

OREGON GOVERNMENT ETHICS COMMISSION
MEETING MINUTES
June 29, 2018
9:00 a.m.

(:01)

Chair Alison Kean called the meeting to order at 9:02 a.m. The meeting was held in the 2nd Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE Salem, Oregon. Other Commissioners present were Richard Burke, Charles Starr, Dan Golden, Daniel Mason, David Fiskum, Kamala Shugar, Sean O'Day, and Karly Edwards. Commissioner Nathan Sosa was excused from attendance. Staff present were OGE Council Amy Alpaugh, Executive Director Ron Bersin, Program Manager Virginia Lutz, Compliance and Education Coordinator Diane Gould, Investigator Michael Thornicroft, Investigator Hayley Weedn, Trainer Tammy Hedrick and Administrative Specialist Kathy Daniel.

(:30)

AGENDA ITEM 1, Comments from the Chair. Kean welcomes new commissioners Sean O'Day and Karly Edwards.

(1:00)

AGENDA ITEM 2, Approval of the minutes of the May 11, 2018 Commission meeting. Starr moved for approval of the minutes of the May 11, 2018 Commission meeting. Group vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

CONSENT CALENDAR

(1:20)

Burke moved for the approval of the Consent Calendar items 3-73 and the staff recommendation on each as follows:

Statement of Economic Interest Penalty Correspondence

AGENDA ITEM 3, Lance Colley, 2018 SEI, Letter of Education

AGENDA ITEM 4, Steven Maniaci, 2018 SEI, Letter of Education

AGENDA ITEM 5, Frank Comer, 2018 SEI, Letter of Education

AGENDA ITEM 6, Sloan Nelson, 2018 SEI, Letter of Education

AGENDA ITEM 7, Phil Ruder, 2018 SEI, Letter of Education

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AGENDA ITEM 8, Michael Smith, 2018 SEI, Letter of Education

AGENDA ITEM 9, Rick Dart, 2018 SEI, Letter of Education

AGENDA ITEM 10, Dana Kurtz, 2018 SEI, Letter of Education

AGENDA ITEM 11, Moses Frederic, 2018 SEI, Letter of Education

AGENDA ITEM 12, Mark Cobb, 2018 SEI, Letter of Education

AGENDA ITEM 13, Court Boice, 2018 SEI, Letter of Education

AGENDA ITEM 14, Dawn Kahrs, 2018 SEI, Letter of Education

AGENDA ITEM 15, Corrine Wilfong, 2018 SEI, Letter of Education

AGENDA ITEM 16, Tim Shea, 2018 SEI, Letter of Education

AGENDA ITEM 17, Hank Johnson, 2018 SEI, Letter of Education

AGENDA ITEM 18, Kenneth Smith, 2018 SEI, Letter of Education

AGENDA ITEM 19, Anna Sperling, 2018 SEI, Letter of Education

AGENDA ITEM 20, Paul Castilleja, 2018 SEI, Letter of Education

AGENDA ITEM 21, David Ebbert, 2018 SEI, Letter of Education

AGENDA ITEM 22, Roger Hall, 2018 SEI, Letter of Education

AGENDA ITEM 23, Robert Pascalar, 2018 SEI, Letter of Education

AGENDA ITEM 24, John Engels, 2018 SEI, Letter of Education

AGENDA ITEM 25, Debbie Lumb, 2018 SEI, Letter of Education

AGENDA ITEM 26, Joel Heller, 2018 SEI, Letter of Education

AGENDA ITEM 27, Steve Callaway, 2018 SEI, Letter of Education

AGENDA ITEM 28, Christine Lundberg, 2018 SEI, Letter of Education

AGENDA ITEM 29, Brian Thompson, 2018 SEI, Letter of Education

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AGENDA ITEM 30, Roak TenEyck, 2018 SEI, Letter of Education

