses for the March trip would need to be reported the following year, on your 2027 SEI.

If you have any additional questions or need further clarification, please feel free to contact me directly.

Sincerely,



Casey Fenstermaker  
Compliance & Enforcement Coordinator

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics 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

Telephone: 503-378-5105

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Website: [www.oregon.gov/ogec](http://www.oregon.gov/ogec)

January 17, 2025

Sent via email

Honorable Representative Paul Evans  
Oregon Legislative Assembly  
900 Court St NE, H-471  
Salem, OR 97301

Re: Advice No. 26-0161

Dear Representative Evans,

Thank you for reaching out to the Oregon Government Ethics Commission (Commission) requesting advice regarding a consulting opportunity that you were offered.

In your request, you explain that you were approached by several former colleagues to serve as a consultant at their consulting LLC (the LLC). The LLC provides assistance to non-profit, private, and public organizations on Emergency Management Issues (education services, grants-writing guidance, support for exercises and similar supportive roles for clients). Your role would be to review strategies and make suggestions to the consulting firm (with no direct interaction with any clients, inside or outside the State of Oregon). You indicate that you would only participate in activities involving non-State of Oregon clients. You note that you held a similar role with another business prior to your election to the Oregon Legislature. You've asked for recommendations regarding this matter to endure that you follow both the letter and the spirit of the law.

### Prohibited Use of Office

ORS 244.040(1) prohibits a public official from using or attempting to use their position as public official to obtain a financial gain or avoid a financial detriment for themselves, their relatives, their household members, or any business with which any of them are associated, if that financial gain or avoidance of financial detriment would not otherwise be available but for the public official holding their position. This prohibition includes using or attempting to use one's official position to create or obtain private employment or a private income producing opportunity.

Public officials must consider the prohibitions in ORS 244.040 prior to accepting paid employment and while serving the dual roles of a public official and private employee.

In order to determine whether a public official can accept a paid employment opportunity, the public official must consider whether they used their public position to create or gain

the opportunity and whether the opportunity is available to them because they hold their public position.

With respect to the first part of the analysis, whether you used your public position to create or gain the opportunity, it would appear, based on the information provided, that you did not use your role as a public official to create the opportunity to consult at the LLC. Rather, it appears the LLC was created by former colleagues of yours and that it was not created by actions you took as a public official.

Regarding the second part of the analysis, whether the opportunity is available to you because you are a public official, you would have to consider relevant factors, including, but not limited to:

- How do you know your former colleagues? If you only know them from serving in the Oregon Legislature, then the analysis would weigh against being able to accept the position.
- Is the position being offered to you because you are serving as a legislator in the Oregon Legislative Assembly? If so, then to accept the position would be a prohibited use of office in violation of ORS 244.040(1).
- Was the position open to other people? Generally, when positions are competitively filled, there is less likelihood that accepting the position would result in a prohibited use of office.
- Is the position being offered to you because of your knowledge and experience? Based on your biography on your paulevans.org, it would appear that you have: served in the United States Military; served as the Mayor of the City of Monmouth; taught at Western Oregon University and Oregon State University; served in the Governor's Office in a senior policy position; been employed in the private sector; and served in the Oregon Legislative Assembly. You also indicated in your email that you held a similar position to the one being offered by the LLC before being elected to the Legislature.

Assuming that you were not offered the position because of your position as a public official, given all of your relevant experience, it is reasonable to conclude that the opportunity with the LLC would be available to you apart from your official position.

If you accept the consulting position with the LLC, you must maintain a clear distinction between your public position and your private employment. The following are the Commission guidelines for avoiding violating the prohibited use of office provisions while engaging in private employment as a public official:

- Public officials must not use their public position to create the opportunity for additional personal income.
- Public officials may not use a government entity's supplies, facilities, equipment, employees, records or any other public resources to engage in their private employment or business interests.

- Public officials are not to engage in private business interests or other employment activities on their government entity's time.
- Confidential information gained as a public official is not to be used to obtain a financial benefit for the public official, a relative or member of the public official's household, or a business with which any of those individuals are associated.

