

OREGON GOVERNMENT ETHICS COMMISSION
MEETING MINUTES
March 7, 2019
9:00 a.m.

(File 1)

Chair Richard Burke called the meeting to order at 9:00 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 Charles Starr, Daniel Mason, Nathan Sosa, Sean O'Day, Alison Kean, Kamala Shugar, and David Fiskum. Karly Edwards joined by telephone. Staff present were OGEC Counsel Amy Alpaugh, Executive Director Ron Bersin, Program Manager Virginia Lutz, Compliance and Education Coordinator Diane Gould, Investigator Susan Myers, Investigator Hayley Weedn, and Administrative Specialist Kathy Baier.

AGENDA ITEM 1, Comments from the Chair. Commissioners thanked training staff for their professional field training. Burke encourages Commissioners to offer OGEC staff trainings to civic organizations that they are affiliated with. Fiskum requests an addition of his comments from the January 25, 2019 meeting to be reviewed at the next meeting. He will send comments to Bersin. Shugar commented on Secretary of State Dennis Richardson's memorial service.

AGENDA ITEM 2, Approval of minutes of the January 25, 2019 Commission meeting. Chair Burke called for the approval of the minutes of the 1/25/19 commission meeting. The minutes were approved without correction.

CONSENT CALENDAR

Edwards declared prior employment with two items on the Consent Calendar.

Shugar moved for the approval of the Consent Calendar items 3 – 12 and the recommendation on each as follows:

Lobbyist Penalty Correspondence

AGENDA ITEM 3, Hannah Taube, 2018 Q4, Letter of Education

AGENDA ITEM 4, LeeAnne Ferguson, 2017 Q4, Letter of Education

AGENDA ITEM 5, Richard Riggs, 2016 Q2, Letter of Education

AGENDA ITEM 6, Brett Hamilton, 2017 Q2, Letter of Education

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AGENDA ITEM 7, Ian Johnson, 2017 Q4, Letter of Education

AGENDA ITEM 8, Shujat Qalbani, 2018 Q4, Letter of Education

Lobbyist Client Penalty Correspondence

AGENDA ITEM 9, Mecum Auction, Inc, 2017 Q3, Letter of Education

Statement of Economic Interest Penalty Correspondence

AGENDA ITEM 10, Julian Bell, 2018 SEI, Letter of Education

AGENDA ITEM 11, Mark Daily, 2018 SEI, Letter of Education

AGENDA ITEM 12, Chet Chance, 2016 SEI, Letter of Education

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

End of Consent Calendar

STIPULATED FINAL ORDERS

AGENDA ITEM 20, 14-191EDT, Cylvia Hayes. Former First Lady of Oregon and unpaid policy advisor to the Governor of Oregon. Gould summarized the case, presented as Final Order. Commission discussed Final Order vs Stipulated Final Order. Hayes did not address the Commission. Counselors Josh Ewing and Whitney Boise were present. Ewing read a statement from Hayes. Commissioners generally discussed the case. Bersin and Alpaugh discussed the penalty matrix and how the penalties were assessed. Commissioners query how the current bankruptcy case will manage the assessed penalties. Hayes's bankruptcy attorney was not present. Discussion re removal of the word "Stipulated" from the final order. Bersin summarized Chapter 13 as it relates to this case. Mason moved to reject the Final Order in this matter. Commissioners discussed the motion. Shugar, employed by DOJ, abstained from the vote. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, abstained; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed 8-0 with 1 abstention.

The Commission recessed at 9:55 a.m. and resumed regular session at 10:00 a.m.

(File 2)

The Commission convened into executive session at 10:05 a.m. to consider Preliminary Reviews pursuant to ORS 244.260(4)(d) and ORS 192.685(1).

