

ATHENS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES  
Organizational Meeting Agenda  
Tuesday, January 20, 2015–6:00 P.M.  
801 W. Union St., Athens, OH 45701

1. Call to Order – J. Day
2. Roll Call – S. Biancone
3. Oaths of Office read/Declarations/Ethics Statements signed by each Board Member (Exhibit 1, Page 1)
4. Election of Officers
  - a. Motion to elect a President of the Athens County Board of DD
  - b. Motion to elect a Vice President of the Athens County Board of DD
  - c. Motion to elect a Secretary of the Athens County Board of DD
5. Approval for the full board to serve as the Ethics Council on issues requiring reviews by such entity.
6. Establishment of Finance/Personnel Committee due to the current and upcoming financial situation of the Athens County Board of DD.
7. Election of four board members to serve on the Finance/Personnel Committee, with Committee Chair as noted, and committee will meet as deemed necessary.
8. Approval of the board meeting calendar as recommended, to meet on the fourth Tuesday of each month at 6:00 p.m., or as noted.
9. Approval of the board training schedule as recommended.
10. Approval to provide public notice of all board meetings as required by ORC 121.22. Notice shall be provided through local media, posted at all ACBDD office locations, and the ACBDD website.
11. Approval to adjourn the organizational meeting.

ATHENS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES  
ORGANIZATIONAL MEETING

Tuesday, January 20, 2015- 6:00 PM – Beacon School Cafeteria

1. Call to Order: John Day
2. Roll Call: Sally Biancone

**Board Members Present (X)**

\_\_\_\_\_ Barnes                      \_\_\_\_\_ Bond                      \_\_\_\_\_ Conry                      \_\_\_\_\_ Day  
\_\_\_\_\_ DeForest                      \_\_\_\_\_ Hutzel                      \_\_\_\_\_ Lindsay

3. Oaths of Office read/Declarations/Ethics Statements signed by each Board Member (Exhibit 1, Page 1)
4. Election of Officers

**a. Motion to elect \_\_\_\_\_, as President of the Athens County Board of DD.**

Motion:

Second:

Barnes    Bond    Conry    Day    DeForest    Hutzel    Lindsay

**b. Motion to elect \_\_\_\_\_, as Vice President of the Athens County Board of DD.**

Motion:

Second:

Barnes    Bond    Conry    Day    DeForest    Hutzel    Lindsay

**c. Motion to elect \_\_\_\_\_, as Secretary of the Athens County Board of DD.**

Motion:

Second:

Barnes    Bond    Conry    Day    DeForest    Hutzel    Lindsay

5. **Motion for the full Board to serve as the Ethics Council on issues requiring reviews by such entity.**

Motion:

Second:

Barnes    Bond    Conry    Day    DeForest    Hutzel    Lindsay

6. **Motion to establish a Finance/Personnel Committee due to the current and upcoming financial situation of the ACBDD.**

Motion:

Second:

Barnes Bond Conry Day DeForest Hutzel Lindsay

7. **Motion to elect the following Board members to serve on the Finance/Personnel Committee, with Committee Chair as noted, and that such committee will meet as deemed necessary.**

**Board members:** 1) Chair - 2)  
3) 4)

Barnes Bond Conry Day DeForest Hutzel Lindsay

8. **Motion to approve the Board Meeting calendar as recommended, to meet on the 4<sup>th</sup> Tuesday of each month at 6:00 p.m., or as noted.**

Motion:

Second:

Barnes Bond Conry Day DeForest Hutzel Lindsay

9. **Motion to approve the Board training schedule as recommended.**

Motion:

Second:

Barnes Bond Conry Day DeForest Hutzel Lindsay

10. **Motion to provide public notice of all Board meetings as required by ORC 121.22. Notice shall be provided through local media, posted at all ACBDD office locations, and on the ACBDD website.**

Motion:

Second:

Barnes Bond Conry Day DeForest Hutzel Lindsay

11. **Motion to adjourn the Organizational meeting.**

Motion:

Second:

Barnes Bond Conry Day DeForest Hutzel Lindsay

Meeting adjourned at \_\_\_\_\_.