### Conflict of Interest

Government Ethics Law requires public officials to identify and declare conflicts of interest. A potential conflict of interest is defined as any action or decision or recommendation by a public official that *could be* to the private financial benefit or detriment of the public official, their relative, their household member or any business with which any of those individuals are associated. [ORS 244.020(13)]. An actual conflict of interest is defined as any action or decision or recommendation by a public official that would be to the private financial benefit of the public official, their relative their household member or any business with which any of those individuals are associated. [ORS 244.020(1)].

As a member of the Legislative Assembly, you are required to publicly announce the nature of the conflict of interest before taking any action on a matter as a public official. The way in which you are required to declare a conflict of interest is determined by the rules of house of which you are a member.

If legislation is proposed that either could or would have a financial impact on the LLC, you may be required to declare a conflict of interest consistent with the rules of the House of Representatives.

### Statement of Economic Interest

As you correctly noted in your request for advice, it is possible that you would be required to disclose your income from the LLC on your Statement of Economic Interest (SEI). There are a couple of places where it may need to be reported.

ORS 244.060(3) requires SEI filers to disclose the names, principal addresses and brief descriptions of sources of income received during the preceding calendar year by the public official or a member of their household that produce 10 percent or more of the total annual household income. The information required by ORS 244.060(3) should be disclosed in question 2 of the SEI form.

ORS 244.060(8) requires that SEI filers disclose the name, principal address and brief description of each source of income exceeding an aggregate amount of \$1,000, whether or not taxable, received by the public official or a member of their household during the preceding calendar year, if that source of income is derived from an individual or business

that has a legislative or administrative interest or that has been doing business, does business or could reasonably be expected to do business with the government entity of which the public official holds an official position or over which the public official exercises any authority. The information required by ORS 244.060(8) should be disclosed in question 7 of the SEI form.

The Commission's website includes resources for individuals who are required to file a SEI. The [Statements of Economic Interest](#) webpage offers answers to common questions about SEIs and provides an explanation of the information that is required to be disclosed in each question. Additionally, each year, prior to March 15, the Commission updates its [SEI Filers Guide](#) which provides guidance on establishing and managing your Electronic Filing System (EFS) account as well as guidance on filing your SEI. The Commission offers SEI filer trainings and video tutorials on its [SEI Filing Resources](#) webpage. And finally, Commission staff are available by phone or email to address questions you may have. You can reach our staff by calling (503) 378-5105 or [mail@ogec.oregon.gov](mailto:mail@ogec.oregon.gov).

If you have any additional questions, please feel free to contact me directly.

Sincerely,



Casey Fenstermaker  
Compliance & Enforcement Coordinator

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics 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.

# OGEC Training Report

## February Commission Meeting Facilitators

- **Room/Online Facilitator: Chris**
- **Participation Facilitator: Ruth**
- **Facilitation Lead/Media Contact: Stephanie**

## Trainings Completed (December 30, 2025 – January 26, 2026)

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	Secretary of State- Records Officers	Online
ORS 244	Columbia Gorge Education Service District	Online
ORS 192	State Boards & Commissions	Online
ORS 192	Lane County Community College (Blue River Water District)	Lane County
ORS 244	Jefferson County	Online

## OGEC Webinars (December 30, 2025 – January 26, 2026)

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.

