

**MINUTES OF THE MEETING OF
THE INDIANA STATE ETHICS COMMISSION
February 10, 2022**

I. Call to Order

A regular meeting of the State Ethics Commission (“Commission”) was called to order at 10:02 a.m. The meeting was held virtually using Microsoft Teams. Commission members present were Katherine Noel, Chair; Corinne Finnerty; Sue Anne Gilroy; Kenneth Todd; and Rafael Sanchez. Office of Inspector General staff present included Tiffany Mulligan, Chief of Staff and Chief Legal Counsel and Interim State Ethics Director; Mark Mader, Staff Attorney; Doreen Clark, Staff Attorney; Mark Mitchell, Director of Investigations; Mike Lepper, Special Agent; Cindy Scruggs, Director of Administration; and Nathan Baker, Legal Assistant.

Others present were Ed Feigenbaum, Indiana Legislative Insight; Jessica Keyes, Ethics Officer, Family and Social Services Administration; Mattheus Mitchel, Compliance and Ethics Specialist, Department of Revenue (DOR); Amber Nicole Ying, Director/Special Counsel, Compliance and Ethics and Ethics Officer, DOR; Alexander Van Gorp, Attorney, Indiana Department of Health (DOH); Kristi Shute, Deputy General Counsel and Ethics Officer, Indiana Department of Homeland Security; Beth Green, General Counsel/Ethics Officer, Department of Workforce Development; Ted Cotterill, General Counsel, Management Performance Hub (MPH); Jennifer Cooper, Ethics Officer, MPH; Rachel Russell, Ethics Officer, Department of Child Services (DCS); Chris Serak, Ethics Officer/Director of Prequalification & Construction Compliance, Indiana Department of Transportation (INDOT); Keith Beesley, General Counsel and Ethics Officer, State Personnel Department (SPD); Tammera Glickman, Deputy General Counsel, Indiana Department of Administration (IDOA); David Hensel, Attorney representing Joseph McGuinness; Ed King, Investigations Manager, INDOT; Jordan Seger, Deputy Director; Indiana State Department of Agriculture (ISDA); Christine MacDonald, Internal Affairs Officer, DCS; Erin M. McQueen, Director/ALJ/Ethics Officer, State Employee Appeals Commission (SEAC); Michele Holtkamp, Deputy Communications Director, Governor’s Office; Tari Gary, ISDA; Dale Lee Pennycuff, Counsel, Indiana Horse Racing Commission (IHRC); Ginger Rothrock, Director, HG Ventures; Jason Reeves, Director of Audit and Investigations/Internal Affairs, INDOT; Whitney Fritz, Staff Attorney, DCS; Shane Hatchett, Chief of Staff, IDOH; Heather Kennedy, Chief Legal Counsel, INDOT; Joseph McGuinness, Commissioner, INDOT; Jose Murillo, Contractor Administration, INDOT; Kayla Dwyer, Journalist, IndyStar; John Walls, Chief Counsel and Ethics Officer, Indiana Attorney General’s Office; Ruthanne Gordan, Senior Planning Manager, FOX59/CBS4; Jessica Allen, Chair, Alcohol and Tobacco Commission (ATC); Jane Jankowski, Director of Operations, Governor’s Office; Kelly MacKinnon, IDOH; Elizabeth Burden, General Counsel, Office of Administrative Law Proceedings (OALP).

II. Adoption of Agenda and Approval of Minutes

Commissioner Gilroy moved to adopt the Agenda, and Commissioner Todd seconded the motion, which passed (5-0).

Commissioner Sanchez moved to approve the Minutes of the November 18, 2021, Commission Meeting, and Commissioner Gilroy seconded the motion, which passed (5-0).

III. Consideration of Waiver of Post-Employment Restrictions for Tari Gary

Jordan Seger, Deputy Director of the Indiana State Department of Agriculture, presented the proposed Waiver of Post-Employment Restrictions in this matter to the Commission for their approval.

Commissioner Sanchez moved to approve the Waiver, and Commissioner Gilroy seconded the motion, which passed (5-0).

IV. Request for Formal Advisory Opinion

2022-FAO-001

Joseph McGuinness, Commissioner

Christopher Serak, Ethics Officer

Indiana Department of Transportation

Christopher Serak is the Ethics Officer for the Indiana Department of Transportation (INDOT). Mr. Serak is requesting an advisory opinion on behalf of Joseph McGuinness, INDOT's Commissioner. Mr. Serak's request includes a letter from Commissioner McGuinness with additional information supporting the request.