## OATH OF OFFICE

"I, \_\_\_\_\_, hereby affirm that I will faithfully execute the responsibilities of an Athens County Board of Developmental Disabilities Board Member in accordance with the Ohio Revised Code Section 3.23, to support the Constitution of the United States and the constitution of this state, and faithfully to discharge the duties of the office. In addition, I will faithfully execute the responsibilities of an Athens County Board of Developmental Disabilities Board Member in accordance with the Ohio Department of Developmental Disabilities, the Ohio Department of Education, and the Athens County Board of Developmental Disabilities laws, rules, and regulations (so help me God)."

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

**DECLARATION BY MEMBER OF  
ATHENS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES**

I, \_\_\_\_\_, am a member of the Athens County Board of Developmental Disabilities (referred to as the "ACBDD"). Pursuant to the requirements of § 5126.011 of the Revised Code and Section 3 of AM. S.B. 10 (126<sup>th</sup> General Assembly), I make the following declaration:

1. I am a citizen of the United States.
2. I am a resident of \_\_\_\_\_ County.
3. I am interested and knowledgeable in the field of developmental disabilities.

Check all which apply:

- I have an immediate family member<sup>1</sup> who is eligible to receive early intervention services or services for preschool or school age children from the ACBDD.
- I have an immediate family member who is eligible to receive adult services from the ACBDD.
- I have an immediate family member who is eligible to receive residential or supported living services from the ACBDD.
- I have an ownership interest in the \_\_\_\_\_ agency, which has a contract with the ACBDD. The nature of this ownership interest is as follows:

\_\_\_\_\_

- I have an immediate family member who has an ownership interest in the \_\_\_\_\_ agency, which has a contract with the ACBDD. The nature of this ownership interest is as follows:

\_\_\_\_\_

- I have an immediate family member has a contract with the \_\_\_\_\_ agency which has a contract with the ACBDD. The nature of the contract is as follows:

\_\_\_\_\_

<sup>1</sup> "Immediate Family Member" includes the following: parents, brothers, sisters, spouses, sons, daughters, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in-law.

**Important: Complete both pages and sign**

- I am a board member or employee of the \_\_\_\_\_ agency which is licensed or certified by the Ohio Department of DD and which provides services to individuals with DD.
- I have an immediate family member who is a board member or employee of the \_\_\_\_\_ agency which is licensed or certified by the Ohio Department of DD and which provides services to individuals with DD.
- I am a board member or employee of the \_\_\_\_\_ agency, which is not licensed or certified by the Ohio Department of DD, which provides services to individuals with DD and which is under contract with the ACBDD.
- I have an immediate family member who is a board member or employee of the \_\_\_\_\_ agency which is not licensed or certified by the Ohio Department of DD, which provides services to individuals with DD and which is under contract with the ACBDD.
- I am an elected public official in the following position: \_\_\_\_\_
- I have an immediate family member who is currently on the ACBDD.
- I am currently an employee of the ACBDD.
- I was an employee of the ACBDD and terminated my employment with the ACBDD on the following date: \_\_\_\_\_
- I have an immediate family member who is currently an employee of the ACBDD.
- I have an immediate family member who is currently a county commissioner for \_\_\_\_\_ County.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

**Important: Complete both pages and sign**



**ACBDD - Administration**

801 West Union Street • Athens, Ohio 45701  
Phone: 740-594-3539 • Fax: 740-593-3189  
athenscbdd.org

**ETHICS IS EVERYBODY'S BUSINESS**

I have received a copy of "Ohio Ethics Commission Bulletin-Gifts and Entertainment, February 21, 2013" and a copy of the "Ohio Ethics Law" published by the Ohio Ethics Commission, both of which explain the Ohio Ethics Law. I understand it is my responsibility to read these documents and familiarize myself with the guidelines for conduct and disclosure.