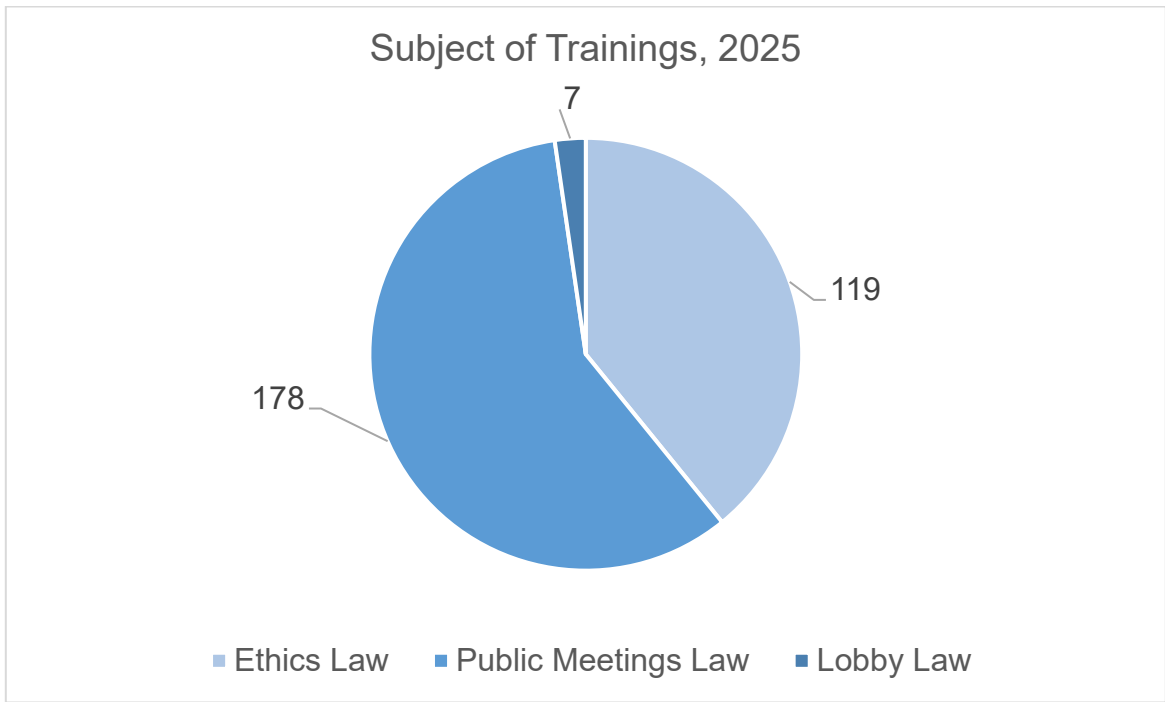
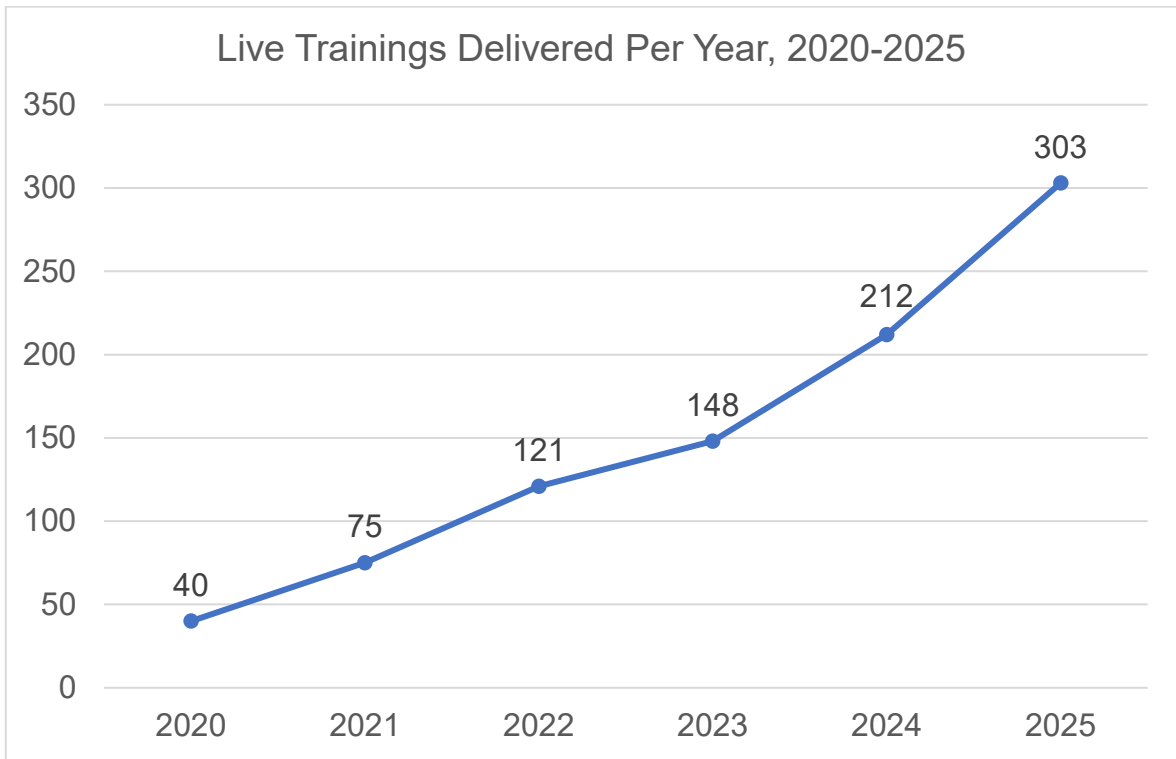
Area of Law	Webinar Topic	December	January
ORS 244	New Employee		1 Session
ORS 244	New Councilor or Commissioner		1 Session
ORS 244	Use of Office/Conflicts of Interest		1 Session
ORS 244	Gifts		
ORS 192	Public Meetings Law	1 Session	4 Sessions
ORS 192	Executive Sessions		1 Session
ORS 171	Lobby Law		1 Session

