

**OREGON GOVERNMENT ETHICS COMMISSION  
MEETING AGENDA**

**December 14, 2018**  
9:00 a.m. – 2:00 p.m.

**2<sup>nd</sup> Floor Conference Room**  
3218 Pringle Rd SE, Suite 220, Salem, OR 97302-1544

Note: The OGEC may take action on any agenda items listed below or related thereto and will engage in a working lunch.

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None.

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**ADVISORY OPINIONS**

None.

**CORRESPONDENCE RECEIVED/RESPONSES**

Staff Opinions (non-action, informational only items)

None.

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None.

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**EXECUTIVE SESSION**

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

**ADJOURNMENT**

**NOTE:**

THE NEXT MEETING DATE OF THE OREGON GOVERNMENT ETHICS COMMISSION IS SCHEDULED FOR **FRIDAY, JANUARY 25, 2019 AT 9:00 A.M.** IN THE 2nd FLOOR CONFERENCE ROOM OF THE MORROW CRANE BUILDING AT 3218 PRINGLE RD SE, #220, SALEM, OREGON.

**OREGON GOVERNMENT ETHICS COMMISSION**  
**MEETING MINUTES**  
**November 2, 2018**  
9:00 a.m.

(:01)

Chair Alison Kean called the meeting to order at 9:00 a.m. The meeting was held in the 2<sup>nd</sup> Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE Salem, Oregon. Other Commissioners present were Charles Starr, Daniel Mason, David Fiskum, Nathan Sosa, Kamala Shugar, Sean O'Day, and Karly Edwards. Staff present were OGEC Counsel Amy Alpaugh, Program Manager Virginia Lutz, Compliance and Education Coordinator Diane Gould, Investigator Susan Myers, Investigator Hayley Weedn, Trainer Monica Walker, and Administrative Specialist Kathy Baier. Executive Director Ron Bersin joined by telephone.

(1:00)

AGENDA ITEM 1, Comments from the Chair. Chair Kean welcomed all and introduced new staff members, Investigator Susan Myers and Trainer Monica Walker.

(2:48)

The Commission convened into executive session at 9:04 a.m. to consider Preliminary Reviews pursuant to ORS 244.260(4)(d), and ORS 192.685(1).

Media present: Paris Achen with the Portland Tribune

**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)

(4:07)

AGENDA ITEM 33, 18-185EHW, Tammy Stempel, Mayor and Budget Committee member, City of Gladstone. Weedn summarized the case. Stempel addressed the Commission. Ms. Stempel's husband was present. The Commission discussed the matter. Fiskum moved that the Commission find that there is a substantial, objective basis

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for believing that Tammy Stempel may have violated ORS 244.120 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(12:00)

AGENDA ITEM 51, 18-213EDG, Tammy Stempel, Mayor, City of Gladstone. Myers summarized the case. Stempel addressed the Commission. Ms. Stempel's husband was present. The Commission discussed the matter. Mason moved that the Commission find that there is a substantial, objective basis for believing that Tammy Stempel 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: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, nay; Starr, nay; Burke, nay; Edwards, nay; Kean, aye. Motion passed 5 – 4.

The Commission further discussed the matter. Kean moved that the Commission reconsider the motion to investigate. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

Burke moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 244.040(1) and 244.120(2) or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(48:21)

AGENDA ITEM 32, 18-181ETH, Alan Ruden, City Councilor, City of McMinnville. O'Day announced a conflict of interest and removed himself from the room. Myers summarized the case. Ruden addressed the Commission. Burke moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS 244.040 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, abstained; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed 8-0 with 1 abstention.

**The Commission recessed at 10:12 a.m. and resumed in Executive Session at 10:25 a.m.**

(1:11:13)

AGENDA ITEM 34, 18-191EDG, William Taylor, City Councilor, City of Antelope. Gould summarized the case. Taylor did not address the Commission. Burke moved that the Commission find that the complaint and information before the Commission do not

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indicate a violation of ORS 244.040 and 244.120(2) or warrant further review and that this complaint be dismissed, and a Letter of Education issued in lieu of finding of violation. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(1:19:15)

AGENDA ITEMS 35 – 39; 41 – 43 Board Members, Idanha-Detroit Rural Fire Protection District. Weedn summarized the cases. Respondents did not address the Commission.

AGENDA ITEM 35, 18-193XHW, Walt Collier. Burke moved that the Commission find that there is a substantial, objective basis for believing that Walt Collier may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 36, 18-194XHW, Lyn Schultz. Burke moved that the Commission find that there is a substantial, objective basis for believing that Lyn Schultz may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 37, 18-195XHW, Linda Stice. Burke moved that the Commission find that there is a substantial, objective basis for believing that Linda Stice may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 38, 18-196XHW, Laura Harris. Starr moved that the Commission find that there is a substantial, objective basis for believing that Laura Harris may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 39, 18-197XHW, Kurt Hagerman. Burke moved that the Commission find that there is a substantial, objective basis for believing that Kurt Hagerman may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 41, 18-202XHW, Walt Collier. Burke moved that the Commission find that there is a substantial, objective basis for believing that Walt Collier may have violated

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ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 42, 18-203XHW, Lyn Schultz. Starr moved that the Commission find that there is a substantial, objective basis for believing that Lyn Schultz may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 43, 18-204XHW, Linda Stice. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Linda Stice may have violated ORS 192.660(1) – (2) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(1:37:00)

AGENDA ITEM 40, 18-199EDG, Linda Stice. Director of the Board, Idanha-Detroit Rural Fire Protection District. Gould summarized the case. Stice did not address the Commission. Fiskum 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: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(1:39:12)

AGENDA ITEM 44, 18-206EDG, Louis Gomez, Administrator, City of Oakridge. Gould summarized the case. Gomez did not address the Commission. Burke moved that the Commission find that there is a substantial, objective basis for believing that Louis Gomez may have violated ORS 244.040 and 244.120(1)(c) 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; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

#### Own Motion Preliminary Reviews

None.

**Commission adjourned from Executive Session at 10:58 a.m. and reconvened into open session at 11:03 a.m.**

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(1:47:00)

Mason asked about the Governor Brown complaint. Alpaugh explained that the timing of its receipt and preliminary review period requires it to be heard in Executive Session at the December Ethics Commission meeting.

Commissioners O'Day and Shugar stated that they will be absent from the December 14, 2018 Commission meeting.

(1:54:18)

AGENDA ITEM 2, Approval of minutes of the September 21, 2018 Commission meeting. Starr moved for approval of the minutes of the September 21, 2018 Commission meeting. Group vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, abstained. Motion passed 8-0, 1 abstention.

### CONSENT CALENDAR

(2:08)

Fiskum requested Agenda Item 7 be removed from consent calendar for comment.

Edwards declared a working relationship with item #5. Burke moved for the approval of the remaining Consent Calendar items 3 – 6 and 8 – 16 and the staff recommendation on each as follows:

#### Lobbyist Penalty Correspondence

AGENDA ITEM 3, John Keith, 2018 Q2, Letter of Education

AGENDA ITEM 4, Denise McCarty, 2018 Q3, Letter of Education

AGENDA ITEM 5, Carla Axtman, 2018 Q3, Letter of Education

AGENDA ITEM 6, Danielle Miller, 2018 Q3, Letter of Education

AGENDA ITEM 8, Maggie Tallmadge, 2018 Q3, Letter of Education

#### Lobbyist Client Penalty Correspondence

AGENDA ITEM 9, Oregon Assoc of Relief Nurseries, 2018 Q2, Letter of Education

AGENDA ITEM 10, Oregon Solar Energy Industries Assoc, 2018 Q1 Letter of Education

AGENDA ITEM 11, Grown Rogue, 2017 Q4, Letter of Education

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AGENDA ITEM 12, Port of Alsea, 2018 Q3, Letter of Education

Statement of Economic Interest Penalty Correspondence

AGENDA ITEM 13, Elijah Preston, 2018 SEI, Letter of Education

AGENDA ITEM 14, Joseph Esmonde, 2018 SEI, Letter of Education

AGENDA ITEM 15, Bridget Bailey, 2018 SEI, Letter of Education

AGENDA ITEM 16, William Paythress, 2018 SEI, Letter of Education

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

End of Consent Calendar

Lobbyist Penalty Correspondence

(1:56:23)

AGENDA ITEM 7, Reginald Richardson, 2018 Q3, Letter of Education. Fiskum requested more information from Bersin who summarized the matter. Fiskum moved that the Commission approve staff recommendation of a Letter of Education for the late filing of the Q3 2018 Lobbyist Expenditure Report. Roll call was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(2:00:18)

AGENDA ITEM 17, Jennifer Hudson, Q2 2018, \$2,450. Recommendation: \$250 for second violation. The Commission generally discussed the matter. Fiskum moved to waive the penalty and issue a Letter of Education for the late filing of the Q2 2018 Lobbyist Expenditure Report. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

Lobbyist Client Penalty Correspondence

(2:04:00)

AGENDA ITEM 18, Oregon Assoc of Conservation Districts, Q2 2018, \$150. Recommendation: \$100 for 4<sup>th</sup> violation. Burke moved to approve the recommendation of \$100 for the late filing of the Q2 2018 Lobbyist Client Expenditure Report. Roll call

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

(2:06:04)

AGENDA ITEM 19, Oregon State Pharmacy Assoc, Q3 2018, \$20. Recommendation: No reduction for 2<sup>nd</sup> violation. Starr moved to approve the recommendation to not reduce for 2<sup>nd</sup> violation. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(2:06:37)

AGENDA ITEM 20, Independent Medical Examination Assoc, Q3 2018, \$10. Recommendation: No reduction for 2<sup>nd</sup> violation. Shugar moved to approve the recommendation to not reduce for 2<sup>nd</sup> violation. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(2:07:20)

AGENDA ITEM 21, Renaissance Solutions, Q3 2018, \$80. Starr moved to approve the recommendation to reduce the penalty to \$50 for 2<sup>nd</sup> violation. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

#### Statement of Economic Interest

(2:08:00)

AGENDA ITEM 22, Jim Rue, 2018 SEI, \$50. Recommendation: No reduction. Shugar moved to not reduce for 2<sup>nd</sup> violation. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

#### STIPULATED FINAL ORDERS

(2:08:35)

AGENDA ITEM 23, 17-056EDG, Curtis Blakeman

AGENDA ITEM 24, 17-057EDG, Znette Blakeman

Board Members, Valley Acres Special Road District. Weedn summarized the cases.

17-056EDG, Curtis Blakeman. Mr. Blakeman did not address the Commission. Starr 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; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

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17-057EDG, Znette Blakeman. Ms. Blakeman did not address the Commission. Starr 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; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(2:14:30)

AGENDA ITEM 25, 17-083MT, Jennifer Stephens, Assistant Building Director, Lake County Building Dept. Ms. Stephens did not address the Commission. Myers summarized the case. The Commission generally discussed the matter. Starr 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; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

DEFAULT FINAL ORDERS

(2:17:25)

AGENDA ITEM 26, 16-152EMS, James Raussen, Executive Director Oregon Education Benefits Board. Gould summarized the case. Raussen did not address the Commission. The Commission generally discussed the case. Burke moved to accept the Default Final Order as the final order in this matter and that the chairperson be authorized to sign it as such. Edwards declared a working relationship. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

REPORTS OF INVESTIGATION

None.

ADVISORY OPINIONS

None.

CORRESPONDENCE RECEIVED/REPONSES

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

Staff Opinions

(non-action, informational only items)

None.

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Staff Advice  
(non-action, informational only items)

(2:30:25)

AGENDA ITEM 27, 18-218I, Brad Anderson, Washington County Counsel re Washington County Sheriff's Office first responders and whether they may accept a discounted AT&T mobile phone plan for their personal, private use, at their own cost. Gould summarized the advice. The Commission and Counsel generally discussed the advice. Burke moved to have Staff and Attorney develop a Commission Advisory Opinion to address issues in 18-218I. Roll call vote was taken as follows: Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Burke, aye; Edwards, aye; Kean, aye. Motion passed unanimously.

(2:50:00)

AGENDA ITEM 28, 18-224I, Rosemary Koch, Council, City of St. Paul re overdue property taxes by City Mayor; the Deputy City Treasurer's spouse being awarded City Public Works contract; how to handle conflicts of interest in general. Weedn summarized the advice. The Commission generally discussed the advice.

Other Correspondence  
(non-action, informational only items)

None.

**The Commission recessed for a working lunch at 12:10 p.m. and reconvened into open session at 12:22 p.m.**

MISCELLANEOUS ITEMS

(2:53:10)

AGENDA ITEM 30, Trainers' Report. Walker summarized the training activities from September 24 through November 2, 2018. The Commission generally discussed training opportunities.

(3:09:03)

AGENDA ITEM 29, Executive Director Evaluation Discussion. Lutz summarized the evaluation process for the Commissioners, and advised that comments would be sent to them prior to the December meeting.

(3:11:12)

AGENDA ITEM 31, Executive Director's Report. Bersin discussed the following:

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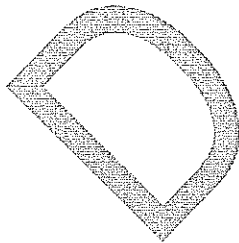
THESE MINUTES CONTAIN MATERIALS WHICH PARAPHRASE AND/OR SUMMARIZE STATEMENTS MADE DURING THIS MEETING. ONLY TEXT ENCLOSED IN QUOTATION MARKS REPORT A SPEAKER'S EXACT WORDS. FOR COMPLETE CONTENTS OF THE PROCEEDINGS, PLEASE REFER TO THE AUDIO RECORDINGS AT <http://www.oregon.gov/OGEC/Pages/comissionmeet.aspx>.

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- 2017-2019 biennial budget: Bersin reviewed the status of the 2017-2019 budget and projected surplus. General Fund revenues have exceeded predictions. Discussion re attorney fees. Noted that former Governor Kitzhaber has paid his civil penalties in full.
- 2019-2021 biennial budget: Agency Request Budget submitted. No Policy Packages. Governor's budget will be released in early December.
- Legislative Concepts: Met with the Governor's staff to discuss concepts. Waiting for the Governor's release of legislative agenda.
- SEI 2018 filing: reviewed status of 2018 filers and working on previous years.
- A delegation from China met with OGEC staff to discuss measures to prevent Government corruption.
- State CIO presented OGEC with an Honorable Mention Award for the Case Management System.
- Lobbyist and Client/Employer Quarter 3, 2018 filing: reviewed status.
- December meeting includes elections for next year's Chair and Vice-Chair.
- Staff continues to work with the Hayes case and is close to bringing it before the Commission.