Governor Holcomb appointed Mr. McGuinness as INDOT's Commissioner in January of 2017. As INDOT's Commissioner, Commissioner McGuinness oversees the administration of INDOT and its implementation of state transportation policies. His role with INDOT primarily consists of establishing and implementing agency policy and interacting with the public and local units of government, including overseeing transportation and infrastructure operations for the State of Indiana, identifying and securing long-term road and bridge funding opportunities and preparing Indiana's infrastructure for the future of transportation.

Commissioner McGuinness has entered into employment negotiations to serve as the Chief Executive Officer of a startup company called Avenew, LLC (Avenew). Avenew is a newly formed Delaware limited-liability entity with no contracts or revenue; therefore, Avenew has no dealings of any kind with INDOT. Although Avenew is not yet operational, it will eventually seek to partner with local communities, universities and private-sector entities throughout Indiana to manage and maintain local roads, buildings and related infrastructure. Commissioner McGuinness will utilize his experience as the mayor of Franklin to help build Avenew's programming. As Avenew's CEO, Commissioner McGuinness' primary responsibilities will include developing a team of employees, raising capital and promoting Avenew's services to local governments, universities and private-sector companies throughout Indiana. Avenew's operations will not include contracting with or lobbying INDOT.

Avenew is majority-owned by HG Ventures, which in turn is majority owned by The Heritage Group (Heritage). Heritage is an Indianapolis-based company that manages a portfolio of more than thirty different companies, specializing in heavy construction and materials,

environmental services and specialty chemicals. HG Ventures will provide Avenew with initial start-up capital and be a majority owner of Avenew. Other stakeholders, including Commissioner McGuinness, will be minority owners. Heritage, through at least two of its other subsidiary companies, has entered into one or more contracts with INDOT during Commissioner McGuinness' tenure with INDOT.

Although Commissioner McGuinness has contracting authority for INDOT, he has consistently delegated that authority to other INDOT personnel. Consequently, during his tenure as INDOT's Commissioner, he has never negotiated, managed, administered, executed or reviewed any contracts with third-party contractors on behalf of INDOT. Furthermore, Avenew has no contracts with INDOT. Also, Commissioner McGuinness has made no licensing or regulatory decisions as INDOT's Commissioner. Commissioner McGuinness writes that he agrees to refrain from representing or assisting Avenew in any particular matter in which he personally and substantially participated. He also represents that he has not disclosed any confidential information in his employment negotiations with Avenew and that he understands that IC 4-2-6-6 applies indefinitely and prohibits him from ever receiving compensation as a result of confidential information.

Commissioner McGuinness explains that Avenew has no past, current or prospective matters before INDOT in which Avenew or Commissioner McGuinness has a financial interest. Out of an abundance of caution, Commissioner McGuinness disclosed his employment negotiations with Mr. Serak, who executed and signed a formal screen. The screen became effective on January 14, 2022. It prevents Commissioner McGuinness from participating in any decision or vote, or matter related to a decision or vote, in which any Heritage company has a financial interest. The screen also prohibits Commissioner McGuinness from participating in any present or future contract or other matter involving a Heritage company and from assisting any future employers, including Avenew, with any matter he personally and substantially participated in while employed by INDOT. Mr. Serak has filed the screen with INDOT and has indicated that he will file the disclosure statement and screen if the Commission determines that Commissioner McGuinness must file a disclosure statement under IC 4-2-6-9.

INDOT is seeking the Commission's opinion regarding the application of any of the rules in the Code of Ethics to Commissioner McGuinness' post-employment opportunity with Avenew.

The analysis stated the following:

Mr. Serak's request for a formal advisory opinion on behalf of Commissioner McGuinness invokes consideration of the provisions of the Code pertaining to Confidential Information, Conflicts of Interests and Post-employment. The application of each provision to Commissioner McGuinness is analyzed below.

A. Confidential Information

IC 4-2-6-6 prohibits Commissioner McGuinness from accepting any compensation from any employment, transaction or investment that was entered into or made as a result of material information of a confidential nature. Commissioner McGuinness represents that he has disclosed no confidential information in his employment negotiations with Avenew and that he understands the rule applies indefinitely and prohibits him from ever receiving compensation as a result of confidential information. So long as any compensation Commissioner McGuinness receives does not result from confidential information, his potential employment with Avenew would not violate IC 4-2-6-6.