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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)

AGENDA ITEM 48, 19-002EHW, S. Bruce Conner, Cruise Industry Marketing Director, Port of Astoria. Weedn summarized the case. Conner addressed the Commission. The Commission and Counsel Alpaugh discussed the matter. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Bruce Conner may have violated ORS 244.120 and ORS 244.040(1) and that the Commission should investigate accordingly. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 49, 19-004ESM, Dan Johnson, Director, Clackamas County Dept. of Transportation & Development. Myers summarized the case and presented a visual projection of similar artwork that was the basis for this case. Johnson addressed the Commission. The Commission discussed the matter. Mason moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS Chapter 244 or warrant further review and that this complaint be dismissed. The Commission continued discussion. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 50, 19-007EHW, James Coey, Former Mayor, City of Oakridge. Weedn summarized the case. Coey addressed the Commission. The Commission generally discussed the matter. Mason abstained due to a personal relationship. Shugar moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS Chapter 244 or warrant further review and that this complaint be dismissed. The Commission discussed further. Roll call vote was taken as follows: Fiskum, aye; Mason, abstained; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed 8-0 with 1 abstention.

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AGENDA ITEM 51, 19-008ESM, Mike Gunter, Former Board Member, Multnomah County School District #51J. Myers summarized the case. Gunter present, Counsel John DiLorenzo addressed the Commission. The Commission generally discussed the matter. Mason moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS Chapter 244 or warrant further review and that this complaint be dismissed. Fiskum disclosed past relationship with DiLorenzo. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 52, 19-010XSM, Kate Fent, Chair

AGENDA ITEM 53, 19-011XSM, Heather Melville, Member

AGENDA ITEM 54, 19-012XSM, Mandy Decker, Member

AGENDA ITEM 55, 19-013XSM, Mike Wiedeman, Member

AGENDA ITEM 56, 19-014XSM, Adrian Harguess, Member

Board of Directors, Wallowa County School District #21. Myers summarized the cases. Respondents did not address the Commission. Counsel Luke Reese addressed the Commission on behalf of the Board. The Commission generally discussed the cases.

Item 52, Shugar moved that the Commission find that there is a substantial, objective basis for believing that Kate Fent may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Item 53, Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Heather Melville may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Item 54, Kean moved that the Commission find that there is a substantial, objective basis for believing that Mandy Decker may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Item 55, Sosa moved that the Commission find that there is a substantial, objective basis for believing that Mike Wiedeman may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

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Item 56, Sosa moved that the Commission find that there is a substantial, objective basis for believing that Adrian Harguess may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Own Motion Preliminary Reviews

None.

Other Items
(non-action informational only items)

None.

The Commission recessed for a working lunch at 11:45 a.m. and convened into regular session at 12:00 p.m. Dan Mason was excused for the remainder of the meeting.

REPORTS OF INVESTIGATIONS

(File 3)

AGENDA ITEM 41, 18-179EHW, James Bernard, Commissioner, Clackamas County. Weedn summarized the case. Bernard and Counsel Steven Berman addressed the Commission. Berman distributed a handout. The Commission generally discussed the matter. Kean moved to separate the violations and vote individually: 11/20/2017; 11/28/2017; 11/29/2017. An oral vote passed unanimously.

November 28, 2017, Kean moved that the Commission find that the information before the Commission is insufficient to infer a violation of ORS Chapter 244 or warrant further investigation and that the November 28, 2017, violation be dismissed. Roll call vote was taken as follows: Fiskum, aye; O'Day, nay; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed 7-1.

November 20, 2017, O'Day moved that the Commission vote to issue a Letter of Education in lieu of a violation of ORS Chapter 244 in the November 20, 2017 email. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, nay; Edwards, nay; Burke, nay. Motion passed 5-3.

November 29, 2017, Kean moved that the Commission find that there is sufficient evidence to find two violations of ORS Chapter 244 by James Bernard in the November 29, 2017 email, and that a Letter of Education will serve as the sanction in this matter, if this evidence is not rebutted by contrary evidence, and that this public official be offered a contested case proceeding. Roll call vote was taken as follows: Fiskum, nay; O'Day,

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aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed 7-1.

MISCELLANEOUS ITEMS

AGENDA ITEM 47, Executive Director's Report. Bersin discussed the following:

- 2017-2019 biennial budget: Bersin reviewed the status of the 2017-2019 budget and attorney fees.
- 2019-21 biennial budget: No issues at the public hearing. Work session scheduled for 3/7/2019.
- 2019 Legislative Bills: Initial hearings are under way.
- SEI: 2019 filing window opens March 15.
- Replaced office chairs from Surplus.
- Lobbyist filings for 2018 reviewed.
- Budget forecast.