**Chair Kean adjourned the meeting at 1:00 p.m.**

**The next scheduled meeting date of the Oregon Government Ethics Commission is set for Friday, December 14, 2018, at 9:00 a.m. The meeting will be held in the 2<sup>nd</sup> Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE, in Salem, Oregon.**




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**THESE MINUTES CONTAIN MATERIALS WHICH PARAPHRASE AND/OR SUMMARIZE STATEMENTS MADE DURING THIS MEETING. ONLY TEXT ENCLOSED IN QUOTATION MARKS REPORT A SPEAKER'S EXACT WORDS. FOR COMPLETE CONTENTS OF THE PROCEEDINGS, PLEASE REFER TO THE AUDIO RECORDINGS AT <http://www.oregon.gov/OGEC/Pages/comissionmeet.aspx>.**

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# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 5, 2018

Mary Nolan  
PO Box 12684  
Portland OR 97212

Dear Ms. Nolan:

The written explanation of why your Q4 2017 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$1600 penalty will be extended to coincide with the December 14<sup>th</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Lobbyist Activity

## Q4 2017

Lobbyist Code: 150  
User Name: NolanOGEC  
Email: nolan@caudaloso.org

Q4 2017 Filing: 2/28/2018  
Q4 2017 Expended: \$0.00  
Q4 2017 Penalty: \$1,600.00

Mary Nolan  
PO Box 12684  
Portland, OR 97212

### Activity Log - Q4 2017 to Date

10/05/17 09:49:22.120 - User Successfully Authenticated -  
10/05/17 09:50:28.063 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q3 2017  
10/10/17 11:12:50.730 - User Successfully Authenticated -  
10/10/17 11:26:41.577 - User Successfully Authenticated -  
10/10/17 02:44:34.470 - User Successfully Authenticated -  
10/10/17 02:45:29.283 - User Profile Updated - The user's main profile was updated.  
10/10/17 02:45:52.890 - User Profile Updated - User profile updated for Mary Nolan  
01/16/18 02:58:09.073 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/17/18 03:00:31.483 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/18/18 01:30:06.683 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/19/18 01:30:06.733 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/20/18 01:30:07.280 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/21/18 01:30:11.777 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/22/18 01:30:06.733 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/23/18 01:30:06.807 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/24/18 01:30:07.447 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/25/18 01:30:07.460 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/26/18 01:30:07.913 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/27/18 01:30:06.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/28/18 01:30:06.627 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/29/18 01:30:07.270 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/30/18 01:30:05.953 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/31/18 01:30:05.957 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/01/18 01:30:09.813 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/02/18 01:30:06.637 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/03/18 01:30:05.230 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/04/18 01:30:05.643 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/05/18 01:30:06.000 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/06/18 01:30:06.890 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/07/18 01:30:06.220 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/08/18 01:30:06.230 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/09/18 01:30:06.540 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/10/18 01:30:06.050 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/11/18 01:30:06.073 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/12/18 01:30:08.607 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/13/18 01:30:05.187 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/14/18 01:30:05.957 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/15/18 01:30:05.290 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/16/18 01:30:07.710 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/17/18 01:30:05.377 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/18/18 01:30:05.147 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/19/18 01:30:05.223 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/20/18 01:30:06.270 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/21/18 01:30:06.043 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/22/18 01:30:06.947 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/23/18 01:30:06.490 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/24/18 01:30:05.197 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/25/18 01:30:17.560 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/26/18 01:30:36.243 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/27/18 01:30:14.817 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/28/18 01:30:05.887 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/28/18 03:30:09.660 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q4 2017  
02/28/18 03:32:20.127 - User Profile Updated - User profile updated for Mary Nolan  
02/28/18 03:32:20.163 - User Profile Updated - The user's main profile was updated.

PAST VIOLATIONS: NONE

RECOMMENDATION:

*Letter to ED*



From: Mary Nolan <nolan@volat.us>  
Date: Monday, November 05, 2018 2:07 PM  
To: BAIER Kathy \* OGEC  
Subject: request for waiver: late fee for final filing

Members of the Oregon Ethics Commission:

I am writing to ask that you waive the late fees accumulated for my final filing as a registered lobbyist. I was Executive Director of Planned Parenthood Advocates of Oregon and registered as a lobbyist for that organization. I retired from that position October 31, 2017. I considered that my professional duties were done, and simply ignored the step to close the final loop with a Q4 report to you for 2017. Since I had retired, I no longer had access to my work email address, so I don't think I got the usual advance alerts that are sent reminding lobbyists to make their filings.

Your staff called me in February to bring this omission by my attention and I promptly filed the report, but not until late February. In the meanwhile, my account was accruing late penalties until you received my final report.

I never intended to hide information from you or the public, and indeed really had nothing to hide as my last report shows.

I admit to neglecting this duty, and I ask that under the circumstances of an otherwise timely record with my reports while I was active as a lobbyist, that you waive the accumulated late fees.

Thank you for your consideration.

Mary Nolan  
3.781.4520 cell/text





# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

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Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 8, 2018

Amy Miller  
1401 NE 68<sup>th</sup> Ave.  
Portland OR 97213

Dear Ms. Miller:

The written explanation of why your Q3 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$30 penalty will be extended to coincide with the December 14<sup>th</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Lobbyist Activity

## Q3 2018

Lobbyist Code: 287  
User Name: amymiller  
Email: amy.miller@opds.state.or.us

Q3 2018 Filing: 10/18/2018  
Q3 2018 Expended: \$0.00  
Q3 2018 Penalty: \$30.00

Amy Miller  
1401 NE 68th Ave.  
Portland, OR 97213

### Activity Log - Q3 2018 to Date

07/12/18 09:10:05.353 - User Successfully Authenticated -  
07/12/18 09:10:54.697 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018  
10/16/18 01:30:06.810 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/17/18 01:30:06.987 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/18/18 01:30:07.107 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/18/18 01:23:47.893 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q3 2018  
10/18/18 01:27:34.650 - User Profile Updated - User profile updated for Amy Miller  
10/18/18 01:27:35.493 - User Profile Updated - The user's main profile was updated.

PAST VIOLATIONS: NONE

RECOMMENDATION:

*Letter to ED*  
*(PC)*

To: Amy MILLER  
Subject: RE: Lobbyist report

Dear Commissioners,

I am writing to request a waiver of the \$30 penalty for late filing of the Q3 lobbying report. I am late because I took an extended leave of absence, beginning June 4, 2018 that evolved into separation from state service (and from my duties as a registered lobbyist). My last official day as a state employee was August 3, 2018 but I had been on leave for two months prior to my separation date. I've never before filed the report late before and regret that I did so. I was not regularly accessing email during my leave and, as a result, neglected my obligation to file the report. Thank you for understanding and please contact me if you have any questions or concerns.

Thank you,  
Amy Miller

--

**Amy Miller**  
Legal Director  
DIRECT 503.988.9873  
pronouns: she/her

**CASA for Children** | [1401 NE 68th Ave | Portland, OR 97213](http://1401_NE_68th_Ave_Portland_OR_97213)

**MAIN** 503.988.5115 | **FAX** 503.988.5618 | [casahelpskids.org](http://casahelpskids.org)

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\*\*\*\*\*





# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 29, 2018

Marjorie Kafoury  
1025 NW Couch St., Unit 610  
Portland OR 97209

Dear Ms. Kafoury:

The written explanation of why your Q1 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$5000 penalty will be extended to coincide with the December 14<sup>th</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Lobbyist Activity

Q1 2018

Lobbyist Code: 897  
User Name: Margeka  
Email: ka4epdx@gmail.com

Q1 2018 Filing:  
Q1 2018 Expended:  
Q1 2018 Penalty: \$5,000.00

Marjorie Kafoury  
1025 NW Couch St., Unit 610  
Portland, OR 97209

## Activity Log - Q1 2018 to Date

01/01/18 01:32:25.923 - Lobbyist/Client Registration Request Expired - The lobbyist/client registration came to end of term and expired.  
01/01/18 01:32:27.250 - Lobbyist/Client Registration Request Expired - The lobbyist/client registration came to end of term and expired.  
01/01/18 01:32:27.267 - Lobbyist/Client Registration Request Expired - The lobbyist/client registration came to end of term and expired.  
01/03/18 09:40:52.710 - User Failed to Authenticate -  
01/03/18 09:45:27.050 - User Successfully Authenticated -  
01/03/18 09:46:42.987 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q4 2017  
01/04/18 11:17:41.503 - User Profile Updated - User profile updated for Marjorie Kafoury  
01/04/18 11:17:41.570 - User Profile Updated - The user's main profile was updated.  
01/04/18 12:17:10.533 - Lobbyist Client Registration Accepted - The lobbyist/client registration was accepted.  
02/27/18 08:41:16.513 - User Successfully Authenticated -  
04/16/18 01:30:11.333 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/17/18 01:30:06.830 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/18/18 01:30:07.707 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/19/18 01:30:10.000 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/20/18 01:30:06.503 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/21/18 01:30:11.347 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/22/18 01:30:10.113 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/23/18 01:30:07.170 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/24/18 01:30:06.190 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/25/18 01:30:05.797 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/26/18 01:30:06.423 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/27/18 01:30:06.323 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/28/18 01:30:06.530 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/29/18 01:30:05.667 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
04/30/18 01:30:08.953 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q1  
05/01/18 01:30:07.600 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/02/18 01:30:07.323 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/03/18 01:30:06.257 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/04/18 01:30:05.793 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/05/18 01:30:05.897 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/06/18 01:30:09.160 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/07/18 01:30:08.467 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/08/18 01:30:06.100 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/09/18 01:30:06.117 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/10/18 01:30:05.650 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/11/18 01:30:05.490 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/12/18 01:30:06.893 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/13/18 01:30:06.087 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/14/18 01:30:06.020 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/15/18 01:30:06.023 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/16/18 01:30:07.680 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/17/18 01:30:05.463 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/18/18 01:30:05.920 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/19/18 01:30:05.767 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/20/18 01:30:06.470 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/21/18 01:30:06.627 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/22/18 01:30:05.280 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/23/18 01:30:06.140 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/24/18 01:30:05.210 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/25/18 01:30:05.453 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/26/18 01:30:05.263 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/27/18 01:30:06.123 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
05/28/18 01:30:06.340 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1



# Lobbyist Activity

Q1 2018

Lobbyist Code: 897  
Lobbyist Name: Margeka  
Email: ka4epdx@gmail.com

Marjorie Kafoury  
1025 NW Couch St., Unit 610  
Portland, OR 97209

Q1 2018 Filing: 11/29/2018  
Q1 2018 Expended: \$0.00  
Q1 2018 Penalty: \$5,000.00

07/26/18 01:30:05.783 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
07/27/18 01:30:05.627 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
07/28/18 01:30:05.463 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
07/29/18 01:30:05.447 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
07/30/18 01:30:05.517 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
07/31/18 01:30:05.503 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
08/01/18 01:30:05.350 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
08/02/18 01:30:05.577 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
08/03/18 01:30:05.460 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
08/04/18 01:30:05.870 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
08/05/18 01:30:06.563 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q1  
11/29/18 12:10:46.650 - User Profile Updated - User profile updated for Marjorie Kafoury  
11/29/18 12:10:46.767 - User Profile Updated - The user's main profile was updated.  
11/29/18 12:12:22.787 - Admin User Reset Initiated - An admin user reset was initiated.  
11/29/18 12:13:26.540 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/29/18 12:13:45.227 - User Successfully Authenticated -  
11/29/18 12:14:06.607 - User Profile Updated - User profile updated for Marjorie Kafoury  
11/29/18 12:14:06.730 - User Profile Updated - The user's main profile was updated.  
11/29/18 12:25:18.713 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q1 2018

PAST VIOLATIONS: NONE

RECOMMENDATION:

*Letter to ED*  
*ED*

**BAIER Kathy \* OGEC**

---

**From:** Marge Kafoury <ka4epdx@gmail.com>  
**Sent:** Thursday, November 29, 2018 11:51 AM  
**To:** BAIER Kathy \* OGEC  
**Subject:** Quarter 1 2018 Ethics Report

Dear Kathy:

Thank you for your telephone call this morning informing me that you had not received a Quarter 1 2018 report from me. Would you kindly provide the Commission with my explanation, which follows:

Dear Members of the Ethics Commission:

I was just informed this morning that the Commission did not receive a Quarter 1, 2018 report from me. I was unaware that this was a problem until today. Apparently the fault was an incorrect email entered in my account record which prevented my receiving correspondence from OGEC.

On February 27 of this year I notified the Commission that I had retired from representing the Oregon Beverage Recycling Cooperative effective March 1, thus becoming inactive. While I now realize that I needed to file a Q1 report for the period of time during the quarter that I was active (from January 1 to February 28), I didn't think of it at the time, and didn't to my knowledge receive a request to file that report. I apologize for this unintended oversight.

I was a lobbyist in Oregon for 31 years and have never failed to file prompt and complete reports as required. Again, I apologize and ask that the Commission mitigate any penalty that might otherwise be assessed for a deliberate failure to report.

Sincerely,

Marge Kafoury  
[ka4epdx@gmail.com](mailto:ka4epdx@gmail.com)  
503-936-4844



# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

October 26, 2018

Beyond Toxics  
Attn: Lisa Arkin  
1192 Lawrence St.  
Eugene OR 97401

Dear Ms. Arkin:

The written explanation of why the Q3, 2018 Client expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for Q3, 2018 (\$30) penalty will be extended to coincide with the December 14<sup>th</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Client/Employer Activity

## Q3 2018

Client Code: 316  
User Name: Beyond Toxics  
Email: larkin@BeyondToxics.org

Q3 2018 Filing: 10/18/2018  
Q3 2018 Expended: \$0.00  
Q3 2018 Penalty: \$30.00


Beyond Toxics  
Attn: Lisa Arkin  
1192 Lawrence St.  
Eugene, OR 97401

### Activity Log - Q3 2018 to Date

07/08/18 05:37:40.097 - User Successfully Authenticated -  
07/08/18 05:39:12.613 - Client Report Submitted - Client Report Submitted for Q2 2018  
10/03/18 09:42:46.803 - User Successfully Authenticated -  
10/16/18 01:30:07.933 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/17/18 01:30:07.533 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/18/18 01:30:07.557 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/18/18 11:43:43.177 - Client Report Submitted - Client Report Submitted for Q3 2018

PAST VIOLATIONS: NONE

RECOMMENDATION:

*Letter at Ed*  


**BAIER Kathy \* OGEC**

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**From:** Lisa Arkin <larkin@beyondtoxics.org>  
**It:** Friday, October 26, 2018 12:08 PM  
**To:** BAIER Kathy \* OGEC  
**Subject:** Request to waive penalty fee

**RECEIVED**  
OCT 26 2018  
OREGON GOVERNMENT  
ETHICS COMMISSION

Dear Commissioners,

I was unable to get to the computer to file my quarterly lobby report in time for the Q3 deadline because of a medical emergency.

On October 8 I began to have severe abdominal pain, by the 9th I was incapacitated and was subsequently admitted to McKenzie Willamette Medical Center for emergency abdominal surgery. On October 15 I encountered post-surgical complications and was not released from the hospital until October 22.