Signature

Date

**ACBDD – Administration  
Beacon School and MUI Dept.**  
801 West Union Street  
Athens, Ohio 45701  
Phone: 740-594-3539  
Fax: 740-593-3189  
athenscbdd.org

**Aleo Adult Services**  
21 South Campbell Street  
Athens, Ohio 45701  
Phone: 740-592-6659  
Fax: 740-594-7814  
aleoinc.org

**Passion Works Studio**  
20 East State Street  
Athens, Ohio 45701  
Phone: 740-592-3673  
Fax: 740-592-4260  
passionworks.org

**PersonnelPlus**  
20 Kern Street, Office 2  
Athens, Ohio 45701  
Phone: 740-592-3416  
Fax: 740-593-8236  
personnelplus.org

**Service & Support Admin.,  
Transportation Services**  
9033 Lavelle Road  
Athens, Ohio 45701  
Phone: 740-592-6006  
Fax: 740-594-5048

**ACBDD is an equal opportunity employer and provider of services**





**OHIO ETHICS COMMISSION**  
William Green Building  
30 West Spring Street, L3  
Columbus, Ohio 43215-2256  
Telephone: (614) 466-7090  
Fax: (614) 466-8368

[www.ethics.ohio.gov](http://www.ethics.ohio.gov)

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**BULLETIN —  
GIFTS AND ENTERTAINMENT  
FEBRUARY 21, 2013**

**I. INTRODUCTION**

Public officials and employees at all levels of state and local government ask the Ethics Commission for guidance about what they can and cannot accept as gifts and entertainment from family, friends, acquaintances, and other persons. This bulletin provides guidance and explains the law prohibiting acceptance of gifts in many circumstances.<sup>1</sup>

**What does the law prohibit?**

Ohio's Ethics Law prohibits all public officials and all public employees from soliciting or accepting a gift of a substantial value, including entertainment, from any "prohibited source." A "prohibited source" is any person, company, organization, or other entity that has any of these relationships with the public agency an official or employee serves:

- Doing or seeking to do business with the agency;
- Regulated by the agency; or
- Interested in matters before the agency.

A public official or employee also cannot accept compensation for the performance of his or her public job duties from any source other than their public employer.

**Who is a "public official"?**

A public official is any person, paid or unpaid, and regardless of how much money he or she is

paid, who is elected or appointed to a full time or part time position.

**Who is a "public employee"?**

A public employee is any person, paid or unpaid, and regardless of how much money he or she is paid, who is employed by a public agency in a full time or part time public job.

**II. ACCEPTING  
GIFTS/ENTERTAINMENT**

To know whether you can accept a gift, meal, or entertainment, you need to determine both:

- The value of the item; and
- The source of the item.

If the gift is substantial in value and is from one of the prohibited sources described earlier, you must return it to the giver.

However, you can accept a gift of nominal value from any giver. Gifts of nominal value include promotional items, such as a t-shirt, mouse pad, or a coffee mug.

**Personal Friendship**

You can also accept a gift of any value if the giver is not a "prohibited source." For example, you can accept a gift if it is clear that the gift is motivated by the giver's family relationship or a personal friendship with you, rather than by your public position. Relevant factors to consider include<sup>2</sup>:

- The duration and nature of the pre-existing private relationship;
- Whether it has been common for you to exchange gifts with the giver before you became a public official or employee;
- Whether the giver personally paid for the gift or identified it for business reimbursement; and
- Whether, to your knowledge, the giver also gave the same or similar gifts to other officials or employees of your agency.

### Gifts from Vendors

You are prohibited from accepting a gift or entertainment, of a substantial value, from a vendor to your agency. However:

- The Ethics Law does not prohibit you from socializing with anyone.
- If you are going to a restaurant with a vendor to your agency, and the cost of the meal will be substantial, you should pay your own way.
- If you are invited to attend an open house hosted by one of your agency's vendors, in most cases, you would be able to accept the invitation because the per-person value of an open house is unlikely to be substantial.
- If you are invited to attend an expensive event hosted by a vendor, or an event that includes expensive tickets (such as a sporting event, concert, theater performance, or any similarly valued event), you should either: (a) decline the invitation; or (b) pay the per-person cost to attend the event and the greater of the face value of, or the amount the giver paid for, the tickets.
- The Commission has said in prior advisory opinions that meals at expensive restaurants, exclusive golf outings, season tickets to games of a

sports team, and travel, meal and lodging expenses are also of a substantial value.<sup>3</sup>

Remember that you cannot accept compensation from anyone other than the agency you serve. This means that if a vendor gives you cash or a cash-equivalent (such as a gift card) as a "thank you" for your public duties, you must return it.