B. Conflict of Interests

IC 4-2-6-9(a)(1) prohibits Commissioner McGuinness from participating in any decision or vote, or matter related to that decision or vote, if he has a financial interest in the outcome of the matter. Similarly, IC 4-2-6-9(a)(4) prohibits Commissioner McGuinness from participating in any decision or vote, or matter related to that decision or vote, in which a person or organization with whom he is negotiating or has an arrangement concerning prospective employment has a financial interest in the outcome of the matter. The definition of financial interest in IC 4-2-6-1(a)(11) includes, “an interest arising from employment or prospective employment for which negotiations have begun.”

In this case, employment negotiations have already begun. Accordingly, Commissioner McGuinness would be prohibited from participating in any decision or vote, or matter related to a decision or vote, in which he, by virtue of his employment negotiations with Avenew, or his prospective employer would have a financial interest in the outcome of the matter.

IC 4-2-6-9(b) requires that a state employee who identifies a potential conflict of interests notify his agency’s appointing authority and ethics officer and either (1) seek a formal advisory opinion from the Commission; or (2) file a written disclosure form with the Commission.

Based on the information provided, the Commission finds that Commissioner McGuinness has a potential conflict of interests due to his role as the INDOT Commissioner and Heritage’s subsidiary companies’ contracts with INDOT. As a result, the Commission finds that Commissioner McGuinness must file a disclosure statement with the Commission. The disclosure statement must include a notification to Commissioner McGuinness’ appointing authority and include a description of the screen that INDOT has implemented to ensure that Commissioner McGuinness does not participate in any votes, decisions or other matters in which any Heritage company has a financial interest during the remainder of his state employment. As part of the conflict of interests disclosure statement and screen, the Commission advised INDOT to include a specific provision screening Commissioner McGuinness from certain post-employment activities involving INDOT.

Commissioner McGuinness also must ensure he continues to refrain from participating in any decisions or votes, or matters relating to any such decisions or votes, in which he or any Heritage company has a financial interest in the outcome of the matter for the remainder of his state employment.

C. Post-Employment

IC 4-2-6-11 consists of two separate limitations: a “cooling off” period and a “particular matter” restriction. The first prohibition, commonly referred to as the cooling off or revolving door period, prevents Commissioner McGuinness from accepting employment from an employer for 365 days from the date that he leaves state employment under various circumstances.

First, Commissioner McGuinness is prohibited from accepting employment as a lobbyist for the entirety of the cooling off period. A lobbyist is defined as an individual who seeks to influence decision making of an agency and who is registered as an executive branch lobbyist under the rules adopted by the Indiana Department of Administration.

Based on the information provided, Commissioner McGuinness would not be engaging in any lobbying activities in his prospective employment with Avenew. To the extent that Commissioner McGuinness does not engage in executive branch lobbying for one year after leaving state employment, his intended employment with Avenew would not violate this provision of the post-employment rule.

Second, Commissioner McGuinness is prohibited from accepting employment for 365 days from the last day of his state employment from an employer with whom 1) he engaged in the negotiation or administration of a contract on behalf of a state agency **and** 2) was in a position to make a discretionary decision affecting the outcome of the negotiation or nature of the administration of the contract.

Commissioner McGuinness represents that he has never personally engaged in the negotiation or administration of any contracts between INDOT and outside contractors. Furthermore, Avenew has no contracts with INDOT. Accordingly, Commissioner McGuinness would not be subject to the cooling off period’s contracting provision because he was not involved in the negotiation or administration of a contract between Avenew and INDOT.

Third, Commissioner McGuinness is prohibited from accepting employment for 365 days from the last day of his state employment from an employer for whom he made a regulatory or licensing decision that directly applied to the employer or its parent or subsidiary.

Commissioner McGuinness provides that he has not made any regulatory or licensing decisions in his position with INDOT that directly applied to Avenew, Heritage or any of Heritage’s subsidiaries. Accordingly, this provision of the cooling off restriction would not prohibit Commissioner McGuinness from accepting a position with Avenew.

Fourth, Commissioner McGuinness is prohibited from accepting employment from an employer if the circumstances surrounding the hire suggest the employer’s purpose is to influence him in his official capacity as a state employee. The information presented to the Commission does not suggest that Avenew has extended an offer of employment to

Commissioner McGuinness in an attempt to influence him in his capacity as a state employee. Accordingly, the Commission finds that this restriction would not apply to his intended employment opportunity with Avenew.