I sincerely was not physically capable of being on a computer, filing the form, nor to be honest, I wasn't able to contemplate work-related obligations.

I would sincerely appreciate your understanding and forbearance. Would you please rescind the \$30 late fee for my late filing and for our organization.

Thank you.

Lisa Arkin, Beyond Toxics  
1192 Lawrence St.  
Eugene, OR 97401  
541-465-8860

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# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 20, 2018

Gaye Gibby  
1517 Main St.  
Lyons OR 97358

Re: 2017 & 2018 SEI late filing

Dear Ms. Gibby:

The written explanation of why your 2017 & 2018 Statements of Economic Interest reports were filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity

2017

SEI Code: 5963  
User Name: grannyg2  
Email: gayegibby@yahoo.com

2017 Filing: 6/6/2018  
2017 Penalty: \$20.00

Gaye Gibby  
1517 Main St  
Lyons, OR 973582312

## 2017 Offices Held

No data to report.

## Activity Log - 2017 to Date

04/13/17 08:37:59.433 - User Profile Created - User profile created for Gaye Gibby  
04/13/17 08:38:09.490 - User Profile Created - A new user profile was created.  
04/13/17 08:38:09.533 - SEI Assigned to Seat - SEI Assigned to Seat  
04/13/17 08:50:42.587 - SEI Report Draft Saved - SEI Report Draft Saved for year 2017  
05/07/17 01:30:44.423 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/09/17 01:30:15.613 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/10/17 04:35:24.190 - Late SEI Report Filed - SEI Report Filed Late for year 2017  
05/10/17 04:40:00.367 - User Profile Updated - User profile updated for Gaye Gibby  
05/10/17 04:40:11.457 - User Profile Updated - The user's main profile was updated.  
03/21/18 06:59:41.583 - User Failed to Authenticate -  
03/21/18 07:02:20.300 - User Failed to Authenticate -  
03/21/18 07:02:32.580 - User Failed to Authenticate -  
03/21/18 07:02:42.063 - User Failed to Authenticate -  
03/21/18 07:03:20.450 - User Failed to Authenticate -  
03/21/18 07:03:33.163 - User Failed to Authenticate -  
05/07/18 01:30:14.643 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:11.360 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:09.847 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:08.833 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:10.857 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:11.137 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:09.347 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:13.443 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:13.200 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:11.050 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:09.460 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:14.203 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:08.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:09.357 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:09.187 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:08.463 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:09.353 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:07.550 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 07:00:51.877 - User Failed to Authenticate -  
05/24/18 08:02:36.453 - Admin User Reset Initiated - An admin user reset was initiated.  
05/25/18 01:30:10.867 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:07.043 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:08.073 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.507 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:07.033 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:07.823 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:09.513 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:08.543 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:09.167 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:06.910 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:07.733 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.540 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:08.197 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 11:48:10.193 - Admin User Reset Initiated - An admin user reset was initiated.  
06/06/18 11:52:08.850 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
06/06/18 11:52:37.870 - User Successfully Authenticated -  
06/06/18 11:59:45.670 - Late SEI Report Filed - SEI Report Filed Late for year 2018



# SEI Activity

2018

SEI Code: 5963  
Operator Name: grannyg2  
Email: gayegibby@yahoo.com

2018 Filing: 6/6/2018  
2018 Penalty: \$910.00

Gaye Gibby  
1517 Main St  
Lyons, OR 973582312

## 2018 Offices Held

No data to report.

## Activity Log - 2018 to Date

03/21/18 06:59:41.583 - User Failed to Authenticate -  
03/21/18 07:02:20.300 - User Failed to Authenticate -  
03/21/18 07:02:32.580 - User Failed to Authenticate -  
03/21/18 07:02:42.063 - User Failed to Authenticate -  
03/21/18 07:03:20.450 - User Failed to Authenticate -  
03/21/18 07:03:33.163 - User Failed to Authenticate -  
05/07/18 01:30:14.643 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:11.360 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:09.847 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:08.833 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:10.857 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:11.137 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:09.347 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:13.443 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:13.200 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:11.050 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:09.460 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:14.203 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:08.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:09.357 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:09.187 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:08.463 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:09.353 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:07.550 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 07:00:51.877 - User Failed to Authenticate -  
05/24/18 08:02:36.453 - Admin User Reset Initiated - An admin user reset was initiated.  
05/25/18 01:30:10.867 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:07.043 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:08.073 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.507 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:07.033 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:07.823 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:09.513 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:08.543 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:09.167 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:06.910 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:07.733 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.540 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:08.197 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 11:48:10.193 - Admin User Reset Initiated - An admin user reset was initiated.  
06/06/18 11:52:08.850 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
06/06/18 11:52:37.870 - User Successfully Authenticated -  
06/06/18 11:59:45.670 - Late SEI Report Filed - SEI Report Filed Late for year 2018  
08/22/18 12:22:01.323 - Admin User Reset Initiated - An admin user reset was initiated.

PAST VIOLATIONS: 2017 \$20. She completed the SEI timely (April 13) yet it was marked as Pending as she didn't know how to sign it electronically until staff assisted.

RECOMMENDATION: Letter of FJ (B)

RECEIVED

NOV 20 2018

OREGON GOVERNMENT  
ETHICS COMMISSION

Dear Commissioners,

Back in the dark ages when I was in high school, I had a teacher who told us (me and my fellow students) "There is no excuse for an excuse". and I have tried to live my life by that adage and that is primarily the reason for this letter concerning my late filing fees for the late filing of my 2017 and 2018 SEI's. However, I recognize that you want some kind of excuse.

I have no real excuse except my lack of desire to deal with my emails. I have been known to have at least 1,000 unopened emails, and I'm sure that many were sent to me by the ethics board and they were lost when I emptied my email trash.

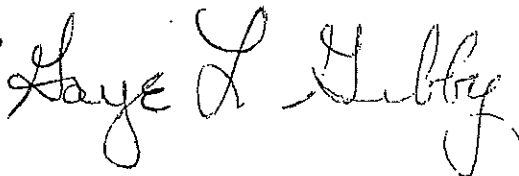
I would claim old age as an excuse, but since I don't consider myself old (I'm only 71 or 72, I can't remember which without using a calculator) though I probably should, considering how easily I forget important matters, I can't excuse myself that way.

Probably my best excuse is that somewhere in my DNA there must be some genes related to an old ostrich, who had a tendency to bury her head in the sand in order to avoid situations that she didn't know how to deal with, hoping that when she pulled her head out, the situation would have resolved itself.

Therefore, I humbly request that you forgive my fines. I can probably manage my \$20.00 fine from 2017, but on a fixed income from Social Security, the \$930.00 fine is beyond my reach, Unless you are willing to take payments of \$20.00 a month for the next 46.875 months. That means that my fine would be paid off in slightly under 4 years.

Thank you for considering my request.

Sincerely,





# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

December 3, 2018

Val Hoyle  
36603 Camp Creek Rd.  
Springfield OR 9478

Re: 2018 SEI late filing

Dear Ms. Hoyle:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity

## 2018

SEI Code: 4093  
User Name: HoyleV  
Email: val@valhoyle.com

2018 Filing: 11/30/2018  
2018 Penalty: \$5,000.00

Val Hoyle  
900 Court St NE, Rm H-283  
Salem, OR 97301

### 2018 Offices Held

Bureau of Labor and Industries Commissioner (Primary Candidates), Bureau of Labor and Industries Commissioner - Appointed  
03/07/18

### Activity Log - 2018 to Date

05/07/18 01:30:15.923 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:12.607 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:10.407 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:09.567 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:11.513 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:11.823 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:09.830 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:14.053 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:14.060 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:11.563 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:11.533 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:14.827 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:08.853 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:09.903 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:09.623 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:09.010 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:09.977 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:08.253 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/25/18 01:30:12.287 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:07.793 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:08.540 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.943 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:07.593 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:08.450 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:10.217 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:09.543 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:09.587 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:07.317 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:08.107 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.917 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:08.587 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/07/18 01:30:07.187 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 01:30:08.400 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/09/18 01:30:07.770 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 01:30:07.567 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/11/18 01:30:07.833 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/12/18 01:30:07.973 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/13/18 01:30:09.030 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/14/18 01:30:06.710 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/15/18 01:30:06.347 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/16/18 01:30:05.627 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/17/18 01:30:06.027 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/18/18 01:30:07.257 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/19/18 01:30:05.700 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/20/18 01:30:06.257 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/21/18 01:30:06.323 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/22/18 01:30:05.933 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/23/18 01:30:06.347 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/24/18 01:30:39.450 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/25/18 01:30:06.487 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/26/18 01:30:06.037 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018

**SEI Activity**  
**2018**

SEI Code: 4093  
r Name: HoyleV  
ail: val@valhoyle.com


2018 Filing: 11/30/2018  
2018 Penalty: \$5,000.00

Val Hoyle  
900 Court St NE, Rm H-283  
Salem, OR 97301

08/24/18 01:30:07.867 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/25/18 01:30:07.373 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/26/18 01:30:07.287 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/27/18 01:30:25.360 - Automated Late Fee Applied - Late fee of amount \$40.00 applied for reporting requirement 2018  
11/30/18 03:08:18.533 - Late SEI Report Filed - SEI Report Filed Late for year 2018  
11/30/18 03:16:47.510 - Admin User Reset Initiated - An admin user reset was initiated.  
11/30/18 03:17:35.673 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/30/18 03:18:03.000 - User Successfully Authenticated -  
11/30/18 03:19:12.580 - User Profile Updated - The user's main profile was updated.  
11/30/18 03:19:12.710 - User Profile Updated - User profile updated for Val Hoyle  
11/30/18 03:19:41.660 - Admin User Reset Initiated - An admin user reset was initiated.  
11/30/18 09:27:17.153 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/30/18 09:29:21.643 - User Successfully Authenticated -

**PAST VIOLATIONS:** NONE

**RECOMMENDATION:**

*Letter of Ed*  


**BAIER Kathy \* OGEC**

---

**Subject:** FW: Late filing SEI

RECEIVED  
DEC 03 2018  
OREGON GOVERNMENT  
ETHICS COMMISSION

**From:** Val Hoyle [mailto:val@valhoyle.com]

**Sent:** Sunday, December 02, 2018 11:07 PM

**To:** BAIER Kathy \* OGEC <Kathy.BAIER@oregon.gov>; BERSIN Ron A \* OGEC <Ron.A.Bersin@oregon.gov>

**Subject:** Re: Late filing SEI

Director Bersin and Ms Baier,

I very much appreciate Ms Baier's assistance in updating my SEI account.

As per our discussion, I was unaware that as a candidate I was required to file an SEI form and because the last email that the ethics commission had on file was my from my state representative account that has not been valid since January 2017. I would greatly appreciate it if the Ethics Commission would consider waving the fine for this one time.

Thank you both in advance for your consideration.

Best regards  
Val Hoyle



# Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

December 3, 2018

Shemia Fagan  
11150 SE Valley View Terrace  
Happy Valley OR 97086

Re: 2018 SEI late filing

Dear Ms. Fagan:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity 2018

SEI Code: 3962  
User Name: ShemiaFagan  
Email: shemiafagan@gmail.com

2018 Filing: 11/30/2018  
2018 Penalty: \$5,000.00

Shemia Fagan  
11150 SE Valley View Terrace  
Happy Valley, OR 97086

## 2018 Offices Held

State Senator (General Candidates), State Senator - Appointed 08/28/18  
State Senator (Primary Candidates), State Senator - Appointed 03/06/18

## Activity Log - 2018 to Date

05/07/18 01:30:15.907 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:12.590 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:10.393 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:09.550 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:11.513 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:11.807 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:09.817 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:14.037 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:14.043 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:11.550 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:11.470 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:14.813 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:08.840 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:09.887 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:09.593 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:09.010 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:09.960 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:08.237 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/25/18 01:30:12.240 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:07.777 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:08.523 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.930 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:07.577 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:08.417 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:10.183 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:09.497 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:09.557 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:07.283 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:08.090 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.900 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:08.570 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/07/18 01:30:07.170 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 01:30:08.370 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/09/18 01:30:07.753 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 01:30:07.537 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/11/18 01:30:07.800 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/12/18 01:30:07.957 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/13/18 01:30:09.000 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/14/18 01:30:06.680 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/15/18 01:30:06.330 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/16/18 01:30:05.610 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/17/18 01:30:06.010 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/18/18 01:30:07.227 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/19/18 01:30:05.653 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/20/18 01:30:06.240 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/21/18 01:30:06.290 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/22/18 01:30:05.920 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/23/18 01:30:06.333 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/24/18 01:30:39.417 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/25/18 01:30:06.470 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/26/18 01:30:06.007 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018



# SEI Activity

2018

SEI Code: 3962  
User Name: ShemiaFagan  
Email: shemiafagan@gmail.com


2018 Filing: 11/30/2018  
2018 Penalty: \$5,000.00

Shemia Fagan  
11150 SE Valley View Terrace  
Happy Valley, OR 97086

08/24/18 01:30:07.807 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/25/18 01:30:07.280 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/26/18 01:30:07.240 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/27/18 01:30:25.280 - Automated Late Fee Applied - Late fee of amount \$40.00 applied for reporting requirement 2018  
11/30/18 10:29:19.157 - Admin User Reset Initiated - An admin user reset was initiated.  
11/30/18 10:30:04.283 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/30/18 10:30:24.270 - User Successfully Authenticated -  
11/30/18 10:30:53.163 - User Profile Updated - User profile updated for Shemia Fagan  
11/30/18 10:30:53.363 - User Profile Updated - The user's main profile was updated.  
11/30/18 10:31:21.070 - Admin User Reset Initiated - An admin user reset was initiated.  
11/30/18 10:21:10.140 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/30/18 10:33:34.887 - User Successfully Authenticated -  
11/30/18 10:41:27.783 - Late SEI Report Filed - SEI Report Filed Late for year 2018  
11/30/18 10:42:27.630 - User Password Reset - The user's password was reset from the "My Profile" page.  
11/30/18 10:42:27.707 - User Profile Updated - The user's main profile was updated.  
11/30/18 10:42:27.783 - User Profile Updated - User profile updated for Shemia Fagan  
11/30/18 10:42:41.490 - User Password Reset - The user's password was reset from the "My Profile" page.  
11/30/18 10:42:41.520 - User Profile Updated - The user's main profile was updated.  
11/30/18 10:42:41.610 - User Profile Updated - User profile updated for Shemia Fagan

PAST VIOLATIONS: NONE

RECOMMENDATION:

*Letter w/ Ed* 



EMPLOYMENT ATTORNEYS LLP

Representing employees nationwide

Shemia Fagan, Managing Partner

503.400.7423

sfagan@hkm.com

www.hkm.com/portland

RECEIVED  
DEC 03 2018  
OREGON GOVERNMENT  
ETHICS COMMISSION

November 30, 2018

**Shemia Fagan**

11150 SE Valley View Terrace

Happy Valley, OR 97086

VIA Email

Kathy.BAIER@oregon.gov

Kathy Baier

OR Government Ethics Commission

3218 Pringle Rd SE, Suite 220

Salem OR 97302-1544

*Re: Shemia Fagan Outstanding Penalties or Sanctions*

Dear Ms. Baier,

I am writing to appeal the outstanding penalties or sanctions against me for delinquent filing of my 2017 SEI. As you know, my term in the Oregon House ended in January 2017. In September 2017, I filed to run for the Oregon State Senate. I was unaware that I needed to file an SEI after my primary win in May 2018. I learned today that, beginning in March 2018, you sent daily emails to me regarding my need to file an SEI. However, I lost access to the email address to which the daily reminders were sent ([rep.shemiafagan@state.or.us](mailto:rep.shemiafagan@state.or.us)) when I ended my term in January 2017. Thus, I was unaware of the emails until today. In response, I promptly submitted an SEI for 2017.