AGENDA ITEM 31, Holly Harden, 2018 SEI, Letter of Education

AGENDA ITEM 32, Ellen Bandelow, 2018 SEI, Letter of Education

AGENDA ITEM 33, Charles Pavlik, 2018 SEI, Letter of Education

AGENDA ITEM 34, Frank Arms, 2018 SEI, Letter of Education

AGENDA ITEM 35, Shirley Stevens, 2018 SEI, Letter of Education

AGENDA ITEM 36, Liz Appelman, 2018 SEI, Letter of Education

AGENDA ITEM 37, Sara Charlton, 2018 SEI, Letter of Education

AGENDA ITEM 38, Bruce St. Denis, 2018 SEI, Letter of Education

AGENDA ITEM 39, Tom Calvanese, 2018 SEI, Letter of Education

AGENDA ITEM 40, Jeremy Bench, 2018 SEI, Letter of Education

AGENDA ITEM 41, Kayse Jama, 2018 SEI, Letter of Education

AGENDA ITEM 42, Douglas Smith, 2018 SEI, Letter of Education

AGENDA ITEM 43, Diane Wetherell, 2018 SEI, Letter of Education

AGENDA ITEM 44, Carl Zerfing, 2018 SEI, Letter of Education

AGENDA ITEM 45, Rebecca Berry, 2018 SEI, Letter of Education

AGENDA ITEM 46, Kathy Warren, 2018 SEI, Letter of Education

AGENDA ITEM 47, Stephanie Sheridan, 2018 SEI, Letter of Education

AGENDA ITEM 48, Jeffrey Rost, 2018 SEI, Letter of Education

AGENDA ITEM 49, Christine Surina, 2018 SEI, Letter of Education

AGENDA ITEM 50, Troy Inman, 2018 SEI, Letter of Education

AGENDA ITEM 51, Roland Iparraguirre, 2018 SEI, Letter of Education

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AGENDA ITEM 52, Forrest Stone, 2018 SEI, Letter of Education

AGENDA ITEM 53, Suzanne McCarthy, 2018 SEI, Letter of Education

AGENDA ITEM 54, Ronald Palmer, 2018 SEI, Letter of Education

AGENDA ITEM 55, Sue Oliver, 2018 SEI, Letter of Education

AGENDA ITEM 56, Paula Otzenberger, 2018 SEI, Letter of Education

AGENDA ITEM 57, Marilyn Morton, 2018 SEI, Letter of Education

AGENDA ITEM 58, Rhonda Allen, 2018 SEI, Letter of Education

AGENDA ITEM 59, Julie Bettles, 2018 SEI, Letter of Education

AGENDA ITEM 60, Shawn Sealey, 2018 SEI, Letter of Education

AGENDA ITEM 61, Matthew Lawyer, 2018 SEI, Letter of Education

AGENDA ITEM 62, Neil Pattee, 2018 SEI, Letter of Education

AGENDA ITEM 63, Gloria Ingle, 2018 SEI, Letter of Education

AGENDA ITEM 64, Rosalie Emerson, 2018 SEI, Letter of Education

AGENDA ITEM 65, Daria Land, 2018 SEI, Letter of Education

AGENDA ITEM 66, Hyatt Lytle, 2018 SEI, Letter of Education

AGENDA ITEM 67, Wayne Luzier, 2018 SEI, Letter of Education

AGENDA ITEM 68, Dawn Parm, 2018 SEI, Letter of Education

AGENDA ITEM 69, Carla McKelvey, 2018 SEI, Letter of Education

AGENDA ITEM 70, David Nelson, 2018 SEI, Letter of Education

AGENDA ITEM 71, Zachariah Dell, 2018 SEI, Letter of Education

AGENDA ITEM 72, John Luquette, 2018 SEI, Letter of Education

AGENDA ITEM 73, Jim Helmen, 2018 SEI, Letter of Education

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Group vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

End of Consent Calendar

Lobbyist Client Penalty Correspondence

(9:58)

AGENDA ITEM 74, Oregon Cannabis Business Council, Q4 2016, \$50; Q2 2017, \$20; Q4 2017, \$1,600. Recommendation: Q4 2016 Letter of Education; Q2 2017 \$20; Q4 \$320. Bersin reviewed the matter. Starr moved to accept staff recommendation of a Letter of Education for the late filing of the Q4, 2016; Q2 2017 no reduction \$20; Q4 2017 reduce to \$320 for the late filing of the Lobbyist Client Expenditure Reports. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

Statement of Economic Interest

(15:18)

AGENDA ITEM 75, Antone Minthorn, 2016, \$50; 2017, \$20; 2018, \$30.