### III. FINANCIAL DISCLOSURE

If you are required to file a financial disclosure statement with the Ethics Commission, then you may have to disclose sources of gifts you have received.

- Most filers must disclose gifts over \$75.<sup>4</sup>
- You need to disclose **all** sources of gifts over the threshold amount -- even if the person who gave it to you is a personal friend or does not have any connection with your public agency.
- You do not need to disclose the amount or nature of the gift.
- You do not need to disclose the source of a gift if it was given to you by any of the following family members:
  - Spouse, parents, siblings, or children;
  - Grandparents or grandchildren;
  - Nephews, nieces, uncles, or aunts;
  - Brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law or mothers-in-law; or
  - Any person to whom you stand in loco parentis (that is, you serve as their parent).

You also don't have to disclose any gift you received by distribution from any trust established by your spouse or other relative.

#### IV. ASSISTANCE AND QUESTIONS

**If you have any questions, please contact the Ethics Commission:**

- Telephone: 614.466.7090  
[Ask for an advisory attorney.]
- Monday to Friday, 8:00 AM to 5:00 PM
- Website: [www.ethics.ohio.gov](http://www.ethics.ohio.gov)  
[Use the search term "gifts"]

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<sup>1</sup> See Ethics Commission Information Sheet #7, "Accepting Gifts, Meals, Entertainment, or Other Things of Value"

<sup>2</sup> See generally 5 C.F.R. 2635.204(b), concerning similar standards applicable to employees of the federal government.

<sup>3</sup> See, e.g., Adv. Ops. No. 89-014 (travel, meals and lodging); 95-001 (professional sports tickets); and 2001-03 (golf outings).

<sup>4</sup> Some filers are only required by the General Assembly to disclose sources of gifts over \$500, such as college or university trustees, or officials or employees of a city, school district, educational service center, or sanitary district if their public position is paid less than \$16,000. For guidance on whether this threshold applies to you, please contact the Ethics Commission.

## THE OHIO ETHICS LAW

The Ohio Ethics Law was originally enacted in 1973 to promote confidence in government. The law:

- establishes a code of conduct making it illegal for public officials and employees to take official action if they have certain conflicts of interest;
- provides for the filing of financial disclosure statements by many public officials, and for public inspection of those documents;
- establishes procedures by which citizens may participate in the enforcement of the law; and
- creates three agencies to administer the law: The Ohio Ethics Commission, The Joint Legislative Ethics Committee; and The Supreme Court Board of Commissioners on Grievances and Discipline.

The Ethics Commission publication is designed to help you understand the law. Whether you are a private citizen, public official, public employee, or candidate for public office, the pamphlet will explain how the Ethics Law applies to you.

This pamphlet is designed to advise the reader of general types of conduct prohibited by the Ohio Ethics Law and related statutes and is not intended to restate the specific restrictions of the state statute. You are encouraged to contact the Ethics Commission with any questions you may have after reading this publication.

## THE OHIO ETHICS COMMISSION

The Ohio Ethics Commission is an independent, bipartisan board whose six members are appointed by the Governor and confirmed by the Senate. The members, citizens from around the state with experience in both public and private sector, serve six-year terms that are staggered so that one member is appointed each year.

## PROHIBITED CONDUCT

Ohio's Ethics Law recognizes that many public officials and employees are in a position to make or influence decisions that directly affect their personal interest. The Ethics Law attempts to prevent this type of activity. Generally, a public officer may not participate in matters that involve his own financial interest, or those of his family or business associates. The following types of conduct are prohibited or restricted by Ohio's Ethics Law.

### Misuse of Official Position

A public official or employee may not use, or authorize the use of, his public position to benefit himself or others in circumstances that create a conflict of interest where his objectivity could be impaired. This is a general restatement of one of the most important prohibitions in the Ethics Law.