I respectfully request that you vacate the penalties and sanctions against me and clear me of all wrongdoing.

Regards,

Shemia Fagan



# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

December 3, 2018

Beau Buganski  
PO Box 1175  
Scio OR 97374

Re: 2018 SEI late filing

Dear Mr. Buganski:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity

2018

SEI Code: 3484  
User Name: beabug  
Email: beabug@gmail.com

2018 Filing: 6/10/2018  
2018 Penalty: \$1,110.00

Beau Buganski  
PO Box 1175  
Scio, OR 97374

## 2018 Offices Held

No data to report.

## Activity Log - 2018 to Date

05/07/18 01:30:12.570 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:09.597 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 07:50:38.933 - User Failed to Authenticate -  
05/09/18 01:30:08.707 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:07.820 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:09.440 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:09.623 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:08.410 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:11.400 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:10.313 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:10.333 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:07.197 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:11.833 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:07.653 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:08.470 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:08.327 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 02:56:50.733 - User Profile Updated - User profile updated for Beau Buganski  
05/21/18 02:56:50.770 - User Profile Updated - The user's main profile was updated.  
05/22/18 01:30:07.573 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:08.340 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:06.660 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/25/18 01:30:08.887 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:06.513 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:07.433 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:07.820 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:06.363 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:07.013 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:08.437 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:07.170 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:08.200 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:06.303 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:07.203 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.057 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:32:33.963 - User Profile Updated - User profile updated for Beau Buganski  
06/05/18 01:32:33.997 - User Profile Updated - The user's main profile was updated.  
06/06/18 01:30:07.713 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/07/18 01:30:06.063 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 01:30:07.277 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 08:15:45.497 - Admin User Reset Initiated - An admin user reset was initiated.  
06/08/18 08:18:19.343 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
06/08/18 08:18:37.983 - User Successfully Authenticated -  
06/08/18 08:19:24.340 - User Profile Updated - User profile updated for Beau Buganski  
06/08/18 08:19:24.453 - User Profile Updated - The user's main profile was updated.  
06/08/18 08:19:43.327 - Admin User Reset Initiated - An admin user reset was initiated.  
06/09/18 01:30:07.050 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 01:30:06.710 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 10:01:28.137 - User Failed to Authenticate -  
06/10/18 10:07:22.997 - User Successfully Authenticated -  
06/10/18 10:18:45.053 - Late SEI Report Filed - SEI Report Filed Late for year 2018  
06/10/18 10:19:55.003 - User Profile Updated - User profile updated for Beau Buganski  
06/10/18 10:19:55.090 - User Profile Updated - The user's main profile was updated.

PAST VIOLATIONS: NONE

RECOMMENDATION:

*Letter to Ed*  
-40-*RP*

Subject:

RE: Late filing of your 2018 Statement of Economic Interest

To whom it may concern,

My name is Beau Buganski and I am a commissioner for my city's planning commission as a volunteer. In the past I was familiar with receiving my SEI paperwork in the mail and filing as such. Due to changes to e-mail addresses and work schedules I failed to file it on time. I have updated my information to allow the information to be sent to the appropriate e-mail address and have completed my SEI form. I will work to have them filed timely in the future. I enjoy being a part of my community and having the opportunity to help keep our city up to date on critical information needed to be successful. I apologize for any inconvenience this has caused and would appreciate your understanding in asking for my fines to be waived. Thank you for your time.

Beau Buganski

On Mon, Dec 3, 2018 at 2:05 PM Beau Buganski <[beaубug@gmail.com](mailto:beaубug@gmail.com)> wrote:

I will try to email a letter to you. Thank you.

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# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

December 4, 2018

Xiomara Torres  
1021 SW 4<sup>th</sup> Ave.  
Portland OR 97204

Re: 2018 SEI late filing

Dear Judge Torres:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity

## 2018

SEI Code: 6659  
User Name: xiotorres  
Email: xiomara.y.torres@ojd.state.or.us

2018 Filing: 12/4/2018  
2018 Penalty: \$5,000.00

Xiomara Torres  
1021 SW 4th Avenue  
Portland, OK 97204

## 2018 Offices Held

Circuit Court Judge (Primary Candidates), Circuit Court Judge - Appointed 03/06/18

## Activity Log - 2018 to Date

03/14/18 03:18:09.710 - User Profile Created - User profile created for Xiomara Torres  
03/14/18 03:18:09.870 - User Profile Created - A new user profile was created.  
03/14/18 03:18:09.887 - SEI Assigned to Seat - SEI Assigned to Seat  
05/07/18 01:30:15.953 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:12.717 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:10.440 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:09.597 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:11.543 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:11.870 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:09.863 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:14.100 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:14.107 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:11.610 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:11.737 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:14.873 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:08.917 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:09.967 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:09.670 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:09.040 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:10.007 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:08.283 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/25/18 01:30:12.380 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:07.823 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:08.573 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.977 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:07.623 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:08.480 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:10.247 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:09.653 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:09.743 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:07.363 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:08.137 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.980 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:08.650 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/07/18 01:30:07.217 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 01:30:08.477 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/09/18 01:30:07.817 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 01:30:07.617 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/11/18 01:30:07.863 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/12/18 01:30:08.003 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/13/18 01:30:09.107 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/14/18 01:30:06.757 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/15/18 01:30:06.377 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/16/18 01:30:05.673 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/17/18 01:30:06.073 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/18/18 01:30:07.303 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/19/18 01:30:05.747 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/20/18 01:30:06.320 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/21/18 01:30:06.370 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/22/18 01:30:05.967 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/23/18 01:30:06.393 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/24/18 01:30:39.510 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018



**SEI Activity**  
2018

Code: 6659  
Name: xiotorres  
Email: xiomara.y.torres@ojd.state.or.us

2018 Filing: 12/4/2018  
2018 Penalty: \$5,000.00

Xiomara Torres  
1021 SW 4th Avenue  
Portland, OK 97204

08/22/18 01:30:07.360 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/23/18 01:30:07.563 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/24/18 01:30:07.930 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/25/18 01:30:07.453 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/26/18 01:30:07.380 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/27/18 01:30:25.420 - Automated Late Fee Applied - Late fee of amount \$40.00 applied for reporting requirement 2018  
12/03/18 11:43:49.107 - Admin User Reset Initiated - An admin user reset was initiated.  
12/03/18 11:44:30.153 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
12/03/18 11:44:56.153 - User Successfully Authenticated -  
12/03/18 11:45:18.157 - User Profile Updated - The user's main profile was updated.  
12/03/18 11:45:19.093 - User Profile Updated - User profile updated for Xiomara Torres  
12/03/18 11:45:43.937 - Admin User Reset Initiated - An admin user reset was initiated.  
12/03/18 11:46:32.907 - User Profile Updated - The user's main profile was updated.  
12/03/18 11:46:33.847 - User Profile Updated - User profile updated for Xiomara Torres  
12/04/18 08:57:40.603 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
12/04/18 08:57:48.387 - User Successfully Authenticated -  
12/04/18 09:08:37.570 - Late SEI Report Filed - SEI Report Filed Late for year 2018

**PAST VIOLATIONS: NONE**

**RECOMMENDATION:**

*Letter of Ed*  
*(B)*

**BAIER Kathy \* OGEC**

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**From:** Xiomara.Y.Torres@ojd.state.or.us  
**Sent:** Tuesday, December 04, 2018 9:20 AM  
**To:** BAIER Kathy \* OGEC  
**Subject:** Request for a Waiver of Penalty

**RECEIVED**  
DEC 04 2018  
OREGON GOVERNMENT  
ETHICS COMMISSION

To Whom It May Concern:

I was a candidate in May of 2018 for the first time and I was required to file a Statement of Economic Interest.

Somehow the email address they had for me was wrong and I did not receive notice of this requirement. Since I had never been a candidate before, and therefore never previously filed such a document, I was not aware of the need to file a Statement of Economic Interest.

Once I was contacted by staff, I immediately filed the statement.

I sincerely apologize for the delay in filing and I can assure you it will never happen again, now that I am aware of this required filing.

Thank you so much for your consideration.  
Sincerely,

Xiomara Y. Torres  
Circuit Court Judge  
Multnomah County Courthouse  
1021 SW Fourth Avenue, Rm. 226  
Portland, OR 97204-1223  
Tel: (503) 988-3029  
Fax: (503) 276-0975

Please note that the Court cannot receive any correspondence including e-mail about a particular case unless copies are provided to all parties to that case. Any e-mail sent to the court (which includes the Judge's Judicial Assistant or Judicial Clerk) must certify that a copy has been provided to all counsel by email. All e-mails about a particular case must contain the case number for that case. Thank you.



# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

October 26, 2018

Loyd Henion  
PO Box 612  
Albany OR 97321

Dear Mr. Henion:

The written explanation of why your Q3 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, November 2, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$110 penalty will be extended to coincide with the November 2<sup>nd</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Lobbyist Activity

## Q3 2018

Lobbyist Code: 489  
User Name: Loyd Henion  
Email: lhenion@comcast.net  
  
Loyd Henion  
PO Box 612  
Albany, OR 97321-0191

Q3 2018 Filing: 10/26/2018  
Q3 2018 Expended: \$0.00  
Q3 2018 Penalty: \$110.00

### Activity Log - Q3 2018 to Date

07/12/18 05:37:43.487 - User Successfully Authenticated -  
07/12/18 05:39:42.520 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018  
08/19/18 12:53:24.917 - User Successfully Authenticated -  
10/16/18 01:30:06.920 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/17/18 01:30:07.033 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/18/18 01:30:07.137 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/19/18 01:30:06.173 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/20/18 01:30:06.503 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/21/18 01:30:05.730 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/22/18 01:30:08.123 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/23/18 01:30:05.800 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/24/18 01:30:06.270 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/25/18 01:30:06.507 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/26/18 01:30:06.367 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/26/18 12:24:36.973 - User Successfully Authenticated -  
10/26/18 12:26:42.583 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q3 2018

PAST VIOLATIONS: Q4 2016, Letter of Education

RECOMMENDATION:

*30 sec 2nd violation*  
*No consent calendar*  
*(P)*

## BAIER Kathy \* OGEC

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**From:** Loyd Henion <lhenion@cann.us>  
**It:** Friday, October 26, 2018 1:09 PM  
**ro:** BAIER Kathy \* OGEC  
**Cc:** Jonathan Kathleen  
**Subject:** late reporting Q3 report

Dear Commissioners,

This note is about my tardiness in reporting my lobby report for the third quarter of 2018.

I finally got around to diligently looking at my emails for the non profit org that I lobby for which is the COFA Alliance National Network (CANN). Since i actually volunteer and don't take any money I am to often careless about missing the report deadlines. I have even put notices on my I-phone calendar that the report is due on a certain date but somehow I even missed that!.. So I admit to be careless and with I could plead this was the first time but I can't. Any relief you could give me on the \$110 penalty fee would however be warmly appreciated.

Loyd Henion  
CANN Lobbyist  
lhenion@CANN.US  
541-619-8861

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# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 16, 2018

Brian Nieuburt  
2670 Dalke Ridge Dr. NW  
Salem OR 97304

Dear Mr. Nieuburt:

The written explanation of why your Q4 2016 and Q4 2017 Lobbyist expenditure reports were filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$5,090 penalty will be extended to coincide with the December 14<sup>th</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Lobbyist Activity

## Q4 2016

Lobbyist Code: 716  
User Name: bnieuburt  
Email: bnieuburt@gmail.com

Brian Nieuburt  
500 Summer St NE E-20  
Salem, OR 97301

Q4 2016 Filing: 1/24/2017  
Q4 2016 Expended: \$0.00  
Q4 2016 Penalty: \$90.00

### Activity Log - Q4 2016 to Date

10/06/16 10:07:34.750 - User Successfully Authenticated -  
10/06/16 10:08:35.137 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q3 2016  
01/15/17 04:42:33.490 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/15/17 06:10:56.290 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/16/17 01:34:27.723 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/16/17 06:19:59.107 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/17/17 01:33:14.827 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/18/17 01:30:28.273 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/19/17 01:30:23.863 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/20/17 01:30:24.163 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/21/17 01:30:23.763 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/22/17 01:30:29.343 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/23/17 01:30:13.917 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/24/17 01:30:14.393 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4  
01/24/17 10:09:39.650 - User Failed to Authenticate -  
01/24/17 10:09:52.097 - User Failed to Authenticate -  
01/24/17 10:11:57.077 - User Failed to Authenticate -  
01/24/17 10:12:50.750 - User Successfully Authenticated -  
01/24/17 10:13:47.387 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q4 2016  
04/14/17 03:50:25.653 - User Failed to Authenticate -  
04/14/17 03:50:35.133 - User Failed to Authenticate -  
04/14/17 03:50:40.730 - User Failed to Authenticate -  
04/14/17 03:50:46.293 - User Successfully Authenticated -  
04/14/17 03:51:47.697 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q1 2017  
07/06/17 11:38:10.523 - User Successfully Authenticated -  
07/06/17 11:39:16.570 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2017  
10/15/17 09:08:57.483 - User Successfully Authenticated -  
10/15/17 09:10:01.650 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q3 2017  
01/12/18 02:33:22.580 - User Successfully Authenticated -  
01/16/18 02:58:09.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/17/18 03:00:31.717 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/18/18 01:30:08.540 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/19/18 01:30:07.433 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/20/18 01:30:07.887 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/21/18 01:30:12.383 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/22/18 01:30:07.890 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/23/18 01:30:07.587 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/24/18 01:30:08.960 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/25/18 01:30:08.333 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/26/18 01:30:08.400 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/27/18 01:30:07.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/28/18 01:30:07.423 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/29/18 01:30:08.703 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/30/18 01:30:06.920 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/31/18 01:30:06.487 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/01/18 01:30:10.483 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/02/18 01:30:07.120 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/03/18 01:30:06.040 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/04/18 01:30:06.423 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/05/18 01:30:06.937 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/06/18 01:30:07.890 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/07/18 01:30:06.640 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/08/18 01:30:07.200 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/09/18 01:30:08.350 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/10/18 01:30:11.573 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/11/18 01:30:07.400 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4