Finally, Commissioner McGuinness is subject to the post-employment rule's "particular matter" prohibition in his prospective post-employment. This restriction prevents him from representing or assisting a person on any of the following twelve matters if he personally and substantially participated in the matter as a state employee: 1) an application, 2) a business transaction, 3) a claim, 4) a contract, 5) a determination, 6) an enforcement proceeding, 7) an investigation, 8) a judicial proceeding, 9) a lawsuit, 10) a license, 11) an economic development project, or 12) a public works project. The particular matter restriction is not limited to 365 days but instead extends for the entire life of the matter at issue, which may be indefinite.

In this instance, Commissioner McGuinness would be prohibited from representing or assisting Avenew, as well as any other person, in a particular matter in which he personally and substantially participated as a state employee.

Commissioner McGuinness agrees that he must refrain from representing or assisting Avenew on any particular matter in which he personally and substantially participated. So long as he refrains from representing or assisting Avenew or any other person on any particular matter in which he personally and substantially participated, the particular matter restriction would not prohibit Commissioner McGuinness from working for Avenew.

Subject to the foregoing analysis, the Commission finds that Commissioner McGuinness' post-employment opportunity with Avenew, LLC would not violate the post-employment restrictions found in IC 4-2-6-11. Furthermore, the Commission finds that so long as Commissioner McGuinness files a conflict of interests disclosure statement with the Commission, his post-employment opportunity would not be in violation of IC 4-2-6-9.

Commissioner Gilroy moved to approve the Commission's findings, and Commissioner Sanchez seconded the motion, which passed (5-0).

V. **Request for Formal Advisory Opinion**
2022-FAO-002

WITHDRAWN

VI. **Request for Formal Advisory Opinion**
2022-FAO-003

Dr. Kristina Box, State Health Commissioner
Alexander Van Gorp, Ethics Officer
Shane Hackett, Chief of Staff
Indiana Department of Health

Alexander Van Gorp is the Ethics Officer for the Indiana Department of Health (IDOH). Mr. Van Gorp is requesting an advisory opinion on behalf of Dr. Kristina Box, the State Health Commissioner.

Mr. Van Gorp asks whether it would be a conflict of interests for Dr. Box or any other state employee in their official capacity to hold a voting position as a member of the Executive Board (Board) of the Indiana Health Information Exchange (IHIE). IHIE is an Indiana non-profit organization that facilitates the sharing of patient medical records between medical providers. IHIE created a seat on its Board for the State Health Commissioner to advise and contribute to the Board. Although IHIE initially created this seat for the State Health Commissioner as a non-voting position, IHIE wishes to modify its Board to provide voting power to the IDOH representative, open the eligibility of the seat to any IDOH employee and create a new seat for an employee of the Indiana Family and Social Services Administration (FSSA).

Mr. Van Gorp explains that IHIE has active contracts with IDOH, FSSA, the Indiana Department of Homeland Security and the Indiana Department of Correction. IHIE also expects to have contracts with state agencies in the future. The exchange of patients' medical records between providers is governed by the Indiana Network for Patient Care (INPC). Eligible members may become INPC members by signing a Joinder Agreement with IHIE and the Regenstrief Institute. Most INPC members are both Data Providers and Data Recipients. Data Providers store data in the INPC, and Data Recipients have access to INPC data under INPC Terms and Conditions and Reasonable Rules. There are some INPC non-members who are otherwise permitted to use, access, exchange or disclose INPC data only as specifically permitted by approved rules. INPC data, when permitted, is exchanged through products made available by IHIE under Subscription/Service Agreements or through other means identified in Third Party Data Use Agreements. IHIE is a business associate to any Data Providers who are covered entities under HIPAA. IHIE must comply with state and federal data privacy laws in addition to the INPC Terms and Conditions.

IHIE is a 509(a)(9) non-profit supporting organization, which is a subcategory of 501(c)(3). IHIE currently receives funding through its Subscription Agreements, Service Agreements and other data sharing arrangements and grants. IHIE's Board is a governing Board with the power to manage, control and conduct the affairs of IHIE as required for 509(a)(9) Type 1 supporting organizations. The majority of the Board's directors must be appointed or elected by IHIE supported organizations, and those directors must operate and control IHIE. The IHIE Board is pursuing restructuring activities that will result in a change to the supported organizations and the number of Community directors and National Subject Matter Expert directors on the Board.