Public officials and employees must avoid situations in which they might gain personally as a result of the decisions they make or influence as public servants. For example, a public official who owns property and profits by influencing his public agency to buy that property would likely be in violation of this prohibition. A public official or employee is also prohibited from using his position to benefit others, such as business associates and family members, because his relationship with those individuals could impair his objectivity in his public duties.

Two related provisions of the Ethics Law prohibit:

1. A public official or employee from soliciting or accepting anything of value that would create a substantial and improper influence upon the official in his public duties; and
2. Any person from promising or giving a public official anything of value that would create a substantial and improper influence upon the official in his public duties.

These provisions prohibit a public official from soliciting or accepting gifts, travel expenses, consulting fees, or any other thing of substantial value from a party that is interested in, regulated by, or doing or seeking to do business with his public agency. Similarly, a private citizen may not promise or give things of value to a public official or employee under circumstances that create a conflict of interest. The Ethics Commission recommends that public servants should avoid all conduct that creates the appearance of impropriety.

### The "Revolving Door" Restriction

A present or former public official or employee is prohibited from representing anyone before any public agency, including his former employer, on any matter in which he personally participated in his official capacity. This prohibition is in effect during public service and generally remains in effect for one year following departure from public service. It does not prohibit a public servant from representing his former public agency.

The revolving door restriction applies to all former public officials and employees, including professionals such as attorneys, accountants, and engineers. The restriction prohibits a former public servant from improperly using insider knowledge or exerting influence with his former co-workers on a matter in which he personally participated while in public service. Since this influence could be used to benefit his client, the revolving door provision prohibits the former public servant from performing this type of representation. However, it does not apply to matters in which the former public servant did not participate as a public official.

Stricter provisions exist for certain former public officials and employees:

1. A former public official or employee who participated as a public official or employee in administrative matters pertaining to solid or hazardous waste management, handling, transporting, or disposal is prohibited for a period of two years after his public service from representing, before

any public agency, an owner or operator of a waste facility, or an applicant for a permit or license for a facility, on any matter in which he personally participated in his official capacity; and

2. A former commissioner or attorney examiner of Public Utilities Commission is prohibited from representing public utilities before any state board, commission, or agency, for **two** years after the conclusion of his service, **regardless** of whether he personally participated in the matter.

### **Sale of Goods and Services to and Representation of Clients before Public Agencies**

A public official or employee is prohibited from receiving compensation, other than from his own public agency, for services rendered in a matter before any agency of the governmental entity with which he serves. An example of this kind of activity would be a city transportation department employee who prepares private tax returns, without using public time or resources, and wishes to represent a client before any city department, including, for example the tax department. The law generally prohibits him from performing this representation. In addition, state officials and employees are specifically prohibited from selling goods and services to state agencies, except through competitive bidding.

**Non-elected officials and employees** may be exempted from both of these prohibitions if the following conditions are met:

1. The official or employee is doing business with or representing the client before an agency other than the one he serve; and
2. Prior to conducting the business of providing the representation, the official or employee files a statement with his own agency, the agency to which he plans to sell goods or services, and the appropriate ethics agency.

The statement described above must:

1. Contain specific information, including the names of the public agencies involved and a brief description of the business to be conducted; and
2. Contain the public official's or employee's declaration that he will not participate in his public capacity, for a period of two years, in any matter involving the personnel of the agency with which he is conducting business or before which he is representing any clients.

In the example of the private tax service, the city transportation department employee would be required to file a statement with his own public agency (the transportation department), the agency before which he plans to appear for compensation (the city tax or finance department), and the Ohio Ethics Commission, before he could represent a client before the tax or finance department. Finally, the city transportation department employee must declare on the statement that he will abstain for a period of two years from official participation in any matters related to the personnel of the city tax or finance department. Thus, the public servant may conduct business with, or represent clients before, an agency other than the one he served provided he is not an elected official and, where appropriate, follow the exemption provided by the law.

### **Confidential Information**

The Ethics Law prohibits present and former public officials or employees from disclosing or using any information appropriately designated by law as confidential. The prohibition remains in effect as long as the information remains confidential.

