

OREGON GOVERNMENT ETHICS COMMISSION
MEETING MINUTES
March 12, 2021
9:00 a.m.

(File 1)

Chair Dan Mason called the meeting to order at 9:01 a.m. The meeting was held by video conference in the 2nd Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE Salem, Oregon. Commission Chair Dan Mason was present. Commissioners participating by video conference were Nathan Sosa, Charles Starr, Karly Edwards, Amber Hollister, Anna Sortun, Shawn Lindsay, Sean O'Day and Dave Fiskum. OGEC Counsel Josh Nasbe joined by video conference. Staff present were Executive Director Ron Bersin, Program Manager Virginia Lutz, Compliance and Education Coordinator Diane Gould, Investigator Susan Myers, and Trainer Becky Maison. Staff participating by video conference were Investigator Lisa Christon, and Trainer Monica Walker.

AGENDA ITEM 1, Comments from the Chair. Mason shared general comments.

AGENDA ITEM 2, Approval of minutes of the January 29, 2021, Commission meeting. The minutes were approved without correction.

CONSENT CALENDAR

Fiskum moved for the approval of Consent Calendar items 3-6 and the recommendation on each as follows:

Lobbyist Penalty Correspondence

None.

Lobbyist Client Penalty Correspondence

AGENDA ITEM 3, Oregon League of Conservation Voters, Q4 2020, Letter of Education.

AGENDA ITEM 4, Threemile Canyon Farms, Q4 2020, Letter of Education.

SEI Penalty Correspondence

AGENDA ITEM 5, Karl Bischoff, 2018 SEI, Letter of Education.

AGENDA ITEM 6, Dawn Roden, 2019 SEI, Letter of Education.

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Group voice vote was taken as follows: Edwards, aye; Fiskum, aye; Lindsay, aye; Hollister, aye; Sosa, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 8 – 0.

End of Consent Calendar

STIPULATED FINAL ORDERS

AGENDA ITEM 8, 20-252FDG, Stacey Radinovich, Planning Commissioner, City of Hines. Gould summarized the matter. Fiskum moved that the Commission accept 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 taken as follows: Edwards, aye; Fiskum, aye; Lindsay, aye; Hollister, aye; Sosa, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 8 – 0.

DEFAULT FINAL ORDERS

AGENDA ITEM 9, 20-254FDG, Misty Boye', Planning Commissioner, City of Canyonville. Gould summarized the matter. The Commission briefly discussed the penalty amount. Fiskum moved approval of the staff recommendation of the default final order. Roll call taken as follows: Edwards, aye; Fiskum, aye; O'Day, aye; Lindsay, aye; Hollister, aye; Sosa, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 9 – 0.

AGENDA ITEM 10, 20-258FDG, Hyatt Lytle, City Councilor, City of Corvallis. Gould summarized the matter. Fiskum moved approval of the staff recommendation of the default final order. Roll call taken as follows: Edwards, aye; Fiskum, aye; O'Day, aye; Lindsay, aye; Hollister, aye; Sosa, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 9 – 0.

REPORTS OF INVESTIGATION

AGENDA ITEM 11, 20-178ESM, Jackie Lawson, City Councilor, City of Dallas. Myers summarized the case. Lawson appeared by video conference and addressed the Commission. The Commission discussed and commented on the case. Sosa moved that the Commission find that there is sufficient evidence to find one violation of ORS 244.040(1) by Jackie Lawson, if this evidence is not rebutted by contrary evidence, and that this public official be offered a contested case proceeding. Roll call taken as follows: Edwards, aye; Fiskum, aye; O'Day, aye; Lindsay, nay; Hollister, aye; Sosa, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 8 – 1.

STIPULATED FINAL ORDERS

AGENDA ITEM 7, 20-202ESM, Daniel Jenkins, Sheriff, Harney County. Myers summarized the matter. Fiskum moved that the Commission accept the proposed

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Stipulated Final Order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call taken as follows: Edwards, aye; Fiskum, aye; Lindsay, aye; Hollister, aye; Sosa, aye; O'Day, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 9 – 0.

ADVISORY OPINIONS

None.

CORRESPONDENCE RECEIVED/RESPONSES

The Commission reviewed the following without comment unless otherwise noted:

Staff Opinions

(non-action, informational only items)

None.

Staff Advice

(non-action, information only items)

AGENDA ITEM 12, 21-014I, Vanessa Nordyke, Councilor, City of Salem re application of Oregon Government Ethics law relevant to statutory conflicts of interest and use of office for a public official who is a state employee, an elected council member, and an unpaid director of a board.

AGENDA ITEM 13, 21-016I, Donald A. Erickson, Chief Administrative Officer, Oregon Department of Human Services re application of Oregon Government Ethics law relevant to statutory conflicts of interest by accepting a position as an unpaid board director for a non-profit (501c) organization while serving in the capacity as a public official.

AGENDA ITEM 14, 21-02I, Senator Elizabeth Steiner Hayward, Oregon Legislative Assembly re application of Oregon Government Ethics law to a member of the Legislative Assembly renting office space from a lobby firm.

Other Correspondence

(non-action, informational only items)

None.

Note: Commission commented on a short turnaround time and excellent content of Advice items.

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The Commission convened into executive session at 9:59 a.m. to consider possible own motion 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)

None.

Own Motion Preliminary Reviews

(File 2)

AGENDA ITEM 17, Possible Own Motion Preliminary Review re Angela Adams, Office Manager, Linn County Planning and Building. Gould summarized the case. Commission briefly discussed the matter. Fiskum moved that the Commission conduct a preliminary review to determine if there is cause to investigate whether Angela Adams has violated ORS Chapter 244. Roll call taken as follows: Edwards, aye; Fiskum, aye; O'Day, aye; Lindsay, aye; Hollister, aye; Sosa, aye; Starr, aye; Sortun, aye; Mason, aye. Motion passed 9 – 0.

Other Items

None.

Commission reconvened into regular session at 10:05 a.m.

MISCELLANEOUS ITEMS

(File 3)

AGENDA ITEM 15, Trainers' Report. Maison summarized the training activities.

AGENDA ITEM 16, Executive Director's Report.

Bersin reviewed the following:

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- 2019-21 Budget summary. No reduction in funds. No additional Covid expenses.
- 2021-23 Budget presentation complete. Possible fund sweeps.
- Legislative update. Four OGEC Bills presented. Waiting for work session date.
- SEI filing to open 3/15/2021.
- Audit. A draft report to be completed shortly, and provided when available.
- Commissioner Starr advised Commission that he will not seek an additional term if Legislation allows.
- Brief discussion re other Legislation
- OGEC published its first Newsletter. Discussion re distribution.

Chair Mason adjourned the meeting at 10:20 p.m.

The next scheduled meeting date of the Oregon Government Ethics Commission is set for FRIDAY, April 30, 2021, 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, and will be conducted via video conference.

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