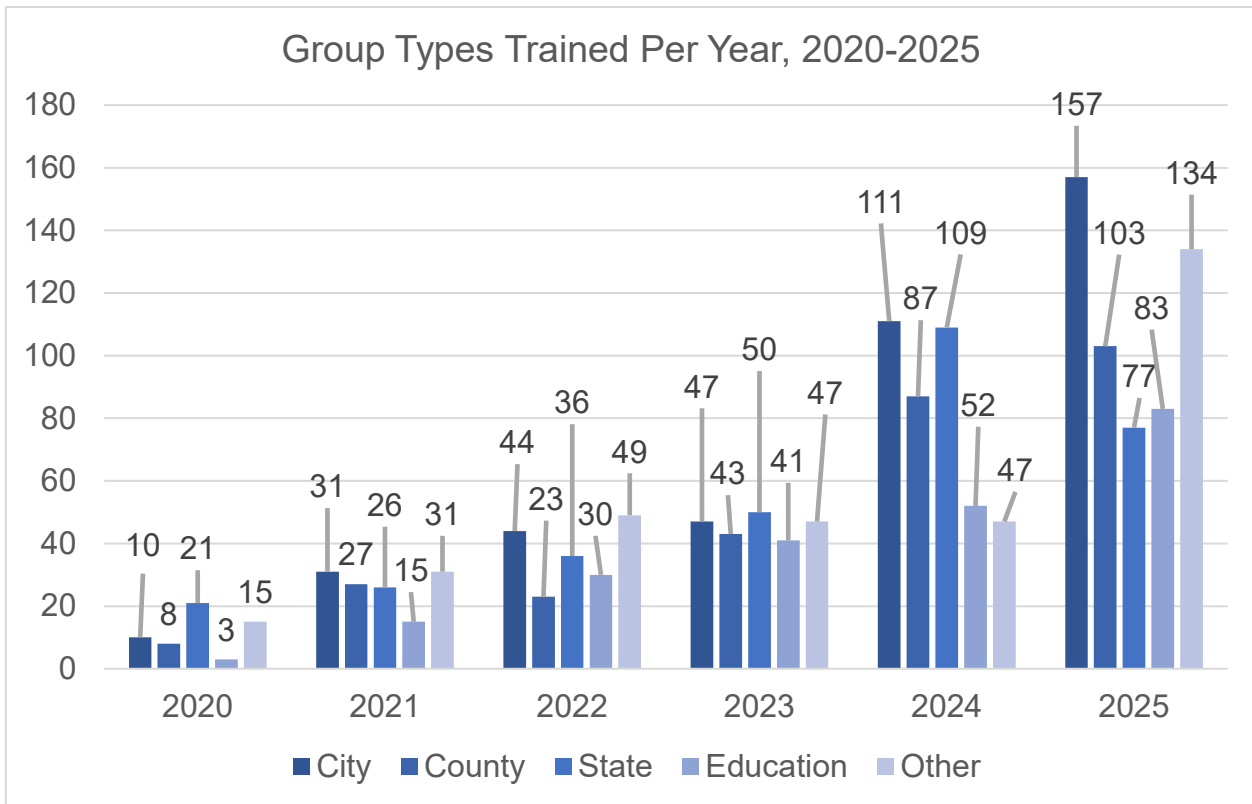
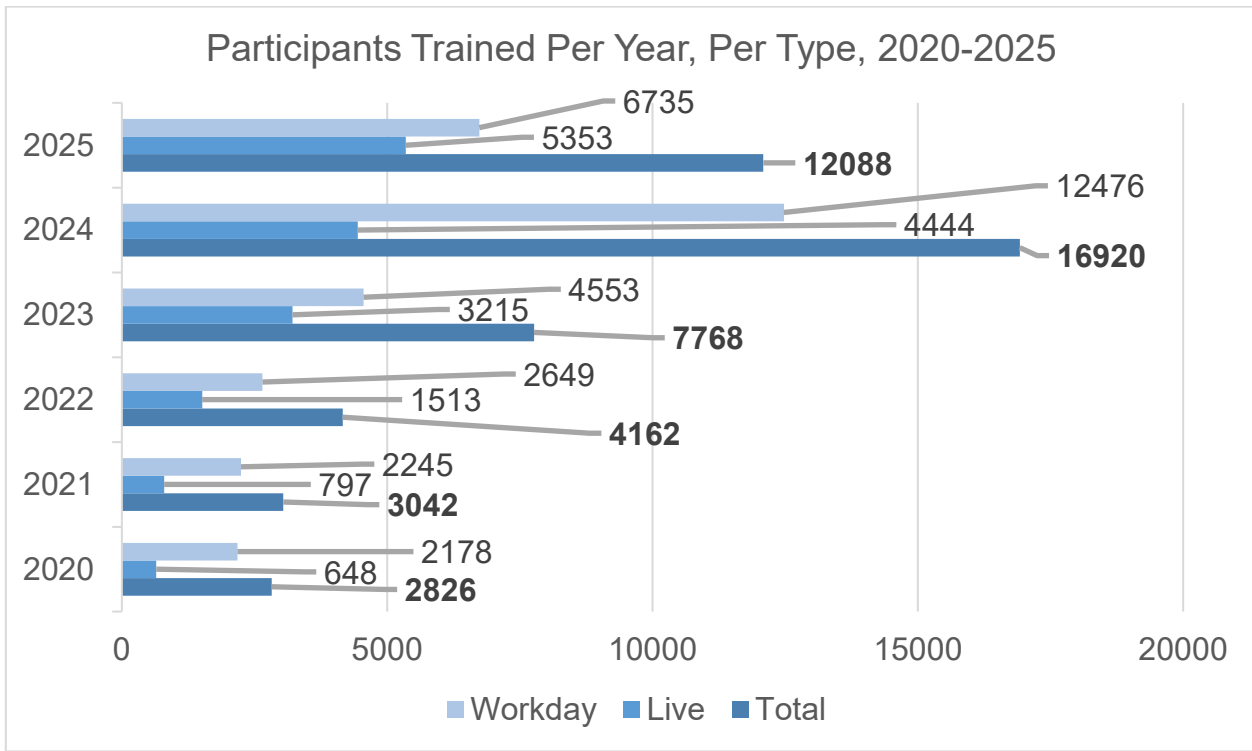
## 2025 Training Data