REPORTS OF INVESTIGATIONS

AGENDA ITEM 39, 18-176EHW, Jim Brown, Mayor, City of Haines. Weedn summarized the case. Brown addressed the Commission by telephone. The Commission discussed the details of the 2 violations. O'Day moved that the Commission find that the information before the Commission is insufficient to infer violations of ORS Chapter 244 or warrant further investigation and that this complaint be dismissed. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Lobbyist Penalty Correspondence

(File 4)

AGENDA ITEM 13, Mel Rader, 2017 Q1. Recommendation: \$500 for 2nd violation.

Shugar moved that the Commission approve staff recommendation of \$500 for the late filing of the Q1 2017 Lobbyist Expenditure Report. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Lobbyist Client Penalty Correspondence

AGENDA ITEM 14, Oregon Nurses Assoc., 2018 Q4. Recommendation: \$260 for 3rd violation. Shugar moved that the Commission approve staff recommendation of \$260 for the late filing of the Q4 2018 Lobbyist Client Expenditure Report. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

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AGENDA ITEM 15, Oregon Collectors Assoc., 2018 Q3 & Q4. Recommendation: Letter of Education for Q3 and \$140 for 2nd violation Q4. Shugar moved that the Commission approve staff recommendation of a Letter of Education for Q3 and \$140 for the late filing of the Q4 2018 Lobbyist Client Expenditure Report. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Statement of Economic Interest Dismissals

AGENDA ITEM 16, 18-018SMT, Byron Brown, 2014. Recommendation: Letter of Education in lieu of violation. Shugar moved that the Commission approve staff recommendation of a Letter of Education in lieu of violation. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 17, 18-020SMT, Robert Cook, 2014 & 2015. Recommendation: Letter of Education in lieu of violation. Shugar moved that the Commission approve staff recommendation of a Letter of Education in lieu of violation. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 18, 18-045SMT, Craig Prins, 2014. Recommendation: Letter of Education in lieu of violation. Shugar moved that the Commission approve staff recommendation of a Letter of Education in lieu of violation. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 19, 18-051SMT, David B. Smith, 2014. Recommendation: Letter of Education in lieu of violation. Shugar moved that the Commission approve staff recommendation of a Letter of Education in lieu of violation. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

STIPULATED FINAL ORDERS

AGENDA ITEM 20-A,

15-146XDT, Steve Holm

15-152XDT, Steve Holm

15-162XDT, Steve Holm, Former Board Member, Lakeside Fire District.

Myers summarized the cases. Holm did not address the Commission. The Commission generally discussed the cases. Shugar moved that the Commission approve the proposed stipulate final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day,

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aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 20-B, 15-280EDT, Steve Holm, Former Board Member, Lakeside Fire District. Myers summarized the case. Holm did not address the Commission. The Commission generally discussed the matter. Shugar moved to not adopt the Stipulated Final Order. Fiskum moved that the matter be postponed until the next Commission meeting. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

STIPULATED FINAL ORDERS

AGENDA ITEM 21, 15-247EDT, Robert Donals, volunteer firefighter, Lakeside Fire District. Myers summarized the case. Donals did not address the Commission. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 22, 15-272EDT

17-135EMT, Doug Breidenthal

Commissioner, Jackson County Board of Commissioners. Myers summarized the cases. Breidenthal did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. O'Day abstained re conflict. Roll call vote was taken as follows: Fiskum, aye; O'Day, abstained; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed 7-0 with 1 abstention.

Director Bersin excused for the remainder of the meeting at 2:33 p.m.