### **License or Rate-Making Proceedings**

A public official or employee is restricted from participating in license or rate-making proceedings that would affect the licenses or rates of any business if he or members of his immediate family own more than five percent of that business. A public servant is also prohibited from participating in license or rate-making proceedings that affect any person to whom the official, his immediate family, or any business of which he or his family members has sold more than \$1,000 of goods or services.

### **Public Contracts and Public Investments**

A public official or employee is prohibited from having a financial or fiduciary interest in a public contract. A public contract includes any purchase or acquisition of goods or services, including employment, by or for the use of a public agency. Specifically, a public official or employee is prohibited from authorizing, voting, or otherwise using the authority or influence of his office to secure approval of a public contract in which the official, a family member, or business associate has an interest in the investment.

A public official or employee is also prohibited from having an interest in a public contract with his public entity, or agency with which he is connected, even if he does not participate in the issuance of the contract. A public servant may have an interest in a public contract with the public entity that he services if he meets the conditions set forth in two exemptions to this prohibition.

The two exemptions are:

1. A public official is not deemed to be "interested" in a public contract with his public agency if **all** the following conditions apply:
  - a. his interest in the corporation is limited to being either a stockholder or a creditor of the corporation;
  - b. he either holds less than five percent of the outstanding stock of the corporation, or he is a creditor owed less than five percent of the outstanding debt of the corporation; and
  - c. he informs his public agency of his intentions by filing an affidavit with the agency prior to entering into the contract; and
2. The prohibitions do not apply if **all** of the following conditions are met:
  - a. the public official or employee takes no part in the deliberations and decisions on the transaction;
  - b. the public official or employee informs his public agency of his interest;

- c. the contract involves necessary supplies or services that are not obtainable elsewhere at the same or lower cost or that are part of a contract established before he was hired; and
- d. the public agency is given treatment at least equal to that given to other clients involved in similar transactions.

An example of this situation might be a county official or employee who operates a paving company and contracts with the county for road-paving work. The county official or employee may be in violation of the public contract prohibitions of the Ethics Law unless he can affirmatively show that he meets the limited conditions outlined above.

### **Soliciting or Receiving Improper Compensation**

A public official or employee is prohibited from receiving compensation, in addition to that paid by his public agency, for performing his official duties. A private party is also prohibited from giving any supplemental compensation to a public official or employee to perform his official duties. In addition, a public servant is prohibited from soliciting or accepting anything of value, or coercing a campaign contribution, in exchange for an appointment to a public position, or any other kind of personnel action, such as a promotion or transfer.

### **PENALTIES**

All of the provisions of the Ethics Law are criminal prohibitions. Most of the provisions, including the conflict of interest prohibitions, are first-degree misdemeanors, punishable by a maximum fine of \$1000, maximum prison term of six months, or both. However, certain provisions of the public contract prohibitions are fourth degree felonies, punishable by a maximum fine of \$2500, a maximum prison term of eighteen months, or both.

### **FINANCIAL DISCLOSURE REQUIREMENT**

#### **General Information**

Under the Ethics Law, many public officials and employees file annual reports, called Financial Disclosure Statements (FDS), that disclose certain required financial information. The purposes of the financial disclosure requirement are to remind public officials of financial interest that may conflict with their duties and to assist citizens and the three ethics agencies in monitoring the areas of potential conflict of interest of public officials.

Public disclosure serves as a deterrent to public officials considering activity that may result in conflict.

Like a tax return, the FDS reflects personal financial information for the entire preceding calendar year. Therefore, a statement to be filed in 1991 will reflect the financial interests of the filer during the entire year of 1990, and will be described as a 1990 FDS.

#### **Individuals Required to File FDS**

Officials and employees who are required to file FDS are:

- Elected officials at the state, county, and city levels;
- Candidates for state, county, and city elective offices;
- School board members and candidates for school board in school districts with over 12,000 students;
- All school district superintendents, treasurers, and business managers;
- Upper-level state employees, including chief administrative officers of sovereign-power state boards and commissions; and
- Members of sovereign-power state boards and commissions.

Village and township elected officers, board of education members in districts with fewer than 12,000 students, and most state and local public employees are not required to file FDS.