Recommendation: No reduction. Burke moved to accept staff recommendation of no reduction for the late filing of the 2016, 2017, and 2018 SEIs. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(17:44)

AGENDA ITEM 76, Krista Peterson, 2018 \$80. One past violation and waiver. Recommendation: Reduce to \$50. Starr moved to accept staff recommendation to reduce late filing penalty to \$50. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(18:46)

AGENDA ITEM 77, Richard Davison, 2018 \$150. Past violation paid in full.

Recommendation: Letter of Education. Fiskum moved to accept staff recommendation of a Letter of Education for the late filing of the 2018 SEI. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(19:35)

AGENDA ITEM 78, Ruth Stole, 2018, \$210. One past violation and waiver.

Recommendation: Reduce to \$50. Starr moved to accept staff recommendation to reduce late filing penalty to \$50. Roll call vote was taken as follows: Burke, aye; Edwards, aye;

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Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(20:02)

AGENDA ITEM 79, Gaylor Hescok, 2017, \$20; 2018, \$260.

Recommendation: \$50 if paid timely with previous \$20 or no waiver. Burke moved to accept staff recommendation to reduce late filing penalty to \$50 if paid timely with the previous \$20 or no waiver. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(20:50)

AGENDA ITEM 80, Brandon Hammond, 2018 \$610. One past violation and waiver.

Recommendation: Reduce to \$100. Fiskum moved to accept staff recommendation to reduce late filing penalty to \$100. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(24:55)

AGENDA ITEM 81, Lisa Clement, 2017 \$1,880; 2018 \$1,160. Recommendation: 2017, Letter of Education, 2018 reduce to \$200. Burke moved to accept staff recommendation to issue a Letter of Education for 2017, and reduce 2018 late filing penalty to \$200. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(27:50)

AGENDA ITEM 82, Melinda McVey, 2018 \$1,210. One past violation and waiver.

Recommendation: None. Burke moved to issue a Letter of Education as the sanction for the late filing of 2018 SEI. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(30:02)

AGENDA ITEM 83, Carla Mikkelsen, 2017 \$4,780; 2018 \$1,510.

Recommendation: Waive all penalties due to JC error. Fiskum moved to issue No Sanction and accept staff recommendation to waive all late filing penalties. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(35:24)

AGENDA ITEM 84, Scott Miller, 2013, 2014, and 2017 SEI late filing penalties.

Recommendation: Stipulated Final Order. Commission discussed the matter and recommended that the agenda item be tabled until the next Commission meeting.

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(40:30)

AGENDA ITEM 85, Mace Cadwell, 2013, 2014, 2015, and 2016 SEI late filing penalties. Recommendation: Stipulated Final Order. Commission discussed the matter and recommended that the agenda item be tabled until the next Commission meeting.

SEI Stipulated Final Orders

(43:28)

AGENDA ITEM 86, 17-118SDG, Celia Claybourn, Planning Commissioner, City of Powers.

AGENDA ITEM 87, 17-051SMT, David Smith, Commissioner, Curry County.

Bersin summarized staff procedures for cases such as these. Claybourn and Smith did not address the Commission. The Commission discussed the matters. Commissioners asked for more information to be included in materials for consideration before closing cases. Shugar moved to issue a Letter of Education in the matters. The motion was amended. Fiskum moved to table these two items until the next Commission meeting and Burke amended to review alternative vehicle for closing cases. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, nay; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed 7 - 1.