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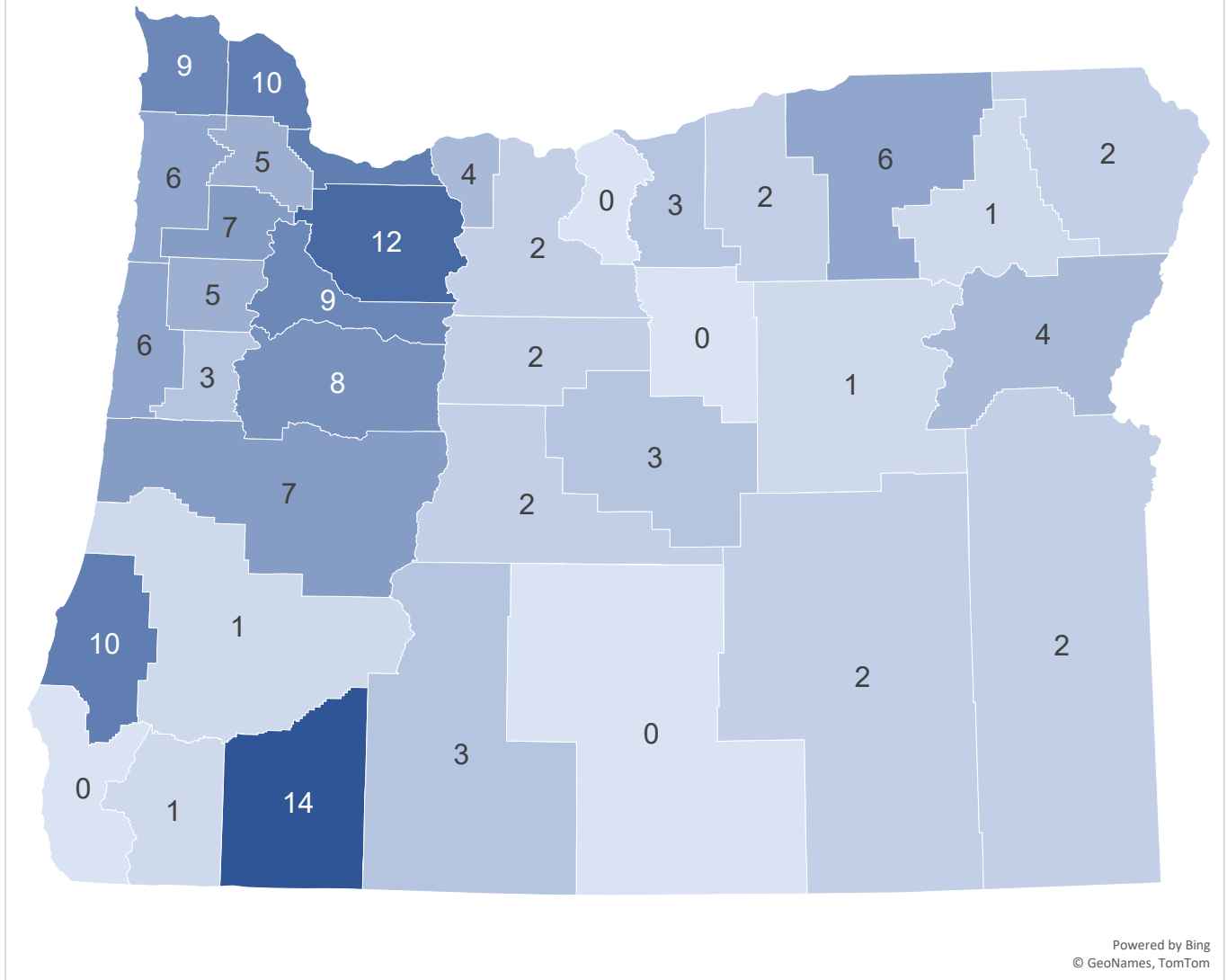
### Overview of trends:

- We saw an increase in live trainings, with nearly 100 more trainings in 2025.
  - We will likely not see much more of an increase in 2026 as 350 or so is the estimated highest number of trainings our team can run while performing all its duties.
- Out of the 303 trainings:
  - 178 were Public Meetings Law
  - 119 were Ethics Law
  - 7 were Lobby Law
  - (one training was given on Public Meetings and Ethics Law updates, hence the total of the breakdown equaling 304)
- We saw a leap in live participants, with nearly 1000 more participants at live trainings.
  - Our Workday numbers were down from last year, likely because the Ethics training became required in 2024 and many current positions had to take it to satisfy the Workday requirement. We'll have a more accurate idea of future Workday trends based on 2025 and 2026 numbers.
- We saw an overall increase in types of groups trained.
  - There was a large influx in City and Other groups and slight decrease in State groups.
- We trained groups across the state, with the most customized trainings occurring in:
  - 1 – Jackson County
  - 2 – Clackamas County
  - 3 – Columbia, Coos, & Multnomah Counties





## Customized Trainings By County, 2025



## Training Highlights

### Training Presentations

- Our team gave Public Meetings Law trainings to a few groups:
  - Stephanie presented to the Secretary of State Records Officers
  - Ruth and Lex presented to a variety of State Boards & Commissions
  - Ruth presented to Lane County public officials at the Community College
- Chris presented Ethics Law trainings to the Columbia Gorge Education Service District and Jefferson County Planning Commission

### Jurisdictional Contact & Statement of Economic Interest Updates

- The Jurisdictional Contact (JC) Guide and Statement of Economic Interest (SEI) Guide are updated for 2026.
  - Both are available on our website and will be shared in upcoming bulletins.
- 2026 JC and SEI Filer trainings have been updated and are scheduled and available on our website.
  - JC trainings have already begun to help assist JCs with their February 15<sup>th</sup> deadline.