#### **Information the Filer Must Disclose**

Along with general personal information, most FDS filers identify the following items:

- all sources of income
- investments worth more than \$1000;
- businesses in which the filer is an officer or board member;
- sources of travel expenses incurred in connection with official duties;
- sources of meals, food, and beverages, incurred in connection with official duties, aggregating more than \$100;
- sources of gifts worth more than \$75;
- Ohio real estate investments; and
- creditors and debtors of over \$1000.

City, county, and school board elected officials who make less than \$16,000 for their public service, and public service, and public university trustees, have different disclosure requirements. These officials are required to disclose:

- sources of income over \$500;
- investments worth more than \$1000
- businesses in which the filer is an officer or board member;
- sources of gifts worth more than \$500;

- Ohio real estate investments, and
- creditors and debtors of over \$1000.

### FDS Due Dates

A public official subject to the financial disclosure requirement is **generally** required to file his FDS with the appropriate ethics agency each year by **April 15<sup>th</sup>**. Statements may be filed by mail or in person, and a statement postmarked on or before April 15<sup>th</sup> is considered filed by that date.

A candidate who has been certified for ballot placement for election to public office is required to file his FDS not later than 30 days prior to the date of the first election in which his candidacy will be voted upon. A write-in candidate for public office must file his FDS not later than 20 days prior to the first election at which his candidacy will be voted upon. Unless certified for ballot placement, an incumbent office holder must file his FDS by April 15<sup>th</sup>. A person appointed to an unexpired term of elective office has 15 days from the date he is sworn into office to file.

A person who is appointed to, promoted to, or employed in a non-elective position for which filing is required must file an FDS within 90 days of employment, promotion, or appointment, **unless** he is appointed before February 15<sup>th</sup>. A person who is appointed to, promoted to, or employed in a non-elective position for which filing is required, on or before February 15<sup>th</sup>, must file his FDS by April 15<sup>th</sup>.

### FDS Fees and Penalties

The filer must include a filing fee with this FDS. The filing fees range depending upon the position for which filing is required. The Ethics Commission is required to assess a late filing fee against those individuals who fail to file their FDS on time. Filing and late fees are listed at [www.ethics.ohio.gov/fds.html](http://www.ethics.ohio.gov/fds.html).

If a public official who is required to file a financial disclosure statement fails to file, a penalty of up to a \$250 fine, 30 days in jail, or both, could be imposed by the courts. In an official files a false statement, the penalty could be up to \$1000 fine, six months in jail, or both.

### Filing of Statements and Availability of Filed Statements

Three ethics agencies receive FDS from the public officials over whom they have jurisdiction:

- Members of, employees of, and candidates for the General Assembly file with the Joint Legislative Ethics Committee;
- Members of, employees of, and Candidates for the judiciary file with the Supreme Court Board of Commissioners on Grievances and Discipline;
- All others file with the Ohio Ethics Commission.

Copies of most FDS are available for public inspection from the Ethics Commission and other ethics agencies. However, the Ethics Law requires that the Ethics Commission keep some statements confidential, such as those filed by school district employees. Blank FDS may be obtained from any county board of elections or from any ethics agency.

### INVESTIGATIONS BY THE ETHICS COMMISSION

Any person can refer information that indicates that a public official or employee may have violated any of the criminal provisions of the Ethics Law to the ethics agency that has jurisdiction over the official or employee in question. Allegation forms are available from the Ethics Commission to refer information relating to public servants within its authority.

All Commission investigations and hearings are confidential. Breach of confidentiality by Commission members or employees is a criminal offense. At its discretion, the Commission may share or disclose information with an investigating or prosecuting authority when necessary and appropriate for the conduct of an investigation. However, the Commission generally cannot disclose to others the existence, status, or result of any investigation.

Citizens may contact the Ethics Commission to make a charge or allegation of unethical conduct, or file a sworn complaint alleging specific personal knowledge of facts and evidence supporting each element of an Ethics Law violation. Most investigations are initiated upon charges received by the Commission.