REPORTS OF INVESTIGATIONS

(1:15:00)

AGENDA ITEM 88, 17-093XMT, Jim Hamsher, Mayor, City of Prairie City

AGENDA ITEM 89, 17-094XMT, Carole Garrison, Councilor, City of Prairie City

AGENDA ITEM 90, 17-095XMT, Georgia Patterson, Councilor, City of Prairie City

AGENDA ITEM 91, 17-096XMT, Les Church, Councilor, City of Prairie City

AGENDA ITEM 92, 17-097XMT, Frank Primoic, Councilor, City of Prairie City

AGENDA ITEM 93, 17-098XMT, Joe Phippen, Councilor, City of Prairie City

Thornicroft summarized the case. Hamsher and Garrison addressed the Commission by telephone. The Commission and Counsel discussed the matters. Shugar moved that the Commission find that there is sufficient evidence to find one violation each of ORS Chapter 192.660 by Hamsher, Garrison, Patterson, Church, Primoic, and Phippen, if this evidence is not rebutted by contrary evidence, and that these public officials be offered a contested case proceeding. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

The Commission recessed at 10:38 a.m. and reconvened into regular session at 10:58 a.m.

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(1:30:28)

AGENDA ITEM 94, 17-157XDG, Daily Holman, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 14 violations of ORS 192.660(1) & 3 violations of ORS 192.660(2).

AGENDA ITEM 95, 17-158XDG, Gary Hackett, Former Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 5 violations of ORS 192.660(1) & 3 violations of ORS 192.660(2).

AGENDA ITEM 96, 17-159XDG, Gary Olin, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 13 violations of ORS 192.660(1) & 3 violations of ORS 192.660(2).

AGENDA ITEM 97, 17-160XDG, Frank Veenker, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 10 violations of ORS 192.660(1) & 2 violations of ORS 192.660(2).

AGENDA ITEM 98, 17-161XDG, John McElheran, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 14 violations of ORS 192.660(1) & 3 violations of ORS 192.660(2).

AGENDA ITEM 99, 17-162XDG, Sandi Chamberlain, Former Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 3 violations of ORS 192.660(1) & 2 violations of ORS 192.660(2)..

AGENDA ITEM 100, 17-163XDG, Steve Gordon, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 9 violations of ORS 192.660(1) & 2 violations of ORS 192.660(2)..

AGENDA ITEM 101, 17-164XDG, Larry Warren, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 8 violations of ORS 192.660(1).

AGENDA ITEM 102, 17-165XDG, Davon Hodgen, Board of Directors, Barlow Water Improvement District. Recommended Action: Preliminary finding of 4 violations of ORS 192.660(1).

Weedn summarized the cases. Board of Directors did not address the Commission. The Commission generally discussed the matter. Fiskum moved that the Commission find that there is sufficient evidence to find the individually recommended violations of ORS Chapter 192.660(1) and 192.660(2) by Holman, Hackett, Olin, Veenker, McElheran, Chamberlain, Gordon, Warren, and Hodgen, if this evidence is not rebutted by contrary evidence and that these public officials be offered contested case proceedings. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Starr, aye; Kean, aye. Motion passed 7-0, Shugar absent.

ADVISORY OPINIONS

None.

CORRESPONDENCE RECEIVED/RESPONSES

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Staff Opinions

None.

Staff Advice

(non-action, informational only items)

The Commission reviewed the following items without comment:

(1:44:55)

AGENDA ITEM 103, 18-130I, Sheryl Zimmerer, Executive Director LOGOS Public Charter School re application of the conflict of interest provision of Oregon Government Ethics law to the situation describe in her letter.

Other Correspondence (non-action, informational only items)

(1:45:20)

AGENDA ITEM 104, Brian Boquist, request for Advisory Opinion. Bersin summarized the matter. Alpaugh and Commission generally discussed the request.

(1:58:30)

AGENDA ITEM 105, Gary Leif, request to establish a Legal Expense Trust Fund. Bersin summarized the request and denial of the fund.

(2:01:05)

The Commission convened into executive session at 11:18 a.m. to consider Preliminary Reviews pursuant to ORS 244.260(4)(d), ORS 192.685(1) and 171.778(4)(d); and to consider possible own motion reviews pursuant to ORS 244.260(2)(d).

Present: Erin Tierney, media

EXECUTIVE SESSION CONSENT CALENDAR

Reports of Preliminary Review

(All items removed from consent calendar for discussion.)