AGENDA ITEM 23, 16-115EMS, Deena Symons (aka Deena Goss), former Treasurer, Jefferson County. Symons did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 24, 16-147EDG, Taner Elliott, former Councilor, City of The Dalles. Elliott did not address the Commission. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day,

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aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 25, 16-151EDG, Linda Hald, former Community Justice Dept. Office Manager, Columbia County. Hald did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Fiskum commented on the case. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 26, 17-073XMT, Leonard Flint, Mayor and former Councilor, City of Union. Flint did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 27, 17-075XMT, Randy Knop, former Councilor, City of Union. Knop did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 28, 17-076XMT, Jay Blackburn, Councilor, City of Union. Blackburn did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 29, 17-077XMT, Matthew Later, Councilor, City of Union. Later did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 30, 17-078XMT, John Farmer, Councilor, City of Union. Farmer did not address the Commission. Shugar moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day,

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aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 31, 17-079XMT, Walt Brookshire, Councilor, City of Union. Brookshire did not address the Commission. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 32, 17-079XMT, Susan Hawkins, Councilor, City of Union. Hawkins did not address the Commission. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 33, 18-138XDG, Dre Davey, Board of Directors member, Portland Village School. Davey did not address the Commission. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 34, 18-140XDG, Zapoura Newton-Calvert, Board of Directors member, Portland Village School. Newton-Calvert did not address the Commission. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

DEFAULT FINAL ORDERS

None.

REPORTS OF INVESTIGATIONS

AGENDA ITEM 35, 18-161EHW, Carla Urbigkeit, State Trooper, Oregon State Police. Weedn summarized the case. Urbigkeit did not address the Commission. Sosa moved that the Commission find that there is sufficient evidence to find a violation of ORS Chapter 244.025 by Carla Urbigkeit, if this evidence is not rebutted by contrary evidence, and that this public official be offered a contested case proceeding. Roll call vote was

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

AGENDA ITEM 36 18-170XDG, Ron Palmer

AGENDA ITEM 37 18-172XDG, Thom Canon

AGENDA ITEM 38 18-173XDG, Shannon Tolman

Councilors, City of Gold Beach. Gould summarized the cases. Respondents did not address the Commission.

Item 36, Shugar moved that the Commission find that there is sufficient evidence to find 1 violation of ORS Chapter 192.660(1) and 1 violation of 192.660(2) by Ron Palmer, if this evidence is not rebutted by contrary evidence, and that this public official be offered a contested case proceeding. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Item 37, Shugar moved that the Commission find that there is sufficient evidence to find 1 violation of ORS Chapter 192.660(1) and 1 violation of 192.660(2) by Thom Canon, if this evidence is not rebutted by contrary evidence, and that this public official be offered a contested case proceeding. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

Item 38, Shugar moved that the Commission find that there is sufficient evidence to find 1 violation of ORS Chapter 192.660(1) and 1 violation of 192.660(2) by Shannon Tolman, if this evidence is not rebutted by contrary evidence, and that this public official be offered a contested case proceeding. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 40 18-178ETH, Christina Stanley, Former Mayor, Gold Hill. Meyers summarized the case. Stanley did not address the Commission. Shugar moved that the Commission find that the information before the Commission is insufficient to infer a violation of ORS Chapter 244 or warrant further investigation and that this complaint be dismissed. Roll call vote was taken as follows: Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; Burke, aye. Motion passed unanimously.

ADVISORY OPINIONS

None.

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CORRESPONDENCE RECEIVED/REPONSES

Staff Opinions

(non-action, informational only items)

None.

Staff Advice

(non-action, informational only items)

The Commission reviewed the following items without comment, unless otherwise noted:

AGENDA ITEM 42, 19-001I, Chad Jacobs re elected member of a governing body and member of budget committee; participation in budget discussions and votes when a relative is an employee of the public body. Fiskum and O'Day commented on the advice.

AGENDA ITEM 43, 19-005I, Betsy Imholt re state senator would like to hire a company owned by another state senator to perform professional landscaping services at his private residence.

AGENDA ITEM 44, 19-021I, Representative Greg Smith re state representative with private business interests.

AGENDA ITEM 45, 19-022I, Representative Greg Smith re state representative who has private business interest, acting as an agent for Malheur County and the possible application of ORS Chapter 244.

OTHER CORRESPONDENCE

None.

MISCELLANEOUS ITEMS

AGENDA ITEM 27, Trainers' Report. Walker summarized past and future training activities.

ADDITIONAL COMMENT, Fiskum requested future discussion regarding review and revision of the penalty matrix.

Chair Burke adjourned the meeting at 2:58 p.m.

The next scheduled meeting date of the Oregon Government Ethics Commission is set for Friday, April 19, 2019, 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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