

OREGON GOVERNMENT ETHICS COMMISSION
MEETING MINUTES
May 31, 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, Alison Kean, Karly Edwards, Kamala Shugar, and Sean O'Day. David Fiskum was excused from attendance. Staff present were OGEC Counsel Amy Alpaugh, Executive Director Ron Bersin, Program Manager Virginia Lutz, Compliance and Education Coordinator Diane Gould, Investigator Susan Myers, and Administrative Specialist Kathy Baier.

AGENDA ITEM 1, Comments from the Chair. Burke welcomed all and mentioned efforts by his non-profit to provide training to candidates on how to run for office and to serve in public positions.

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

CONSENT CALENDAR

O'Day declared potential conflict of interest on items 30-33, 39-40, 44, 50, 55, 61-62, 70 as members of a common organization. Kean declared a potential conflict of interest on item 58, a former client.

Sosa moved for the approval of the Consent Calendar, items 3-29, 34-38, 41-43, 45-49, 51-54, 56-57, 59-60, 63-69, 71-72, and the recommendation on each as follows:

Lobbyist Penalty Correspondence

AGENDA ITEM 3, Bill Hansell, 2019 Q1, Letter of Education.

AGENDA ITEM 4, Joseph Wells, 2019 Q1, Letter of Education.

AGENDA ITEM 5, Marcus Swift, 2019 Q1, Letter of Education.

Lobbyist Client Penalty Correspondence

AGENDA ITEM 6, Innocence Project, 2019 Q1, Letter of Education.

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AGENDA ITEM 7, Oregon Student Voice, 2019 Q1, Letter of Education.

AGENDA ITEM 8, Industrial Hemp Assoc of Oregon, 2019 Q1, Letter of Education.

AGENDA ITEM 9, Oregon Chapter, The Wildlife Society, 2019 Q1, Letter of Education.

AGENDA ITEM 10, SMACNA, 2019 Q1, Letter of Education.

Statement of Economic Interest Penalty Correspondence

AGENDA ITEM 11, Jodi Hinsley, 2018 SEI, Letter of Education.

AGENDA ITEM 12, Shawnn Kehr, 2018 SEI, Letter of Education.

AGENDA ITEM 13, Brenda Profitt, 2017 & 2018 SEI, Letter of Education.

AGENDA ITEM 14, Stacy Miller, 2018 SEI, Letter of Education.

AGENDA ITEM 15, Daymond Monteith, 2019 SEI, Letter of Education.

AGENDA ITEM 16, Elizabeth Klein, 2019 SEI, Letter of Education.

AGENDA ITEM 17, Eric Stutzman, 2019 SEI, Letter of Education.

AGENDA ITEM 18, Bill Davis, 2019 SEI, Letter of Education.

AGENDA ITEM 19, Thomas Hasvold, 2019 SEI, Letter of Education.

AGENDA ITEM 20, John Hanger, 2019 SEI, Letter of Education.

AGENDA ITEM 21, Dale Bates, 2019 SEI, Letter of Education.

AGENDA ITEM 22, Tammie Buck, 2019 SEI, Letter of Education.

AGENDA ITEM 23, Ron Wright, 2019 SEI, Letter of Education.

AGENDA ITEM 24, Edwin Graham Alderson, 2019 SEI, Letter of Education.

AGENDA ITEM 25, Tammy Bremner, 2019 SEI, Letter of Education.

AGENDA ITEM 26, Sidney Rowe, 2019 SEI, Letter of Education.

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AGENDA ITEM 27, Larry Cramblett, 2019 SEI, Letter of Education.

AGENDA ITEM 28, Karen Woolbright, 2019 SEI, Letter of Education.

AGENDA ITEM 29, Frank Millar, 2019 SEI, Letter of Education.

AGENDA ITEM 34, Teresa Shaffer, 2019 SEI, Letter of Education.

AGENDA ITEM 35, Glenn Palmer, 2019 SEI, Letter of Education.

AGENDA ITEM 36, Beach Pace, 2019 SEI, Letter of Education.

AGENDA ITEM 37, Mike Braack, 2019 SEI, Letter of Education.

AGENDA ITEM 38, Mark Smith, 2019 SEI, Letter of Education.

AGENDA ITEM 41, Keith Rofinot, 2019 SEI, Letter of Education.

AGENDA ITEM 42, Sheila Quintero, 2019 SEI, Letter of Education.

AGENDA ITEM 43, Dennis Davis, 2019 SEI, Letter of Education.