End of Executive Session Consent Calendar.

OTHER ITEMS

Reports of Preliminary Review

(removed from consent calendar)

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(2:01:05)

AGENDA ITEM 114, 18-060LMT, Tom Holt, Lobbyist. Thornicroft summarized the case. Holt was present and addressed the Commission. Fiskum announced a personal relationship with Holt. The Commission discussed the matter. Burke moved that the Commission find that there is a substantial, objective basis for believing that Tom Holt may have violated ORS Chapter 171.740 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Burke, aye; Mason, nay; O'Day, aye; Starr, aye; Edwards, aye; Fiskum, nay; Shugar, aye; Kean, nay. Motion passed 6 - 2.

(2:45:00)

AGENDA ITEM 115, 18-061LMT, Mary Botkin, Lobbyist. Thornicroft summarized the case. Botkin was present and addressed the Commission. Burke, Fiskum announced a personal relationship with Botkin. The Commission discussed the matter. Burke moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 171.740 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Burke, aye; Edwards, nay; Fiskum, nay; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed 6 to 2.

Commissioner O'Day asked to reconsider the Holt matter, 18-060LMT, at the end of Executive Session.

(2:58:30)

AGENDA ITEM 116, 18-062LMT, Judi Mehrens, Lobbyist. Thornicroft summarized the case. Mehrens was present and addressed the Commission. Starr moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 171.740 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Burke, aye; Edwards, nay; Fiskum, nay; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed 6 to 2.

(3:05:00)

AGENDA ITEM 118, 18-064LMT, Jessica Chambers, Lobbyist. Thornicroft summarized the case. Chambers addressed the Commission. Kean recused herself for personal reasons. Shugar moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 171.740 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, abstained. Motion passed 7 to 0 with 1 abstention.

AGENDA ITEM 117, 18-063LMT, Doug Riggs, Lobbyist. Thornicroft summarized the case. Riggs did not address the Commission. Starr moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 171.740 or warrant further review and that this complaint be dismissed. Roll call vote was

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taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, abstained. Motion passed 7 to 0 with 1 abstention.

(3:13:13)

AGENDA ITEM 126, 18-111SMT, Linda Neace, City Council Member, City of Gladstone. Thornicroft summarized the case. Neace and her counsel, Joe Kauffman, addressed the Commission. Burke disclosed a working relationship with Neace. Mason moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 244.060 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(3:22:00)

AGENDA ITEM 132, 18-131EHW, Paulette Lichatowich, Commissioner, Port of St. Helens. Weedn summarized the case. Lichatowich addressed the Commission. Edwards abstained for personal reasons. Burke moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 244 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Burke, aye; Edwards, abstained; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed 7 to 0 with 1 abstention.

Own Motion Preliminary Reviews

(3:27:45)

AGENDA ITEM 133, Possible own-motion preliminary review re Charlie Clark re ORS 244.025. Gould summarized the matter. Clark and counsel, Bob Sterenger, addressed the Commission. Burke recused for professional associations. O'Day and Fiskum disclosed a working association with the respondent's employer. The Commission generally discussed. No action taken.

The Commission reconvened into regular session then recessed for a working lunch at 1:13 p.m., and reconvened into executive session at 1:25 p.m. Burke was excused from the remainder of the meeting.

(:01) (recorder timed out)

AGENDA ITEM 114, 18-060LMT, Tom Holt, Lobbyist. Commission reconsidered their previous vote. O'Day moved that the Commission find that the information before the Commission does not indicate a violation of ORS Chapter 171.740 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Edwards, nay; Fiskum, aye; Mason, nay; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed 5 to 2.

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(1:28)

AGENDA ITEM 119, 18-100XMT, Mike Anderson, Chair of the Board, Lane County School District #40.

AGENDA ITEM 120, 18-101XMT, Tim Rogers, Member of the Board, Lane County School District #40.

AGENDA ITEM 121, 18-102XMT, Natalie Smathers, Member of the Board, Lane County School District #40.