# Lobbyist Activity

Q4 2017

Lobbyist Code: 716  
Lobbyist Name: bnieuburt  
Email: bnieuburt@gmail.com

Q4 2017 Filing: -

Q4 2017 Expended: -

Q4 2017 Penalty: -

\$5,000.00

Brian Nieuburt  
500 Summer St NE E-20  
Salem, OR 97301

## Activity Log - Q4 2017 to Date

10/15/17 09:08:57.483 - User Successfully Authenticated -  
10/15/17 09:10:01.650 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q3 2017  
01/12/18 02:33:22.580 - User Successfully Authenticated -  
01/16/18 02:58:09.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/17/18 03:00:31.717 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/18/18 01:30:08.540 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/19/18 01:30:07.433 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/20/18 01:30:07.887 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/21/18 01:30:12.383 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/22/18 01:30:07.890 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/23/18 01:30:07.587 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/24/18 01:30:08.960 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/25/18 01:30:08.333 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/26/18 01:30:08.400 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/27/18 01:30:07.417 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/28/18 01:30:07.423 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/29/18 01:30:08.703 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/30/18 01:30:06.920 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4  
01/31/18 01:30:06.487 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/01/18 01:30:10.483 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/02/18 01:30:07.120 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/03/18 01:30:06.040 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/04/18 01:30:06.423 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/05/18 01:30:06.937 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/06/18 01:30:07.890 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/07/18 01:30:06.640 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/08/18 01:30:07.200 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/09/18 01:30:08.350 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/10/18 01:30:11.573 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/11/18 01:30:07.400 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/12/18 01:30:10.573 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/13/18 01:30:05.983 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/14/18 01:30:07.593 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/15/18 01:30:06.867 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/16/18 01:30:09.537 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/17/18 01:30:06.950 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/18/18 01:30:07.097 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/19/18 01:30:05.953 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/20/18 01:30:12.247 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/21/18 01:30:07.507 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/22/18 01:30:08.273 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/23/18 01:30:07.660 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/24/18 01:30:06.273 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/25/18 01:30:18.480 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/26/18 01:30:36.900 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/27/18 01:30:16.237 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
02/28/18 01:30:07.540 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/01/18 01:30:08.347 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/02/18 01:30:06.707 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/03/18 01:30:07.093 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/04/18 01:30:07.840 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/05/18 01:30:08.597 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/06/18 01:30:07.253 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/07/18 01:30:07.373 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/08/18 01:30:06.347 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
03/09/18 01:30:05.840 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4



# Lobbyist Activity

Q4 2017

Lobbyist Code: 716  
Name: bnieubuur  
Email: bnieubuur@gmail.com

Brian Nieubuur  
500 Summer St NE E-20  
Salem, OR 97301

Q4 2017 Filing: -  
Q4 2017 Expended: -  
Q4 2017 Penalty: \$5,000.00

05/07/18 01:30:07.310 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017 Q4  
11/14/18 04:42:40.313 - Admin User Reset Initiated - An admin user reset was initiated.  
11/14/18 04:43:35.953 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/14/18 04:44:03.347 - User Successfully Authenticated -  
11/14/18 04:44:50.003 - User Profile Updated - The user's main profile was updated.  
11/14/18 04:44:50.213 - User Profile Updated - User profile updated for Brian Nieubuur  
11/14/18 04:45:06.193 - Admin User Reset Initiated - An admin user reset was initiated.  
11/15/18 10:58:50.610 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
11/15/18 10:59:06.657 - User Successfully Authenticated -  
11/16/18 09:45:52.567 - User Successfully Authenticated -

PAST VIOLATIONS: Q4 2016 \$90

RECOMMENDATION:

*Give letter of Ed for both quarters -  
Q4 2016 - Family medical leave  
Q4 2017 - Lett agency did not realize requirement  
to file  
No consent calendar*

RECEIVED  
NOV 18 2018  
OREGON GOVERNMENT  
ETHICS COMMISSION

**BRIAN NIEUBUURT**  
2670 Dalke Ridge Dr. NW  
Salem, OR 97304  
(503)919-0246 (cell)  
[bnieubuurt@gmail.com](mailto:bnieubuurt@gmail.com)

November 16, 2018

Oregon Government Ethics Commission  
3218 Pringle Road SE, Room 220  
Salem, OR 97302

To Whom It May Concern,

I am writing to address and provide explanation for outstanding delinquent reporting fees and penalties that I was made aware of per a telephone call with Kathy Baier on Wednesday, November 14, 2018.

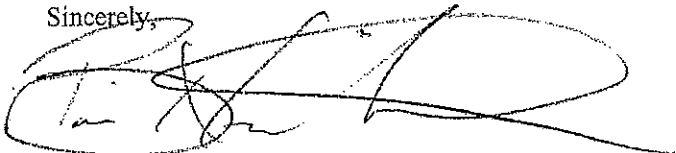
The first delinquent reporting incident on my record is from report due for the fourth quarter of 2016. From the middle of December 2016 until the end of January 2017, I was away from my job on leave per the Family Medical Leave Act (FMLA)/Oregon Family Leave Act (OFLA). My extended absence put me out of communication with my employer, including email and phone. The leave also otherwise made me incapable of filing the report. Until my conversation with Kathy on November 14<sup>th</sup>, I was under the impression that I had made payment for the associated late penalties upon my return to work in late January/early February 2017. After my conversation with Kathy, I concede that I can find no record that such payment was received by OGEC.

The second delinquent reporting incident centers around my departure from my employment at the Oregon Health Authority (OHA). I left OHA on November 24, 2017 and transitioned to new employment that did not require registration as a lobbyist. I was unaware that I had any responsibilities to "close out" my OGEC account when this transition occurred and since I no longer had an active email account with the State of Oregon, any reminders or notices sent to that account after November 24, 2017 would not have been known to me.

In addition to considering the circumstances surrounding my two late reporting incidences, I respectfully request that OGEC consider the nature of my employment and the reporting I made during my time as a registered lobbyist. As an employee of the State of Oregon, I was never authorized to make any expenditures or receive any reimbursement that would be reportable under the applicable OGEC rules. Every report I attested to, including those that were submitted late, accurately and honestly reported no expenses, contributions, or other financial exchanges. My attestations to this effect were reflections of the guidelines and restrictions that governed my employment with the OHA.

I thank you for taking this letter into consideration. I would be happy to answer any questions the Commission may have.

Sincerely,



Brian Nieubuurt



# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 26, 2018

COFA Alliance National Network - CANN  
Attn: Kathleen Jonathan  
PO Box 612  
Albany OR 97321

Dear Ms. Jonathan:

The written explanation of why the Q3, 2018 Client expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for Q3, 2018 (\$110) penalty will be extended to coincide with the December 14<sup>th</sup> meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# Client/Employer Activity

## Q3 2018

Client Code: 774  
User Name: CANN  
Email: kjonathan@cann.us

Q3 2018 Filing: 10/26/2018  
Q3 2018 Expended: \$0.00  
Q3 2018 Penalty: \$110.00

COFA Alliance National Network - CANN  
Attn: Kathleen Jonathan  
PO Box 612  
Albany, OR 97321

### Activity Log - Q3 2018 to Date

07/12/18 05:51:41.837 - User Successfully Authenticated -  
07/12/18 05:52:48.590 - Client Report Submitted - Client Report Submitted for Q2 2018  
07/19/18 11:50:59.733 - User Successfully Authenticated -  
07/19/18 12:01:03.397 - User Profile Updated - User profile updated for Loyd Henlon  
07/19/18 12:01:03.447 - User Profile Updated - The user's main profile was updated.  
10/16/18 01:30:08.357 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/17/18 01:30:07.737 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/18/18 01:30:07.650 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/19/18 01:30:06.703 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/20/18 01:30:06.847 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/21/18 01:30:06.120 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/22/18 01:30:09.123 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/23/18 01:30:05.990 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/24/18 01:30:06.410 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/25/18 01:30:06.680 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/26/18 01:30:06.507 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q3  
10/26/18 12:37:34.937 - User Profile Updated - User profile updated for Kathleen Jonathan  
10/26/18 12:37:34.943 - User Profile Updated - The user's main profile was updated.  
10/26/18 02:10:02.733 - Client Report Submitted - Client Report Submitted for Q3 2018  
10/29/18 08:29:24.793 - Admin User Reset Initiated - An admin user reset was initiated.

PREVIOUS VIOLATION: Q4 2016, received Letter of Education

RECOMMENDATION:

*\$5000 2nd Abuse, no consent calendar*

**BAIER Kathy \* OGEC**

---

**From:** Kathleen Jonathan <kjonathan@cann.us>  
**Date:** Monday, November 26, 2018 6:00 AM  
**To:** BAIER Kathy \* OGEC  
**Cc:** Kathleen Jonathan; Loyd Henion  
**Subject:** Request for a Waiver or Reduction

Hi Kathy,

This is per our phone conversation regarding CANN's quarterly report. As I had shared with you, I am the treasurer of CANN as of January 2018. Between my hectic schedule as a full-time student and the turnover of responsibilities, I missed the deadline to submit CANN's report. I understand that this is the 2nd time (I was not aware until this experience) that CANN has missed the deadline, and I apologize that I am asking for another request to waive or reduce the fee.

From here on, I will make sure that I keep up with the schedule that affects my responsibilities as CANN's current treasurer.

Thank you for your understanding and consideration of this request.

Sincerely,

Kathleen Jonathan

Treasurer  
CFA Alliance National Network (CANN)  
Cell: (503) 851-8494

(

(

(





# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 2, 2018

Susan Silodor  
17727 NW Sauvie Island Rd.  
Portland OR 97231

Re: 2017 & 2018 SEI late filing

Dear Ms. Silodor:

The written explanation of why your 2017 & 2018 Statements of Economic Interest reports were filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity

2017

SEI Code: 4761  
User Name: ssilodor  
Email: susansilodor@yahoo.com

2017 Filing: 11/1/2018  
2017 Penalty: \$5,000.00

Susan Silodor  
17727 NW Sauvie Island Rd  
Portland, OR 97231

## 2017 Offices Held

No data to report.

## Activity Log - 2017 to Date

05/04/17 10:55:48.333 - User Profile Updated - The user's main profile was updated.  
05/04/17 10:55:57.777 - User Profile Updated - User profile updated for Susan Silodor  
05/04/17 10:56:36.487 - User Profile Updated - The user's main profile was updated.  
05/04/17 10:56:45.957 - User Profile Updated - User profile updated for Susan Silodor  
05/07/17 01:30:40.470 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/09/17 01:30:14.303 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/11/17 01:30:15.950 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/12/17 02:20:02.907 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/14/17 01:30:12.270 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/15/17 01:30:14.917 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/16/17 01:30:12.820 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/17/17 01:30:13.083 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/18/17 01:30:13.103 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/19/17 01:30:15.617 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/20/17 01:30:30.137 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/21/17 01:30:13.863 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/22/17 01:30:15.253 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017  
05/23/17 01:30:16.090 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/24/17 01:30:12.880 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/25/17 01:30:11.843 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/26/17 01:30:13.093 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/27/17 01:30:18.050 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/28/17 01:30:11.697 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/29/17 01:30:15.083 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/30/17 01:30:12.380 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
05/31/17 01:30:12.413 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/01/17 01:30:19.613 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/02/17 01:30:13.280 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/03/17 01:30:12.090 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/04/17 01:30:12.357 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/05/17 01:30:14.943 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/06/17 01:30:11.747 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/07/17 01:30:11.650 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/08/17 01:30:11.927 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/09/17 01:30:11.140 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/10/17 01:30:12.723 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/12/17 01:30:11.727 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/13/17 01:30:12.000 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/14/17 01:30:14.033 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/15/17 01:30:12.897 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/16/17 01:30:12.553 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/17/17 01:30:12.530 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/18/17 01:30:12.413 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/19/17 01:30:14.860 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/20/17 01:30:14.783 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/21/17 01:30:12.733 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/22/17 01:30:12.287 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/23/17 01:30:12.510 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/24/17 01:30:13.647 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/25/17 01:30:15.810 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/26/17 01:30:16.473 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017  
06/27/17 01:30:12.553 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2017

# SEI Activity

2018

SEI Code: 4761  
Name: ssilodor  
I: susansilodor@yahoo.com

2018 Filing: 11/1/2018  
2018 Penalty: \$5,000.00

Susan Silodor  
17727 NW Sauvie Island Rd  
Portland, OR 97231

## 2018 Offices Held

No data to report.

## Activity Log - 2018 to Date

05/07/18 01:30:13.473 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/07/18 09:58:43.347 - User Failed to Authenticate -  
05/07/18 09:59:54.317 - User Failed to Authenticate -  
05/07/18 10:00:10.913 - User Failed to Authenticate -  
05/07/18 10:00:22.520 - User Failed to Authenticate -  
05/07/18 10:02:21.377 - User Successfully Authenticated -  
05/08/18 01:30:10.140 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:09.190 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:08.270 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:10.047 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:10.247 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:08.863 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:12.977 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:11.750 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:10.677 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:07.710 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:13.563 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 08:46:22.063 - User Profile Updated - User profile updated for Susan Silodor  
05/18/18 08:46:22.093 - User Profile Updated - The user's main profile was updated.  
05/19/18 01:30:07.997 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:08.983 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:08.750 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:08.027 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:08.853 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/24/18 01:30:07.037 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/25/18 01:30:09.667 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:06.777 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:07.713 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.117 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:06.657 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:07.357 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:08.843 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:07.937 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:08.557 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:06.647 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:07.437 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.307 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:07.963 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/07/18 01:30:06.297 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 01:30:07.573 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/09/18 01:30:07.190 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 01:30:06.930 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/11/18 01:30:07.240 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/12/18 01:30:07.473 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/13/18 01:30:08.500 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/14/18 01:30:06.383 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/15/18 01:30:05.987 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/16/18 01:30:05.283 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/17/18 01:30:05.620 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/18/18 01:30:06.853 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/19/18 01:30:05.357 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/20/18 01:30:05.913 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018



**SEI Activity**  
**2018**

SEI Code: 4761  
Name: ssilodor  
Email: susansilodor@yahoo.com

2018 Filing: 11/1/2018  
2018 Penalty: \$5,000.00

Susan Silodor  
17727 NW Sauvie Island Rd  
Portland, OR 97231

08/18/18 01:30:07.523 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/19/18 01:30:06.550 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/20/18 01:30:06.727 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/21/18 01:30:06.693 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/22/18 01:30:06.937 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/23/18 01:30:07.160 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/24/18 01:30:07.523 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/25/18 01:30:06.937 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/26/18 01:30:06.930 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
08/27/18 01:30:25.017 - Automated Late Fee Applied - Late fee of amount \$40.00 applied for reporting requirement 2018  
11/01/18 04:01:35.643 - User Successfully Authenticated -  
11/01/18 08:34:55.823 - User Successfully Authenticated -  
11/01/18 08:42:23.663 - Late SEI Report Filed - SEI Report Filed Late for year 2018  
11/01/18 08:43:14.603 - Late SEI Report Filed - SEI Report Filed Late for year 2017

PREVIOUS VIOLATIONS: Filed timely for 2016.