AGENDA ITEM 45, Beverly Ficek, 2019 SEI, Letter of Education.

AGENDA ITEM 46, Christine Coles, 2019 SEI, Letter of Education.

AGENDA ITEM 47, Patrick Kessi, 2019 SEI, Letter of Education.

AGENDA ITEM 48, James Setzer, 2019 SEI, Letter of Education.

AGENDA ITEM 49, Peter Frothingham, 2019 SEI, Letter of Education.

AGENDA ITEM 51, Jeannine Le Cuyer, 2019 SEI, Letter of Education.

AGENDA ITEM 52, Willard Evenson, 2019 SEI, Letter of Education.

AGENDA ITEM 53, Jeff Walters, 2019 SEI, Letter of Education.

AGENDA ITEM 54, John Thompson, 2019 SEI, Letter of Education.

AGENDA ITEM 56, Teri Lenahan, 2019 SEI, Letter of Education.

AGENDA ITEM 57, Leon Neuschwander, 2019 SEI, Letter of Education.

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AGENDA ITEM 59, Charlene Green, 2019 SEI, Letter of Education.

AGENDA ITEM 60, David Reed, 2019 SEI, Letter of Education.

AGENDA ITEM 63, Joan Demarest, 2019 SEI, Letter of Education.

AGENDA ITEM 64, Don Treanor, 2019 SEI, Letter of Education.

AGENDA ITEM 65, Chase McClung, 2019 SEI, Letter of Education.

AGENDA ITEM 66, Samantha Filbin, 2019 SEI, Letter of Education.

AGENDA ITEM 67, Leslie Nuorala, 2019 SEI, Letter of Education.

AGENDA ITEM 68, Joe Phippen, 2019 SEI, Letter of Education.

AGENDA ITEM 69, Marilyn Loomis, 2019 SEI, Letter of Education.

AGENDA ITEM 71, John Hanlin, 2019 SEI, Letter of Education.

AGENDA ITEM 72, Andrew Landen, 2019 SEI, Letter of Education.

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

Sosa moved for the approval of the balance of the Consent Calendar, items 30-33, 39-40, 44, 50, 55, 58, 61, 62, 70, and the recommendation on each as follows:

AGENDA ITEM 30, Brad Oxenford, 2019 SEI, Letter of Education.

AGENDA ITEM 31, Amanda Perron, 2019 SEI, Letter of Education.

AGENDA ITEM 32, Gwen Jernstedt, 2019 SEI, Letter of Education.

AGENDA ITEM 33, Joshua Simonson, 2019 SEI, Letter of Education.

AGENDA ITEM 39, Rodrigo Arellano, 2019 SEI, Letter of Education.

AGENDA ITEM 40, Matthew Donohue, 2019 SEI, Letter of Education.

AGENDA ITEM 44, Linda Stice, 2019 SEI, Letter of Education.

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AGENDA ITEM 50, Michael Karl, 2019 SEI, Letter of Education.

AGENDA ITEM 55, Traci Martinez, 2019 SEI, Letter of Education.

AGENDA ITEM 58, Sam Chase, 2019 SEI, Letter of Education.

AGENDA ITEM 61, Rick Fieldhouse, 2019 SEI, Letter of Education.

AGENDA ITEM 62, Troy Hellickson, 2019 SEI, Letter of Education.

AGENDA ITEM 70, Jessica Countryman, 2019 SEI, Letter of Education.

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

End of Consent Calendar

(File 2)

The Commission convened into executive session at 9:08 a.m. to consider Preliminary Reviews pursuant to ORS 244.260(4)(d) and ORS 192.685(1), and possible own motion preliminary reviews pursuant to ORS 244.260(2)(d).

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 Reviews
(removed from consent calendar)

AGENDA ITEM 88, 19-037XSM, Kaye Jones, Chair

AGENDA ITEM 89, 19-038XSM, Terry Kamlade, Member

AGENDA ITEM 90, 19-039XSM, Melissa LaCrosse, Member

AGENDA ITEM 91, 19-040XSM, Dewey Robbins, Member

AGENDA ITEM 92, 19-041XSM, Tracy Roe, Member

Board of Directors, Marion County School District 14J.

Myers summarized the cases. Jones and Counsel Lisa Freiley were present. Counsel Freiley stated that she does not represent LaCrosse.

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Agenda Item 88. Jones did not address the commission. Sosa moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 192.660 or warrant further review and that this complaints be dismissed. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 89. Kamlade did not address the commission. Sosa moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 192.660 or warrant further review and that this complaints be dismissed. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day; Burke, aye. Motion passed unanimously.