When the Commission receives a charge or allegation of unethical conduct, staff determines whether the alleged misconduct falls within the authority of the Commission. If so, staff initially reviews allegations and investigative priorities with an Investigative Committee of the Commission to determine whether to further review the allegation based upon existing prioritized investigations and available resources. The Commission can then direct the staff to conduct a confidential investigation into the factual support for the charge and the severity of the alleged unethical conduct.

The Commission's authority is analogous to the role of the grand jury. At the conclusion of an investigation, which may include a formal hearing upon a sworn complaint, the Commission may refer the matter for prosecution of the appropriate prosecuting authority. It can also resolve a charge with accused person, or close the matter. The resolution may include: mediation of the dispute; financial restitution; rescission of affected contracts; forfeiture of any benefits resulting from this activity; or resignation of the public official or employee involved.

The Commission has no authority to prosecute public officials or employees independently. If it finds that the evidence supports a serious violation and determines that a resolution is not an option, the findings are turned over to the appropriate prosecuting authority for criminal prosecution. The referral remains confidential unless the prosecutor fails to act on the referral within 90 days. If the prosecutor fails to take any action with respect to the referral within that time, the Commission may make the referral public, though it cannot comment regarding the merits of its findings.

## **ADVISORY OPINIONS**

The Ohio Ethics Commission issues advisory opinions in response to questions relating to conflicts of interest or financial disclosure. Advisory opinions interpret the law and are available to the public servants who are considering, but have not yet undertaken, an activity that may involve a conflict of interest. Staff reviews requests for advice with an Advisory Committee of the Commission.

An opinion issued by the Commission provides the official or employee, and any other public servant similarly situated, who follows the opinion with immunity from civil action, criminal prosecution, and removal from office actions. A public official or employee who fails to follow an opinion of the Commission is subject to potential civil and criminal action and removal from office for violating the Ethics Law.

## **ETHICS EDUCATION AND PUBLIC INFORMATION**

The Ethics Commission provides a wide variety of ethics education and public information free of charge. The Commission presents classes and other educational opportunities for groups of public officials, public employees, and private citizens. In addition, the Commission provides pamphlets on a number of ethics issues. Each public agency is required to provide a copy of the Ethics Law to the officials and employees who serve the agency. The Commission can provide a master copy of the law to any agency, to assist it in complying with this law. Publications are also available on the Web site.

For more information, to request an Ethics Commission speaker, or for answers to questions, write or call:

**Ohio Ethics Commission**  
8 East Long Street, 10<sup>th</sup> Floor  
Columbus, Ohio 43215  
Phone: (614) 466-7090  
Fax: (614) 466-8368  
[www.ethics.ohio.gov](http://www.ethics.ohio.gov)



Athens County Board of Developmental Disabilities

**2015 Schedule**  
Board Meeting Schedule

<u>Date</u>	<u>Time</u>	<u>Location</u>
Jan. 20	6:00 PM	Beacon
Feb. 24	6:00 PM	Beacon
Mar. 24	6:00 PM	Beacon
April 28	6:00 PM	Beacon
May 26	6:00 PM	Atco
June 23	6:00 PM	Beacon
July 28	6:00 PM	Atco
Aug. 25	6:00 PM	Beacon
Sept. 22	6:00 PM	Beacon
Oct. 27	6:00 PM	Bus Garage
Nov.	6:00 PM	Beacon
Dec.	6:00 PM	Beacon

Athens County Board of Developmental Disabilities

**2015 Schedule**  
Board Member CEU Training

<u>Date</u>	<u>Time</u>	<u>Training</u>	<u>Location</u>	<u>CEU</u>
Feb.24	5:00 PM	Budget Review/HIPAA	Beacon	1 hr.
April 28	5:00 PM	Personnel <i>Plus</i>	Beacon	1 hr.
June 23	5:00 PM	MUI/Behavior Support	Beacon	1 hr.
July 28	5:00 PM	Atco/Passion Works	Atco	1 hr.
Aug. 25	5:00 PM	Beacon	Beacon	1 hr.
Sept. 22	5:00 PM	SSA	Beacon	1 hr.
Oct. 27	5:00 PM	Transportation	Bus Garage	1 hr.