AGENDA ITEM 122, 18-103XMT, Dave Eusted, Member of the Board, Lane County School District #40.

AGENDA ITEM 123, 18-104XMT, Lacey Risdal, Member of the Board, Lane County School District #40.

AGENDA ITEM 124, 18-105XMT, Paul Randall, Member of the Board, Lane County School District #40.

Thornicroft summarized the cases. Anderson, Rogers, Smathers, Eusted, Risdal, and Randall did not address the Commission. Shugar moved that the Commission find that there is a substantial, objective basis for believing that Anderson, Rogers, Smathers, Eusted, Risdal, and Randall may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(14:43)

AGENDA ITEM 125, 18-107EMT, Craig Horrell, District Manager, Central Oregon Irrigation District. Thornicroft summarized the case. Horrell did not address the Commission. Mason moved that the Commission find that there is a substantial, objective basis for believing that Craig Horrell may have violated ORS 244.040 and 244.120 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(18:20)

AGENDA ITEM 127, 18-113XMT, Phil Evans, President, Mosier Fire District Board of Directors.

AGENDA ITEM 128, 18-114XMT, Barb Ayers, Board Member, Mosier Fire District Board of Directors.

AGENDA ITEM 129, 18-115XMT, Joe Sacamano, Board Member, Mosier Fire District Board of Directors.

AGENDA ITEM 130, 18-116XMT, Joanne Rubin, Board Member, Mosier Fire District Board of Directors.

AGENDA ITEM 131, 18-117XMT, Todd Reeves, Board Member, Mosier Fire District Board of Directors.

Thornicroft summarized the cases. Evans, Ayers, Sacamano, Rubin, and Reeves did not address the Commission. Fiskum moved that the Commission find that there is a

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substantial, objective basis for believing that Evans, Ayers, Sacamano, Rubin, and Reeves may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

The Commission reconvened into open session at 1:48 p.m.

Miscellaneous Items

(23:12)

AGENDA ITEM 106, Dept. of Energy Policy Review. Bersin and Weedn reviewed the item. Starr moved to approve the Policy as presented. Roll call vote was taken as follows: Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 107, Mission Statement review. Bersin and Alpaugh summarized the Mission Statement and purpose. The Commission agreed no changes necessary.

(32:02)

AGENDA ITEM 108, Ex parte communications policy review. Bersin and Alpaugh reviewed the matter. The Commission briefly discussed the policy.

(39:26)

AGENDA ITEM 109, Penalty Matrix review. Bersin summarized the suggestions for amendments. The Commission discussed the matrix and agreed to table the matter until the next meeting.

AGENDA ITEM 110, Preventing Sexual Harassment training video and Commission workflow presentation was tabled until the next meeting.

AGENDA ITEM 111, 2019 Meeting Schedule. The Commission reviewed the proposed schedule and one change was recommended.

(56:34)

AGENDA ITEM 112, Trainers' Report. Hedrick summarized the training activities for May 14th through June 29th, 2018.

(59:00)

AGENDA ITEM 113, Executive Director's Report. Bersin discussed the following:

- 2017-2019 biennial budget status
- Legislative Concepts: waiting on draft; will be presented at the next Commission meeting.
- SEI 2018 filing with 6 non-filed.

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- Strategic Plan has been submitted for review.
- Website redesign continues.
- 2019-2021 agency request budget due August 1 and will be presented at the next Commission meeting.
- Diane Gould has filled the Compliance 3 vacancy.
- OGEC welcomed two new Commissioners, Sean O'Day and Karly Edwards.
- Email accounts are being set up for Commissioners.
- Investigator Michael Thornicroft is leaving OGEC and moving to a County position.
- Hayley Weedn has been appointed to the Compliance Specialist 2 position.
- OGEC has two positions under recruitment: Investigator 3 and Program Analyst 1.

Chair Kean adjourned the meeting at 2:35 p.m.

The next scheduled meeting date of the Oregon Government Ethics Commission is set for Friday, August 10, 2018, at 9:00 a.m. The meeting will be held in the 2nd Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE, in Salem, Oregon.

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