Agenda Item 91. Robbins did not address the commission. Sosa moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 192.660 or warrant further review and that this complaints be dismissed. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 92. Roe did not address the commission. Sosa moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 192.660 or warrant further review and that this complaints be dismissed. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 90. LaCrosse did not address the commission. Sosa moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 192.660 or warrant further review and that this complaints be dismissed. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 97, 19-051ESM, Michael Springer, Grant County Surveyor. Myers summarized the case. Springer addressed the Commission. The Commission generally discussed the matter. Kean moved that the Commission find that there is substantial, objective basis for believing that Michael Springer may have violated ORS 244.040(1) and 244.120(2) and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, nay; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed 7 – 1.

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AGENDA ITEM 111, 19-081XDG, Reba Stoller
AGENDA ITEM 112, 19-083XDG, Teresa Shelburne
AGENDA ITEM 113, 19-084XDG, Pam Horst
AGENDA ITEM 114, 19-085XDG, Raylinda Price
AGENDA ITEM 115, 19-086XDG, Francisco Montelongo
AGENDA ITEM 116, 19-087XDG, Debbie Kearns
AGENDA ITEM 117, 19-088XDG, Isaac Kearns

Directors of the Board, Yamhill County School District 8 (Dayton SD). Raylinda Price was present along with her husband, Derrick Price, and the Superintendent of Yamhill SD 8. Chair Burke allowed Mr. Price to remain but excused Superintendent from the Executive Session discussion. O'Day recused himself stating a conflict of interest and left the room. Gould summarized the cases together, as they are born of the same circumstance.

Agenda Item 114, Price addressed the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Raylinda Price may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

Agenda Item 111, Stoller did not address the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Reba Stoller may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

Agenda Item 112, Shelburne did not address the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Teresa Shelburne may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

Agenda Item 113, Horst did not address the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Pam Horst may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

Agenda Item 115, Montelongo did not address the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Francisco Montelongo may have violated ORS 192.660 and that the Commission should investigate

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accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

Agenda Item 116, Ms. Kearns did not address the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Debbie Kearns may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

Agenda Item 117, Mr. Kearns did not address the Commission. Sosa moved that the Commission find that there is substantial, objective basis for believing that Isaac Kearns may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, abstained; Burke, aye. Motion passed 7 – 0 with 1 abstention.

The Commission recessed from 10:02 a.m. to 10:08 a.m.

AGENDA ITEM 105, 19-064ESM, Marc Horner, Facilities Dept & Building Use Coord, Deschutes County School District 2J. Horner was present with spouse. Myers summarized the case. Horner addressed the Commission. Sosa 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 104, 19-063ESM, Anthony Pupo, Executive Director of Operations, Deschutes County School District 2J. Mr. Pupo was scheduled to address the commission by telephone, but did not answer the call. Myers summarized the case. Sosa 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 106, 19-065ESM, Kiara Orrison, Administrative Assistant, Deschutes County School District 2J. Myers summarized the case. Orrison addressed the Commission via telephone. Sosa 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. Roll call vote was taken as

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

AGENDA ITEM 110, 19-079ESM, Julie Reading, Former Administrative Law Judge, Employment Relations Board. Myers summarized the case. Reading and Counsel Matt Zekala addressed the Commission. The Commission discussed the matter. Kean moved that the Commission find that there is substantial, objective basis for believing that Julie Reading may have violated ORS 244.040 and 244.120 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Own Motion Preliminary Reviews

AGENDA ITEM 120, Possible Own Motion Preliminary Review, exempt from Public Record.

OTHER ITEMS

Reports of Preliminary Reviews (removed from consent calendar)

AGENDA ITEM 95, 19-045ESM, Craig Horrell, District Manager, Central Oregon Irrigation District. Horrell addressed the Commission with his attorney Katherine Tank via telephone. Myers summarized the case. 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

The Commission convened into regular session.

MISCELLANEOUS ITEMS

AGENDA ITEM 84, Craig Horrell, Central Oregon Irrigation District. Request from Complainant to expand preliminary findings of violation. Horrell joined via telephone. Bersin summarized the item, noting that when this first came before the Commission, it was voted on by the same Commissioners present today. There was no motion.

The Commission reconvened into executive session to consider Preliminary Reviews pursuant to ORS 244.260(4)(d) and ORS 192.685(1), and possible own motion preliminary reviews pursuant to ORS 244.260(2)(d).