2017: Beginning May 4, 2017, OGEC staff repeatedly contacted her and the Multnomah County JC for current contact info. Continued phone calls and emails went unresponded.

2018: She was contacted by OGEC staff May 7, 2018 that she needed to file for both years. After filing, she was told that she could write the Commission a Letter of Explanation.

She sent in the request for waiver on May 7 but had not filed. Repeat contact attempts were made then another request to the county business manager to verify she is still an active Commissioner. He verified that she is. She finally filed her two SEIs on November 1, 2018 for 2017 and 2018.

RECOMMENDATION:

2017 Letter of Explanation  
2018 10% \$500<sup>00</sup>

**BAIER Kathy \* OGEC**

---

**To:** HUNTER David \* OGEC  
**Subject:** RE: penalties

**From:** Susan Silodor [<mailto:ssilodor@me.com>]  
**Sent:** Monday, May 07, 2018 10:08 AM  
**To:** OGEC Mail \* OGEC <[OGEC.Mail@oregon.gov](mailto:OGEC.Mail@oregon.gov)>  
**Subject:** Re: penalties

I am challenging these penalties and requesting they be rescinded as I've spent the last year being treated for blood cancer requiring a bone marrow transplant. I realize I've been derelict, but, in all honesty, my life has been completely centered around surviving cancer.

Susan Silodor  
Multnomah County Planning Commission  
Sent from my iPad

May 7, 2018

I'm writing to request all financial penalties be dropped as I've spent most of the last year preparing for and undergoing a bone marrow transplant due to blood cancer.

thank you,

Susan Silodor

Sent from my iPad



# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

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

November 8, 2018

James Allen King  
PO Box 244  
Glendale OR 97442

Re: 2017 & 2018 SEI late filing

Dear Mr. King:

The written explanation of why your 2017 & 2018 Statements of Economic Interest reports were filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



# SEI Activity 2018

SEI Code: 6590  
User Name: Allen King  
Email: councilor4@cityofglendaleor.com

2018 Filing: 6/11/2018  
2018 Penalty: \$1,160.00

James A. King  
PO Box 244  
Glendale, OR 97442

## 2018 Offices Held

No data to report.

## Activity Log - 2018 to Date

03/09/18 02:46:04.400 - User Profile Created - User profile created for James A. King  
03/09/18 02:46:04.530 - User Profile Created - A new user profile was created.  
03/09/18 02:46:04.557 - SEI Assigned to Seat - SEI Assigned to Seat  
05/07/18 01:30:15.220 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/08/18 01:30:11.890 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/09/18 01:30:10.113 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/10/18 01:30:09.333 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/11/18 01:30:11.187 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/12/18 01:30:11.463 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/13/18 01:30:09.567 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/14/18 01:30:13.740 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/15/18 01:30:13.747 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/16/18 01:30:11.267 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/17/18 01:30:10.537 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/18/18 01:30:14.530 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/19/18 01:30:08.590 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/20/18 01:30:09.640 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/21/18 01:30:09.343 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/22/18 01:30:08.730 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/23/18 01:30:09.570 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018  
05/24/18 01:30:07.863 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/25/18 01:30:11.397 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/26/18 01:30:07.370 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/27/18 01:30:08.260 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/28/18 01:30:08.647 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/29/18 01:30:07.250 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/30/18 01:30:08.043 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
05/31/18 01:30:09.700 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/01/18 01:30:08.873 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/02/18 01:30:09.337 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/03/18 01:30:07.037 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/04/18 01:30:07.873 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/05/18 01:30:07.637 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/06/18 01:30:08.290 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/07/18 01:30:06.843 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/08/18 01:30:08.010 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/09/18 01:30:07.520 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/10/18 01:30:07.257 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/11/18 01:30:07.583 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018  
06/11/18 11:27:27.337 - User Failed to Authenticate -  
06/11/18 11:32:02.317 - Admin User Reset Initiated - An admin user reset was initiated.  
06/11/18 11:37:38.747 - Admin User Password Reset Completed - A user reset their password using an admin reset.  
06/11/18 11:37:54.720 - User Successfully Authenticated -  
06/11/18 11:44:10.580 - Late SEI Report Filed - SEI Report Filed Late for year 2017  
06/11/18 11:45:48.067 - Late SEI Report Filed - SEI Report Filed Late for year 2018

**PREVIOUS VIOLATIONS:** He was appointed 4/10/2017 however his Jurisdictional Contact did not seat him in the system until March 9, 2018, therefore he wasn't given the opportunity to file for 2017. The EFS did not "see" him as owing in 2017 and has only calculated late filing for 2018.

**RECOMMENDATION:**

Letter of Ed -68 (signature)

No consent calendar





# City of Glendale

124 3<sup>rd</sup> Street, P.O. Box 361  
Glendale OR 97442  
Phone (541) 832-2106  
Fax (541) 832-3221

**RECEIVED**  
NOV 08 2018  
OREGON GOVERNMENT  
ETHICS COMMISSION

November 8, 2018

Re: Allen King SEI

Oregon Government Ethics Commission,

This letter is an explanation of the late filing for the year 2017. I did not know that I had to file the SEI in that year as I was appointed to Council and I thought I did not have to do it that year. When we realized that it needed to be done, I did both the years 2017 and 2018 on the same day. We had the assistance of Kathy Baier as I was not sure of the process. When I filled out the 2017/2018 filings, I was under the impression that the filings were sufficient to remedy the late filing. Please accept this letter of explanation and request to please remove the penalty of \$1,160. Thank you for your time and consideration in this matter.

Sincerely,

Allen King  
Councilor  
City of Glendale



From:  
To:

Herman Ortmann <herman@eorentals.com>  
Monday, December 03, 2018 6:51 PM  
BAIER Kathy \* OGEC  
Subject: Ethics commission fees

To whom it may concern,

I am writing this email to humbly request that you reconsider the fines I have accrued.

I have been in touch with Kathy Baier regarding this situation. Through her hard work and eye for detail we have found that I was originally fined for a late filing in 2016 that was due to the fact that the jurisdictional contact for the City of Imbler did not file appropriately. This employee is no longer employed with the City of Imbler and the error was found after she left her position. I feel as though I was given incorrect information from the City of Imbler from the beginning which has caused a lot of confusion on my part. I have been actively trying to follow all rules and requirements and I am disappointed that I wasn't successful.

Tonight is my last meeting as a council member. I have learned a lot through this process good and bad but I truly appreciate the help I have received.

Thank you for your consideration.

Herman Ortmann



Herman Ortmann, Imbler City Council, current. Councilor since Nov 2014.

> JC didn't assign him electronically in her jurisdiction until July 1, 2016. He created his account and filed July 5, 2016...just 4 days after notification.

> He received a \$150 late filing penalty.

> Commission meeting 10-6-17 did not reduce this at all: \$150 for 2016.

> Late filing penalty for 2017 went before the Commission on 10-6-17.

> Staff turnover at the City of Imbler during 2017 caused lack of communication.

> The email address and phone number on file were not correct, so he was not receiving system notifications.

> Commission meeting 10-6-17 waived most of his 2017 late penalty, \$4,480, and reduced to \$500.

> His account is owing \$650.

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of )  
)

Linda Hald )  
)  
)  
)  
)  
)  
\_\_\_\_\_ )

STIPULATED FINAL ORDER

CASE NO. 16-151EDG

1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Linda Hald.
  
2. JURISDICTION: At all material times, Linda Hald was a Community Justice Department Office Manager for Columbia County. Linda Hald was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
  
3. STIPULATED FACTS:
  - A. Linda Hald retired from her position with Columbia County on 6/30/15, after 30 years. As Office Manager of the Community Justice Department, Ms. Hald received payments from clients for services such as electronic monitoring, drug tests, and supervision, provided receipts to the clients, and reconciled and remitted those revenues to the treasury on a monthly basis. The County retained a forensic accounting firm to conduct an investigation of the Community Justice Department after a large increase in cash receipts was noticed following Ms. Hald's retirement. The auditors concluded that Ms. Hald had been diverting the County's cash receipts to herself for several years and covering up by altering Community Justice Department records. The auditors found evidence of the discrepancies as far back as 1999, but the Commission only has authority to investigate conduct that occurred four years prior to the opening of this case on 12/16/16.
  
  - B. As a result of the forensic audit and the state police investigation, Ms. Hald became the subject of a criminal investigation. She was indicted by a Columbia County

grand jury on 10/20/16 on multiple charges of theft, tampering with public records, and official misconduct that occurred between 2010 and Ms. Hald's retirement. On 3/7/18, Linda Hald pled guilty to one charge of aggravated theft and all other charges were dropped. On 7/10/18, Ms. Hald was sentenced to incarceration for a term of 30 months and post-prison supervision for two years. She was also ordered by the court to pay fines and restitution in the amount of \$95,000 to Columbia County.

- C. ORS 244.040(1) prohibits any public official from using their official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses.
- D. The actions described in paragraph (A) above constituted violations of ORS 244.040(1).
- E. ORS 244.120 requires public officials to disclose conflicts of interest prior to taking official action, which could or would result in financial impact to the public official, a relative of the public official or a business with which the public official or a relative is associated.
- F. Linda Hald did not disclose a conflict of interest prior to taking the actions described in paragraph (A).
- G. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$5,000 for each of these violations.
- H. ORS 244.360 authorizes the Commission to order respondent to pay a monetary forfeiture in the amount of twice the amount of financial gain realized as a result of these violations.
- I. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find violations of ORS 244.040(1) and ORS 244.120(1)(c).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On 1/27/17, the Commission considered information in the preliminary review phase and acted to find cause to initiate an investigation of these matters. The investigation was suspended due to the ongoing criminal matters, which concluded with the sentencing on 7/10/18. Linda Hald, through her attorney, has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. Linda Hald will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$3,000 in order to settle and compromise this matter.
- C. Linda Hald will not pay a forfeiture, as authorized by ORS 244.360, because she is under court order to pay fines and restitution to the victim.
- D. The civil penalty in Item B above will be paid at a monthly rate of \$300 for a period of ten months. The payments will be due on or before the 5<sup>th</sup> day of each month with the first payment being due on the 5<sup>th</sup> day of the month following the date this order is fully executed. All payments will be interest free. If a payment becomes 10 days or more delinquent, the entire balance will be assigned to the Oregon Department of Revenue for collection.
- E. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Linda Hald within the scope of the above-referenced proceedings.
- F. Linda Hald will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Linda Hald agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Linda Hald agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Linda Hald  
Linda Hald

09/21/18  
Date

\_\_\_\_\_  
Alison R. Kean, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date



BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of )

Jim Hamsher )

STIPULATED FINAL ORDER

CASE NO. 17-093XMT

- \_\_\_\_\_ )
1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Jim Hamsher.
  
  2. JURISDICTION: At all material times, Jim Hamsher was a member of the City Council for the City of Prairie City. As the governing body of a public body, the members of the city council are subject to the executive session provisions of Oregon Public meetings law as set forth in ORS 192.660 and ORS 192.685.
  
  3. STIPULATED FACTS:
    - A. Jim Hamsher participated in an executive session held by the City of Prairie City Council on 8/29/2017. The purpose of the executive session was to discuss the salary of a city employee. The reason cited for the executive session was ORS 192.660(2)(a) and ORS 192.660(3).
  
    - B. ORS 192.660(2)(a) permits the governing body of a public body to hold an executive session to consider the employment of a public officer, employee, staff member or individual agent.

- C. 192.660(3) allows for labor negotiations to be conducted in executive session only if negotiators for both sides request that negotiations be conducted in executive session.
- D. ORS 192.660(2)(a) permits the topic of one's initial employment with the public body to be discussed in executive session, but not periodic salary discussions with current employees. The purpose of the 8/9/17 executive session was to discuss the salary of one of the City's employees with that employee. The topic of salary negotiation in executive session is explicitly prohibited by OAR 199-040-0020. ORS 192.660(2)(a) permits the topic of one's initial employment with the public body to be discussed in executive session, but not periodic salary discussions with current employees. ORS 192.660(3) was also cited as a lawful basis for the executive session, but only topics permitted by ORS 192.660(2) may be discussed in executive session.
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$1000 as a result of this violation.
- F. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find a violation of ORS 192.660(2).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On June 29, 2018, the Commission acted to find violation, bring the investigative phase to a close and move to a negotiated settlement or a contested case hearing. The June 29, 2018 action was a preliminary finding of violations of Oregon Government Ethics law, as a prelude to a stipulated settlement or a contested case hearing, and not a final conclusion regarding a violation of the executive session provisions of Oregon Public Meetings law by Jim Hamsher.
- B. Jim Hamsher will receive a letter of education, as authorized by ORS 244.350, in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Jim Hamsher within the scope of the above-referenced proceedings.
- D. Jim Hamsher will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

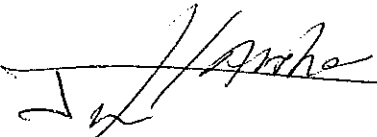
6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Jim Hamsher agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Jim Hamsher agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

  
\_\_\_\_\_  
Jim Hamsher

10/23/2018  
Date

\_\_\_\_\_  
Alison R. Kean, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of

Frank Primozić

\_\_\_\_\_

)  
)  
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)  
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)  
)

STIPULATED FINAL ORDER

CASE NO. 17-097XMT

1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Frank Primozić.
  
2. JURISDICTION: At all material times, Frank Primozić was a member of the City Council for the City of Prairie City. As the governing body of a public body, the members of the city council are subject to the executive session provisions of Oregon Public meetings law as set forth in ORS 192.660 and ORS 192.685.
  
3. STIPULATED FACTS:
  - A. Frank Primozić participated in an executive session held by the City of Prairie City Council (council) on 8/29/2017. The purpose of the executive session was to discuss the salary of a city employee. The reason cited for the executive session was ORS 192.660(2)(a) and ORS 192.660(3).
  
  - B. ORS 192.660(2)(a) permits the governing body of a public body to hold an executive session to consider the employment of a public officer, employee, staff member or individual agent.