### **Communications**

- Molly sent out our last reminder bulletin for the 2025 Customer Service Survey. A copy is included following the training report.

### **On-Demand Training Updates**

- Stephanie is working on updating the on-demand Ethics Law training that is available via Workday. It will be available after the Guide for Public Officials has been updated.
- Lex is working on her professional development course, which includes creating an on-demand course for Lobby Law.
- The Public Meetings Law on-demand training is on hold until after the 2026 Legislative Session.

### **Staffing**

- We are in the final stages of the hiring process of a new trainer. We look forward to introducing them to you soon!

## **Training Staff**

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### **Trainers**

Chris Brubaker	503-378-2059	<a href="mailto:chris.brubaker@ogec.oregon.gov">chris.brubaker@ogec.oregon.gov</a>
Lex Tingey	503-378-2245	<a href="mailto:lex.tingey@ogec.oregon.gov">lex.tingey@ogec.oregon.gov</a>
Ruth Sylvester	503-378-2060	<a href="mailto:ruth.sylvester@ogec.oregon.gov">ruth.sylvester@ogec.oregon.gov</a>

### **Administrative Support**

Molly Putnam	503-378-5108	<a href="mailto:training@ogec.oregon.gov">training@ogec.oregon.gov</a>
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### **Curriculum and Training Coordinator**

Stephanie Heffner	503-378-6802	<a href="mailto:stephanie.heffner@ogec.oregon.gov">stephanie.heffner@ogec.oregon.gov</a>
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January 23, 2026

## 2025 Customer Service Satisfaction Survey

The Oregon Government Ethics Commission (OGEC) is concluding its 2025 annual customer service satisfaction survey, and we want to hear from you directly! The survey takes about five minutes to complete, and responses can be submitted anonymously.

If you have already taken OGEC's 2025 survey, we appreciate your feedback. You do not need to take the survey again unless there is additional information you wish to provide.

The deadline to complete the survey is: **JANUARY 31, 2026.**

[Take The Survey](#)

**You are receiving this survey because, during 2025, you:**

- Filed a lobbyist expenditure report or an SEI report
- Attended an OGEC training
- Requested advice
- Were party to an investigation
- Signed up to receive updates on this topic



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Thank you for taking a few minutes of your time to share your thoughts and help OGEC serve the people of Oregon! OGEC has updated the way we ask for feedback. We reach out throughout the year and at year end to collect your feedback in a more timely manner.

**EXECUTIVE DIRECTOR'S REPORT**  
**01/26/2026**

**Commission Updates**

- The Commission currently has a vacancy for the position appointed by the Governor. I have reached out to the Governor's office to see when they might be nominating a new Commissioner for that position. We do not have a candidate for the February confirmation dates. I will continue to update the Commission.

**Investigator/Trainer Recruitments**

- The recruitment process for the open investigator position has wrapped up. Silas Patterson will be starting on January 28, 2026. He will be joining us at the February Commission Meeting.
- The recruitment for the trainer position is proceeding. In-person and final interviews are happening this week. We hope to have a final candidate by the end of the week and to conduct background and reference checks soon.

**Legislative Work Group**

- The work of the legislative work group has continued to work on language. Those matters for which we have consensus will be presented in legislative bills during the 2026 short session. For those matters where the work group has not reached consensus, individual legislators may propose language. Commission staff will work with the Governor's Office regarding the agency's positions on any proposed bills.
- Language includes updates to the food and beverage concerns that arose in 2025 in ORS 244 and updates to Public Meetings Law. I will go into more detail during the meeting around language, for those that are interested.
- Legislators may propose alternative language during the short session and the long session. We will use Bill Tracker to monitor any proposed bills.
- We are very grateful for the willingness of our Department of Justice Counsel, Dan and Sean, to assist our staff, especially with short turnaround times.

**Public Officials' Guide**

- Updates are statutorily required every 4 years. Our staff has been working on updates, but due to proposed legislative changes and staffing issues, the updates were not available in 2025. We expect to have a draft for the Commission at the March meeting.

**2027-2029 Budget Cycle (2027 Legislative Session)**

- We are already preparing for the 2027-29 budget cycle and 2027 Legislative Session. We are working with our legislative and fiscal analysts to consider our Policy Option Packages (POPs).