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OTHER ITEMS

Reports of Preliminary Reviews (removed from consent calendar)

AGENDA ITEM 93, 19-042ESM, Jessica Metta, City Councilor, City of Hood River. Myers summarized the case. Metta addressed the Commission via telephone. Kean 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously

The Commission recessed at 11:55 a.m. for a working lunch and resumed in Executive Session at 12:10 p.m.

AGENDA ITEM 94, 19-044ESM, Frankie Petrick, Administrator and Fire Chief, Yachats Rural Fire Protection District. Myers summarized the case. Petrick's counsel, Dan Lawler, addressed the Commission by telephone on behalf of Mr. Petrick. The Commission generally discussed the matter. Sosa moved that the Commission find that there is substantial, objective basis for believing that Frankie Petrick may have violated ORS 244.040(1) and 244.025(1) and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 96, 19-049EDG, Kirk Ranzetta, Former Commissioner, Portland Historic Landmarks Commission. Ranzetta addressed the Commission via telephone. Gould summarized the case. Sosa 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 107, 19-071EDG, Christopher Paasch, Commissioner, Curry County. Paasch addressed the Commission by telephone. Gould summarized the case. Sosa 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

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Own Motion Preliminary Reviews

AGENDA ITEM 121, Possible Own Motion Preliminary Review, exempt from Public Record.

OTHER ITEMS

Reports of Preliminary Reviews (removed from consent calendar)

AGENDA ITEM 108, 19-073ESM, Aric Higdon, Fire and Emergency Medical Services, City of Oakridge. Attorney Katelyn Oldham, addressed the Commission via telephone on behalf of Higdon. Myers summarized the case. The Commission generally discussed the matter. 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 109, 19-075ESM, Andrew Anderson, City Councilor and former Mayor, City of Moro. Myers summarized the case. Anderson did not address the Commission. O'Day moved that the Commission find that there is substantial, objective basis for believing that Andrew Anderson may have violated ORS 244.020(2) and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 118, 19-090EDG, Lori Welborn, Former Office Manager, Washington Elementary School, Marion County School District 24J. Gould summarized the case. Welborn did not address the Commission. The Commission briefly discussed the matter. Sosa moved that the Commission find that there is substantial, objective basis for believing that Lori Welborn may have violated ORS 244.040 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 119, 19-091ESM, Darrin Phillips, Retired Trooper, Oregon State Police. Myers summarized the case. Phillips did not address the Commission. The Commission briefly discussed the matter. Sosa moved that the Commission find that there is substantial, objective basis for believing that Darrin Phillips may have violated ORS 244.020(2) and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

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AGENDA ITEM 98, 19-054EDG, Tracy Wood, Chief of Police, City of Gold Beach. Gould summarized the case. Wood did not address the Commission. Sosa 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. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 99, 19-057XDG, Lisa King

AGENDA ITEM 100, 19-058XDG, Doug Gunderson

AGENDA ITEM 101, 19-059XDG, Nanci Norris

AGENDA ITEM 102, 19-060XDG, Sarah Laiosa

AGENDA ITEM 103, 19-061XDG, Lori Cheek

Board Members, Harney County School District #3 (Burns School District)

Gould summarized the cases. Members did not address the Commission.

Agenda Item 99, Sosa moved that the Commission find that there is substantial, objective basis for believing that Lisa King may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 100, Sosa moved that the Commission find that there is substantial, objective basis for believing that Doug Gunderson may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 101, Sosa moved that the Commission find that there is substantial, objective basis for believing that Nanci Norris may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 102, Sosa moved that the Commission find that there is substantial, objective basis for believing that Sarah Laiosa may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

Agenda Item 103, Sosa moved that the Commission find that there is substantial, objective basis for believing that Lori Cheek may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Mason,

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

Adjourned Executive Session and reconvened into Regular Session.

Statement of Economic Interest Penalty Correspondence

AGENDA ITEM 73, Douglas Morten, 2019 SEI, \$80. Recommendation of \$50 for second violation. Mason moved to accept staff recommendation of \$50 for 2019 SEI late filing. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, nay; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed 7 – 1.

Kean moved to reconsider the previous vote. Voice vote, motion passed unanimously.

Shugar moved to issue a Letter of Education in lieu of the \$80 2019 SEI late filing penalty. Roll call vote was taken as follows: Mason, abstained; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed 7 – 0 with 1 abstention.