- C. 192.660(3) allows for labor negotiations to be conducted in executive session only if negotiators for both sides request that negotiations be conducted in executive session.
- D. ORS 192.660(2)(a) permits the topic of one's initial employment with the public body to be discussed in executive session, but not periodic salary discussions with current employees. The purpose of the 8/9/17 executive session was to discuss the salary of one of the City's employees with that employee. The topic of salary negotiation in executive session is explicitly prohibited by OAR 199-040-0020. ORS 192.660(2)(a) permits the topic of one's initial employment with the public body to be discussed in executive session, but not periodic salary discussions with current employees. ORS 192.660(3) was also cited as a lawful basis for the executive session, but only topics permitted by ORS 192.660(2) may be discussed in executive session.
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$1000 as a result of this violation.
- F. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find a violation of ORS 192.660(2).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On June 29, 2018, the Commission acted to find violation, bring the investigative phase to a close and move to a negotiated settlement or a contested case hearing. The June 29, 2018 action was a preliminary finding of violations of Oregon Government Ethics law, as a prelude to a stipulated settlement or a contested case hearing, and not a final conclusion regarding a violation of the executive session provisions of Oregon Public Meetings law by Frank Primozić.
- B. Frank Primozić will receive a letter of education, as authorized by ORS 244.350, in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Frank Primozić within the scope of the above-referenced proceedings.
- D. Frank Primozić will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Frank Primozic agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Frank Primozic agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

  
\_\_\_\_\_  
Frank Primozic

10/24/2018  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Alison R. Kean, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date



**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of

Travis Ward

\_\_\_\_\_

)  
)  
)  
)  
)  
)  
)

**STIPULATED FINAL ORDER**

**CASE NO. 18-091EMT**

1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Travis Ward.
  
2. JURISDICTION: At all material times, Travis Ward was a network administrator for Yamhill County (County). Mr. Ward was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
  
3. STIPULATED FACTS:
  - A. Without authorization, Travis Ward installed cryptocurrency mining software on eight County computers and used those computers and the County's electricity to engage in cryptocurrency mining. Before discovery, Mr. Ward engaged in cryptocurrency mining on one computer for approximately eleven weeks and on the remaining seven computers for one week.
  
  - B. The cryptocurrency mining described in paragraph A did not actually result in a financial benefit for Mr. Ward; however, it did permit him to avoid the personal financial detriment of having to use his own computers and personally pay for the associated electricity required to engage in such cryptocurrency mining.

- C. ORS 244.040(1) prohibits any public official from using their official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses, or to avoid financial detriment for the public official.
- D. The actions described in paragraph A constitute a violation of ORS 244.040(1).
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$5,000 as a result of these violations.
- F. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find violations of ORS 244.040(1).
- G. Travis Ward disagrees with the above conclusions and contends that the results of the investigation, if submitted through exhibits and testimony in a hearing, would not establish a preponderance of evidence in support of any violations of ORS 244.040(1). In order to conclude this matter, however, Mr. Ward agrees to the terms and conditions in this Stipulated Final Order.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On May 11, 2018, the Commission considered information in the preliminary review phase and acted to find cause to initiate an investigation of this matter. Travis Ward has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.

- B. Travis Ward will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$250.00 in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Travis Ward within the scope of the above-referenced proceedings.
- D. Travis Ward will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

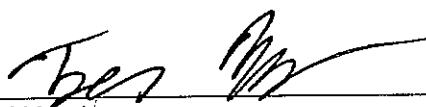
6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Travis Ward agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Travis Ward agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

  
\_\_\_\_\_  
Travis Ward

14-Nov-2015  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Alison R. Kean, Chairperson  
Oregon Government Ethics Commission

\_\_\_\_\_  
Date

# OREGON GOVERNMENT ETHICS COMMISSION

## INVESTIGATION

**CASE NO:** 17-137EMT

**DATE:** December 4, 2018

**RESPONDENT:** PHELAN, John, Public Works Director, Yamhill County

**COMPLAINANT:** CRAVER, James

**RECOMMENDED ACTION:** Make a Preliminary Finding of 1 Violation of ORS 244.040

1 **SYNOPSIS:** John Phelan was the Director of Public Works for Yamhill County (County)  
2 when the events relevant to this case occurred. The focus of this investigation was to  
3 determine if there was a preponderance of evidence to indicate that Mr. Phelan used his  
4 position in a prohibited manner in violation of the use of office provisions of ORS Chapter  
5 244.

6  
7 There appears to be a preponderance of evidence to indicate that John Phelan, in his  
8 official capacity as the County Public Works Director, used his assigned County vehicle  
9 for personal purposes on March 10, 2017, in violation of ORS 244.040(1). By using the  
10 County vehicle, Mr. Phelan avoided the financial detriment of using his own vehicle and  
11 paying for his own gas while engaged in personal business.

12  
13 **RELEVANT STATUTES:** The following Oregon Revised Statutes and Administrative  
14 Rules are applicable to the issues addressed herein:

1 244.020(15) "Public official" means the First Partner and any person who, when  
2 an alleged violation of this chapter occurs, is serving the State of Oregon or any of  
3 its political subdivisions or any other public body as defined in ORS 174.109 as an  
4 elected official, appointed official, employee or agent, irrespective of whether the  
5 person is compensated for the services.

6  
7 **244.040 Prohibited use of official position or office; exceptions; other**  
8 **prohibited actions.**

9 (1) Except as provided in subsection (2) of this section, a public official may not  
10 use or attempt to use official position or office to obtain financial gain or avoidance  
11 of financial detriment for the public official, a relative or member of the household  
12 of the public official, or any business with which the public official or a relative or  
13 member of the household of the public official is associated, if the financial gain or  
14 avoidance of financial detriment would not otherwise be available but for the public  
15 official's holding of the official position or office.

16  
17 (2) Subsection (1) of this section does not apply to:

18 (a) Any part of an official compensation package as determined by the public  
19 body that the public official serves.

20  
21 **OAR 199-005-0035 Guidelines for compliance with ORS 244.020(6), 244.025,**  
22 **244.040, 244.042 and 244-047**

23 (3) An "official compensation package" means the wages and other benefits  
24 provided to the public official. To be part of the public official's "official  
25 compensation package", the wages and benefits must have been specifically  
26 approved by the public body in a formal manner, such as through a union contract,  
27 an employment contract, or other adopted personnel policies that apply generally  
28 to employees or other public officials. "Official compensation package" also  
29 includes the direct payment of a public official's expenses by the public body, in  
30 accordance with the public body's policies.

31 ///

1 **INVESTIGATION:** The Oregon Government Ethics Commission (Commission) initiated  
2 a preliminary review based on information in a March 20, 2017 signed complaint from  
3 James Craver, alleging that John Phelan may have violated Oregon Government Ethics  
4 law by using his assigned County vehicle for personal business. (#PR1). The Commission  
5 found cause to investigate on June 2, 2017 after considering the information developed  
6 in the preliminary review. The focus of the investigation was to determine if there is  
7 sufficient evidence to indicate that John Phelan may have violated the use of office  
8 provisions of ORS 244.040(1). John Phelan and James Craver were both notified of the  
9 Commission actions in this matter and invited to provide any information which would  
10 assist the Commission in conducting this investigation.

11  
12 The Complaint alleged that on March 10, 2017, John Phelan used his assigned County  
13 vehicle for a personal purpose by driving it to the Morrow Crane Building in Salem to  
14 attend an Oregon Government Ethics Commission meeting in which the Commission was  
15 considering an ethics complaint made against him. Attached to the Complaint were  
16 photographs, allegedly taken on March 10, 2017, of Mr. Phelan's assigned County vehicle  
parked in the parking lot of the Morrow Crane Building. (#PR1).

18  
19 In his response, Mr. Phelan acknowledged that he drove his assigned County vehicle to  
20 the Commission meeting in Salem on March 10, 2017. He provided Commission staff  
21 with a copy of the explanation he had previously given to the County Administration. In  
22 that explanation, he claimed that by appearing at the ethics meeting he was defending  
23 Yamhill County's administrative actions in that prior matter. Mr. Phelan also asserted that  
24 he conducted County business on the way back from Salem to McMinnville. (#PR2).

25  
26 In moving this matter to investigation, the Commission found that further investigation  
27 was needed to determine the facts surrounding Mr. Phelan's claim that he travelled to  
28 Salem for a county purpose, such as whether a meeting occurred, and if so, when the  
29 appointment was made, and to review Yamhill County policies concerning use of  
30 assigned county vehicles to determine whether Mr. Phelan's personal use was  
31 permissible.





1 Commission staff spoke with Mr. Phelan, who reiterated that he stopped at the Gehring  
2 farm to look at the equipment because they were still trying to work out a deal for it. When  
3 we spoke he called it a grader, but in his original response it was referred to as a blade.  
4 He also said that it had been raining heavily during the days before the Commission  
5 meeting and that a number of roads were flooded and closed. He stopped on the way  
6 back to McMinnville to take photos of the grader and of some of the flooded roads.  
7 (#INV1).

8  
9 On November 20, 2018, Commission staff spoke by telephone with Russ Heath, Yamhill  
10 County Shop/Fleet Manager. Mr. Heath did not recall whether he knew about Mr. Phelan's  
11 March 10, 2017 visit to the Gehring farm, but he did confirm that he and Mr. Phelan had  
12 previously looked at the grader and had spoken with Mark Gehring on a couple of different  
13 occasions, and he had even drawn up an agreement at some point. Mr. Heath's last  
14 reported contact with Mr. Gehring was an e-mail sent on March 3, 2017 identifying what  
15 he had found as fair market value of the grader. He was not able to locate any e-mails  
16 after that date and he doesn't recall any further conversation about the matter with Mr.  
17 Phelan. (#INV2).

18  
19 Commission staff spoke with Mark Gehring by telephone on November 27, 2018. Mr.  
20 Gehring does not specifically know or remember John Phelan, but he does recall meeting  
21 two gentlemen from the County who wanted to buy or have him donate the old grader.  
22 Mr. Gehring remembers having a second conversation with one or both gentlemen about  
23 valuing the grader for tax donation purposes, but says that nothing ever happened after  
24 that. At this point, he does not recall whether anyone came to the farm on March 10, 2017  
25 to photograph the equipment. (#INV3).

26  
27 COUNTY POLICY  
28 Commission staff reviewed the Yamhill County policy regarding assigned county vehicles.  
29 The Assigned County Vehicles policy was issued by the Yamhill County Board of  
30 Commissioners by Board Order 02-111 and became effective on May 1, 2002. (#INV4).  
31 The policy provides as follows:

1 1. For purposes of this policy, the following definitions apply.

2 (a) An "assigned vehicle" means a vehicle owned or controlled by Yamhill  
3 County and assigned to an employee for regular use to be driven to and  
4 from work. If required under IRS rules, income will be imputed to the  
5 employee or official for use of an assigned vehicle.

6 \* \* \* \* \*

7 4. Any employee authorized to use an assigned vehicle must keep a record of the  
8 number of emergency call-outs or other use of the assigned vehicle apart from  
9 trips from home to work or work to home. The record is considered a public  
10 record which must be disclosed upon request. The record must be kept for at  
11 least two years. The record must provide at least the following information:

12 Employee name  
13 Address  
14 City  
15 County of residence  
16 Department  
17 Date and time  
18 Reason for use of vehicle (other than home-to-work)

19 \* \* \* \* \*

20 6. Under no circumstances shall an employee use an assigned vehicle for any  
21 non-county business.

22  
23 Mr. Phelan acknowledged driving the County vehicle assigned to him to attend the  
24 Commission meeting on March 10, 2017. When Commission staff spoke with Mr. Phelan,  
25 he indicated that he believed the County policy had changed at some point to allow  
26 incidental personal use. (#INV1).

27  
28 To follow up on whether County policy had been amended, Commission staff spoke with  
29 Laura Tschabold, County Administrator for Yamhill County. Ms. Tschabold said that after  
30 speaking with Mr. Phelan about our investigation, her staff searched through the Board  
31 Orders. She said she recalls there was discussion about amending the County Policy, but  
32 she doesn't believe the policy was ever formally modified. In a follow-up e-mail, Ms.  
33 Tschabold reported that they have been unable to find any documents or records showing

1 the County policy was amended. Ms. Tschabold did comment, however, that "it is past  
2 practice for the county to allow these types of incidental personal stops on the way to and  
3 from an employee's residence for an occasional errand or other infrequent personal stops  
4 enroute to a work related purpose." (#INV5).

5  
6 Commission staff asked Ms. Tschabold whether the County had the vehicle use record  
7 for Mr. Phelan's use of the assigned vehicle on March 10, 2017, as required by subsection  
8 (4) of the County policy. Ms. Tschabold reported that the "practice of record keeping had  
9 not been followed by employees with assigned vehicles." She said that she has had new  
10 employees follow the procedure and also indicated that the County was currently in the  
11 process of revising and re-adopting this policy. (#INV5).

12  
13 Commission staff asked Russ Heath about this vehicle use policy, since he is the County  
14 fleet manager. Mr. Heath said that the policy allows an employee with an assigned vehicle  
15 to use the vehicle for incidental personal business, i.e., to stop at the store on the way to  
16 or from work, but employees were not supposed to use assigned County vehicles to drive  
17 out of town on personal business. (#INV2).

#### 18 19 REIMBURSEMENT TO THE COUNTY

20 On March 10, 2017, John Phelan did make a partial reimbursement to the County for his  
21 personal use of the County vehicle. In his explanation to the County administration, he  
22 reported, "I went to Public Works office and meet with Catherine Lindberg around 12:45  
23 on March 10<sup>th</sup> and gave her Four Dollars for the milage I drove to attend the Ethic review  
24 hearing (roughly one mile) also attached." Mr. Phelan provided a copy of a receipt, dated  
25 3/10/2017, showing he paid \$4.00 to the Public Works office for the mileage (estimated  
26 on the receipt to be approximately 1 mile) driven to attend the Commission meeting.  
27 (#PR2). When Commission staff spoke with Mr. Phelan, he did not recall why this distance  
28 or this amount was selected. (#INV1). When Commission staff spoke with Yamhill County  
29 Administrator Laura Tschabold, she suggested that the amount of this reimbursement  
30 might have been based on the County's standard employee mileage reimbursement rate  
31 of 50 cents per mile. (#INV5).

1 Using Google Maps, Commission staff determined that the driving distance between the  
2 Yamhill County Public Works building in McMinnville and the Morrow Crane building in  
3 Salem is 29.4 miles, making the round-trip travel distance 58.8 miles. Commission staff  
4 also determined that the driving distance between the Gehring farm in West Salem and  
5 the Morrow Crane building is 6.2 miles, making the round-trip travel distance 12.4 miles.  
6 (#INV6).

7

8 **CONCLUSIONS:** John Phelan, Director of Yamhill County's Public Works Department,  
9 is a public official as defined in ORS 244.020(15). At all times relevant to this investigation,  
10 Mr. Phelan was subject to Oregon Government Ethics law.

11

12 ORS 244.040(1) prohibits a public official from using or attempting to use their official  
13 position to obtain a financial benefit or avoid a financial detriment for themselves, a  
14 relative or household member, or a business with which they or a relative or household  
15 member are associated, if the financial benefit would not otherwise be available to them  
16 but for holding their official position. This prohibition does not apply to any part of a public  
17 official's official compensation package. [ORS 244.040(2)(a)].

18

19 As the Public Works Director, John Phelan is assigned a County vehicle to use for County  
20 business and to travel between work and home. County policy prohibits employees from  
21 using assigned County vehicles for any non-county business. That policy, adopted in  
22 2002, has not been altered or amended.

23

24 On March 10, 2017, Mr. Phelan used his assigned County vehicle to travel to Salem to  
25 attend a Commission meeting during which a case in which he was the respondent was  
26 on the agenda. In so doing, Mr. Phelan used his assigned County vehicle for personal,  
27 non-county, business, in violation of County policy. Because the County policy was never  
28 expanded to include personal use of the assigned vehicles, Mr. Phelan's personal use of  
29 his assigned County vehicle was not authorized by County policy and would not be  
30 included as part of his official compensation package.

31 ///

1 There is a preponderance of evidence to indicate that the primary purpose for Mr.  
2 Phelan's travel to Salem was to attend the Commission meeting on March 10<sup>th</sup>. In his  
3 explanation to his superiors at the County, he claims that he attended the Commission  
4 meeting in order to defend the County, but the prior matter involved allegations made  
5 against Mr. Phelan. In his explanation, Mr. Phelan appears to defend his actions in the  
6 prior matter on the basis that because the contract at issue had been vetted by the County  
7 counsel, this vetting somehow absolved him personally. As the Commission's case was  
8 against Mr. Phelan, the purpose of his appearance was to defend himself, not the County.  
9 The purpose of his visit to Salem was, therefore, personal business.

10  
11 Available information appears to indicate that Mr. Phelan was fully aware that his use of  
12 the County vehicle for this personal business was improper. In his explanation he writes  
13 "Knowing full well that this could be challenged," which suggests he was aware that his  
14 use of the assigned County vehicle to travel to Salem was unauthorized. He then adds  
15 the further justification of his visit to the Gehring farm and his photographing the closed,  
16 flooded roads. Information is insufficient to determine whether Mr. Phelan's visit to the  
17 Gehring farm was for legitimate County business or was effected solely to cover his  
18 unauthorized use of the County vehicle. It is unclear why Mr. Phelan would need to visit  
19 the Gehring farm on March 10<sup>th</sup> to photograph the grader when he and Mr. Heath had  
20 already made such a visit and Mr. Heath had sent Mr. Gehring his estimate of a fair market  
21 value for the grader. When questioned recently, neither Mr. Gehring nor Mr. Heath could  
22 recall anything about Mr. Phelan's March 10<sup>th</sup> visit to the Gehring farm.

23  
24 Mr. Phelan's March 10, 2017 reimbursement to the County is further evidence that he  
25 was aware his use of the vehicle was for a personal purpose. Had he truly believed that  
26 his attendance at the Commission meeting was for a County purpose, there would have  
27 been no reason to reimburse the County for any mileage.

28  
29 Not only did Mr. Phelan fail to maintain the vehicle use record required by County policy,  
30 but his calculation of the mileage and reimbursement rate have no basis in fact. He  
31 estimated a distance of only one mile, when his personal use of the vehicle was either

1 58.8 miles (McMinnville to Salem) or at a minimum 12.4 miles (Gehring farm to Salem).  
2 Further, the reimbursement rate he used (\$4.00 per mile) appears not to have been based  
3 on any officially adopted rate. In fact, the County does not actually have a reimbursement  
4 rate for personal use of assigned vehicles, since such personal use is not authorized.

5  
6 Finally, in Mr. Phelan's testimony before on the Commission on March 10, 2017, he stated  
7 that "Since the incidents have been brought before me, I have received ethics training."  
8 [Commission Meeting Audio Recording, March 10, 2017, Regular Session Part 2, 16:57].  
9 Mr. Phelan received ethics training before the March 10<sup>th</sup> Commission meeting, yet he  
10 still chose to drive the County vehicle to Salem for a personal purpose.

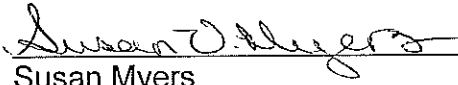
11  
12 Mr. Phelan's use of his assigned County vehicle for personal business allowed him to  
13 avoid the financial detriment of having to use his personal vehicle and pay for his own  
14 gas. This personal benefit would not have otherwise been available to him but for his  
15 holding his official position and being assigned a County vehicle. There appears to be a  
16 preponderance of evidence to indicate that John Phelan violated ORS 244.040(1).

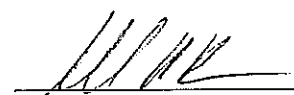
17  
18 **RECOMMENDATIONS:** The Oregon Government Ethics Commission should make a  
19 preliminary finding that John Phelan committed one violation of ORS 244.040(1). [Motion  
20 10].

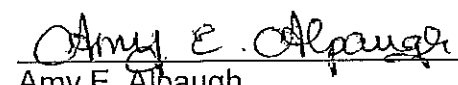
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1 **ASSOCIATED DOCUMENTS:**

- 2 #PR1 Complaint signed by James Craver, received on 3/20/2017
- 3 #PR2 Letter and supporting documents from John Phelan, received on 3/30/2017
- 4 #INV1 Investigator's memo re contact with John Phelan
- 5 #INV2 Investigator's memo re contact with Russ Heath
- 6 #INV3 Investigator's memo re contact with Mark Gehring
- 7 #INV4 Yamhill County Policy, Assigned County Vehicles, Board Order 02-111
- 8 #INV5 Investigator's memo re contact with Laura Tschabold
- 9 #INV6 Google Maps directions and distances

PREPARED BY  12-5-18  
Susan Myers Date  
Investigator

APPROVED BY  12/5/18  
Ronald A. Bersin Date  
Executive Director

REVIEWED BY  12/6/18  
Amy E. Alpaugh Date  
Assistant Attorney General

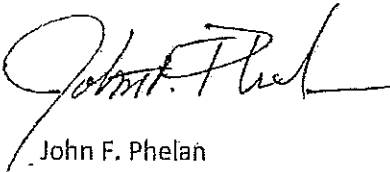
March 30, 2017

Mr. Michael Thornicroft  
Government Ethics Commission  
3218 Pringle Rd. SE  
Salem, OR  
Case # 17-137EMT

Mr. Thornicroft,

Enclosed are the documents I have supplied to the County Commissioners and the County Administrator, in regards to case number 17-137EMT. I am also including pictures from my iPhone of the county business I was on in that area the day of March 10<sup>th</sup>. Also included is a receipt that shows I paid Yamhill County for the miles I drove to the Ethics hearing that same day.

Regards,



John F. Phelan



From: Cindy Jackson [cjackson@onlinenw.com](mailto:cjackson@onlinenw.com)

Date: Mar 30, 2017, 10:40:48 AM

To: Cindy Jackson [cjackson@onlinenw.com](mailto:cjackson@onlinenw.com)

**From:** John Phelan

**Sent:** Monday, March 20, 2017 4:48 PM

**To:** Rick Olson <[olsonr@co.yamhill.or.us](mailto:olsonr@co.yamhill.or.us)>; Laura Tschabold <[tschabold@co.yamhill.or.us](mailto:tschabold@co.yamhill.or.us)>

**Subject:** ethics complaint

Commissioner Olson and Laura,

As per your request as to the use of Yamhill County Public Works vehicle to attend an ethics review on March 10<sup>th</sup> 2017.

The ethic hearing did not require me to attend. I have in past hearing declared that I was guilty as to having my vehicle work on in a county owned shop and also agreed to reimburse the county for time spent working on my personal vehicle. My reason for attending this hearing on March 10<sup>th</sup> was to testify as to the second charge that there was wrong doing in Safe Conduct award of Yamhill County drug testing agreement (contract). As you know the County Counsel and the union attorney vetted the agreement and approved the agreement. I wanted the Ethics Board with my testimony (which you can get a transcript) to know that the vetting had been done and that Yamhill County and Safe Conduct had not done any improprieties in issuing this contract and I as Public Works Director was to "sign off" on all accounts payable issued to the Public Works department. I have never accepted that this ethics violation was directed toward me directly but to an oversight of

County administration and myself at the time the contract was developed and implemented. With that being said I feel I was attending and defending Yamhill County's administrative actions.

Knowing full well that this could be challenged. I had to meet with Mark Gehring at 3600 Wallace Road Salem Oregon address in regards to an agreement that Public Works was trying to develop where he was going to donate and antique blade too PW to place on display in front of our new office/shop building. Russ Heath (Fleet Manager) and I had meet with Mr. Gehring two weeks before and were not able to agree on the value and the process of obtaining the piece of equipment. I'm attaching a photo of the equipment in discussion and the time and DATE stamped of March 10<sup>th</sup> at 11:23. From that meeting I went to Wheatland Ferry and I'm also attaching a photo taking there of the road being closed time stamped March 10<sup>th</sup> at 11:39. From there I went to Grand Island because of road closer and attaching photo time and date stamped March 10<sup>th</sup> at 11:53. From there I went to Mallard lane and again photo date and time March 10<sup>th</sup> 12:14.

I went to Public Works office and meet with Catherine Lindberg around 12:45 on March 10th and gave her Four Dollars for the milage I drove to attend the Ethic review hearing (roughly one mile) also attached.

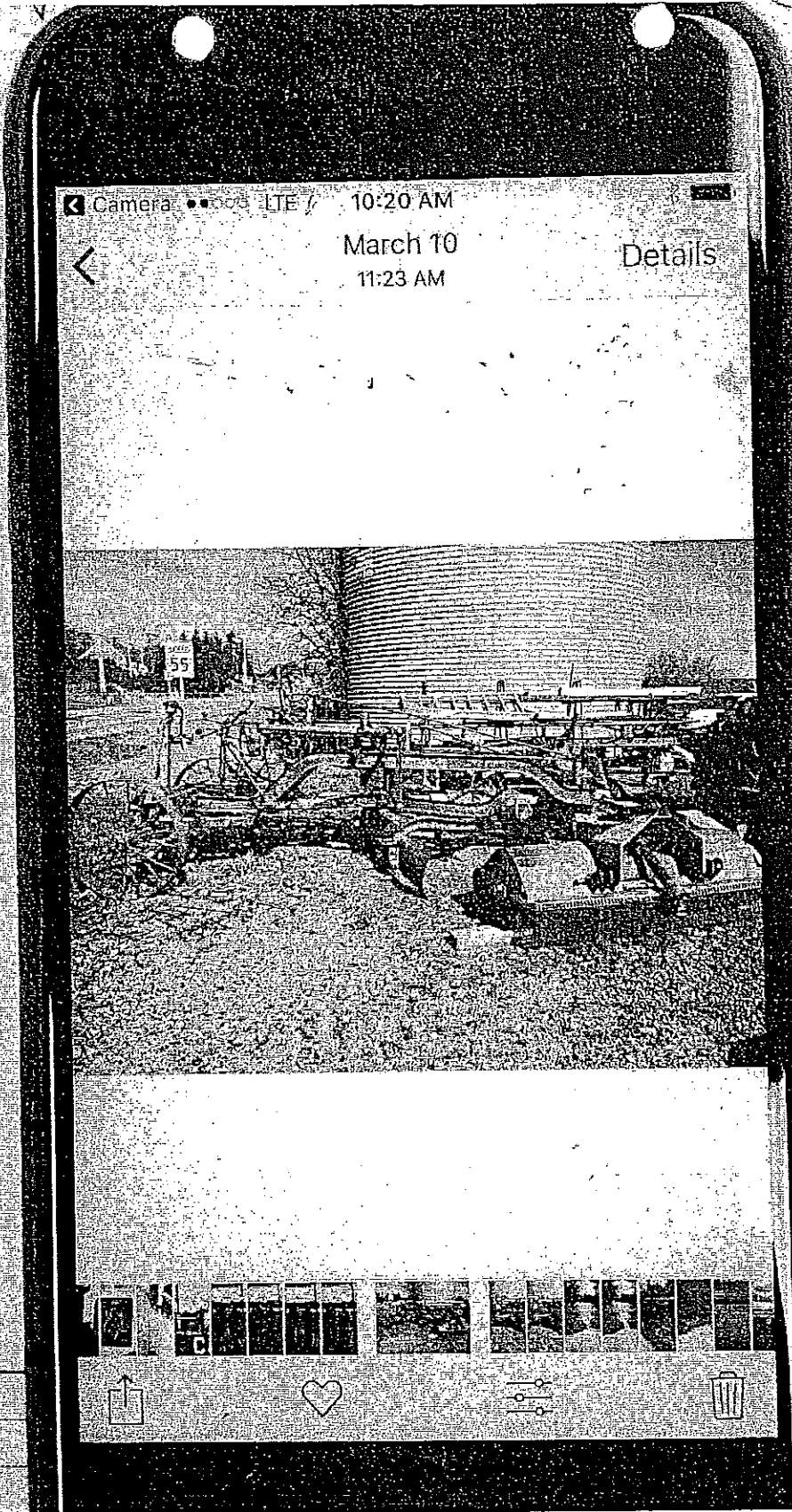
JP

Sent from my iPhone



*M*

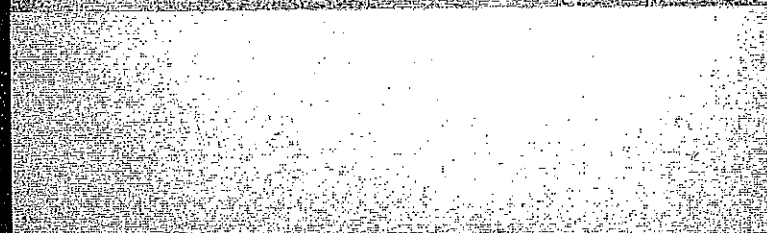
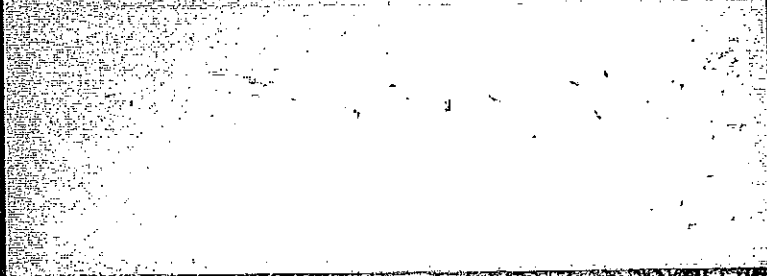
*SR*



*Handwritten signature or initials*

Camera ••••• LTE 10:20 AM

< March 10 11:39 AM Details



Camera ●●●● LTE 10:21 AM



March 10  
12:16 PM

Details