AGENDA ITEM 74, Ed Chesnut, 2018 \$100, 2019 \$40. Recommendation: No reduction. Bersin summarized his recommendation. Kean moved to accept staff recommendation. Sosa amended the recommendation to a Letter of Education for 2018 and \$40 for 2019 late filing. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 75, Julie Bettles, 2019 SEI, \$120. Recommendation: \$50 for second violation. Kean moved to accept staff recommendation of \$50 for 2019 SEI late filing. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 76, Shirley Stevens, 2019 SEI, \$110. Recommendation: \$50 for second violation. Kean moved to accept staff recommendation of \$50 for 2019 SEI late filing. Roll call vote was taken as follows: Mason, aye; Sosa, nay; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, nay. Motion passed 6 – 2.

AGENDA ITEM 77, David Posalski, 2019 SEI, \$10. Recommendation: No waiver. Sosa moved to accept staff recommendation of \$10 for 2019 SEI late filing. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

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OTHER

Chair Burke acknowledged the resignation of Commissioner Shugar, presented her with a plaque, and thanked her for her service on the Oregon Government Ethics Commission. Shugar spoke of her positive experience working with the other commissioners and staff.

STIPULATED FINAL ORDERS

None.

DEFAULT FINAL ORDERS

None.

REPORTS OF INVESTIGATION

None.

ADVISORY OPINIONS

AGENDA ITEM 78, 19-119A, Honorable Kate Brown, Commission Chair Tammy Baney, and Members of the Oregon Transportation Commission re procedures for disclosing actual or potential conflicts of interest that may arise as the OTC considers projected proposals. Myers summarized the Opinion. Sosa moved to adopt the Advisory Opinion as presented. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

CORRESPONDENCE RECEIVED/RESPONSES

Staff Opinions

(non-action, informational only items)

None.

Staff Advice

(non-action, information only items)

The commission reviewed the following advice items without comment:

AGENDA ITEM 79, 19-055I, Kristina Schmunk re how Oregon Government Ethics laws would apply to actual and potential conflicts of interest that might arise during the City of Springfield's pending Development Code Update Project.

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AGENDA ITEM 80, 19-070I, Sarah Creighton re how the Oregon Government Ethics law may apply to public officials who may wish to participate in the Eugene Water & Electric Board's McKenzie River watershed tour.

AGENDA ITEM 81, 19-074I, Ben Cannon re whether students or employees of Oregon public universities serving on the board of the Higher Education Coordinating Commission would be met with conflict of interest when voting on tuition increases.

AGENDA ITEM 82, 19-114I, Representative Dan Rayfield re application of gift statutes to sponsorship of a float in the Starlight Parade.

Other Correspondence
(non-action, informational only items)

None.

MISCELLANEOUS ITEMS

AGENDA ITEM 83, 12-170EDT, Thomas Wayne Morgan, Jr., former custodian, University of Oregon. Recommendation is to dismiss complaint. The Commission and Alpaugh discussed the matter. Shugar moved to vacate the previous order and dismiss the complaint. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 85, 19-091ESM, Darrin Phillips, retired trooper, Oregon State Police. Request for suspension of investigation pending resolution of criminal matter. Shugar moved to suspend investigation pending resolution of criminal matter. Roll call vote was taken as follows: Mason, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye; Edwards, aye; O'Day, aye; Burke, aye. Motion passed unanimously.

AGENDA ITEM 86, Trainers' Report. Walker summarized past and future training activities.

AGENDA ITEM 87, Executive Director's Report. Bersin discussed the following:

- 2017-2019 biennial budget: Bersin reviewed the status of the 2017-2019 budget and noted the use of surplus funds.
- 2019 Legislative Bills: HB 2096 passed, becoming effective January 2020. Work continues on 2277.
- 2019 SEIs: Only 9 not filed as of this date.
- Compliance Specialist 2 vacancy: Position is open and interviews are scheduled to begin next week.

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- Employee recognition: Tammy Hedrick has been selected as the 2019 Ambassador of Public Service for OGEC. Susan Myers was recognized by Governor Brown on State Employee Recognition Day 2019 for promoting positivity in the workplace.
- The agency's Case Management System has been nominated for the NASCIO award.
- Lobby filings: non-filers include 1 lobbyist; 3 client/employers.
- 2020 meeting schedule may add an additional meeting.

Chair Burke adjourned the meeting at 1:35 p.m.

The next scheduled meeting date of the Oregon Government Ethics Commission is set for Friday, July 12, 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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