IDOH is currently a supported organization, but the State Health Commissioner, who serves as a director, is an ex-officio and non-voting member of the Board. IHIE hopes to add FSSA as a supported organization. To ensure IHIE is operated and controlled by its supported organizations, IDOH and FSSA will need to appoint directors to the Board, and the directors will need to be given voting rights. Any director is permitted to recuse himself or herself from Board activities and voting if there is a conflict of interests regarding a particular matter.

Mr. Van Gorp writes that IDOH does not believe that Dr. Box or any other state employees' position as a voting member of the Board would be incompatible with their duties at IDOH. Rather, IDOH believes that a position on the Board will help fulfill the mission of IDOH and benefit public policy. Further, the employees sitting on the Board will be able to maintain and build upon their professional skills, such that they may better be able to perform the essential functions of their positions as state employees. Mr. Van Gorp also confirmed that an IDOH employee participating on the Board will not receive compensation from IHIE, including reimbursement for any expenses.

Mr. Van Gorp seeks a formal advisory opinion on behalf of Dr. Box on this matter to ensure full compliance with the Code and to avoid any appearance of impropriety that may arise.

The analysis stated the following:

Mr. Van Gorp's request for a formal advisory opinion invokes consideration of the provisions of the Code pertaining to conflicts of interests, gifts and confidential information. The application of each provision to Dr. Box or other IDOH representatives on the Board is analyzed below.

A. Conflict of interests - decisions and votes

IC 4-2-6-9 (a)(1) prohibits Dr. Box or any other IDOH employee from participating in any decision or vote, or matter relating to that decision or vote, if they have a financial interest in the outcome of the matter. Similarly, IC 4-2-6-9(a)(3) prohibits IDOH employees from participating in any decision or vote, or matter relating to that decision or vote, if they or a business organization in which they serve as a director or a member has a financial interest in the outcome. In addition, the rule requires state employees who recognize a potential conflict of interests to notify their agency's appointing authority and ethics officer in writing and either (1) seek a formal advisory opinion from the Commission or (2) file a written disclosure form with the Commission.

If Dr. Box or another IDOH employee were to serve as a voting member of the Board, they would be a director or member of IHIE. Thus, IC 4-2-6-9 would prohibit the IDOH representative on the Board from participating in any decision or vote, or matter related to a decision or vote, in which IHIE would have a financial interest. Also, it would trigger the disclosure requirements in IC 4-2-6-9(b) if Dr. Box or the participating IDOH employee identifies a potential conflict of interests.

Mr. Van Gorp provides that IDOH has contracts with IHIE; therefore, IDOH has a financial interest in matters that come before IDOH. As the agency head and appointing authority for IDOH, Dr. Box is in a position to participate in decisions or votes, or matters related to those decisions or votes, in which IHIE would have a financial interest in the outcome, such as matters related to IHIE's contract with IDOH. Accordingly, in addition to seeking this formal advisory opinion, Dr. Box would need to notify her agency's appointing authority and Mr. Van Gorp, as IDOH's Ethics Officer, in writing. Likewise, if another IDOH employee serves on the Board and is in a position to participate in decisions or votes in which IHIE would have a financial interest, that employee will need to notify his or her appointing authority and

Ethics Officer in writing and either seek a formal advisory opinion or file a written disclosure statement with the Commission.

The Commission finds that IDOH should execute an appropriate screen that prohibits Dr. Box or any other IDOH employee who sits as a voting member of the Board from participating in any decisions or votes, or matters related to decisions or votes, at IDOH in which IHIE would have a financial interest. So long as IDOH executes an appropriate screen, the Commission finds that Dr. Box or any other participating IDOH employee would not be in violation of IC 4-2-6-9.

B. Outside Employment/Professional Activity

An outside employment or professional activity opportunity creates a conflict of interests under IC 4-2-6-5.5 if it results in the employee: 1) receiving compensation of substantial value if the responsibilities of the employment are inherently incompatible with the responsibilities of public office or require the employee's recusal from matters so central or critical to the performance of her official duties that her ability to perform them would be materially impaired; 2) disclosing confidential information that was gained in the course of state employment; or 3) using or attempting to use her official position to secure unwarranted privileges or exemptions of substantial value that are not properly available to similarly situated individuals outside state government.

The Commission generally defers to an agency's ethics officer regarding outside employment or professional activity opportunities since these individuals are in a better position to determine whether a conflict of interests might exist between an employee's state duties and an outside employment or professional activity opportunity.

Based on the information provided by Mr. Van Gorp, Dr. Box or the participating IDOH employee would be serving on the Board in their official capacity; therefore, subsections (1) and (2) would not prohibit them from serving on the Board. Regarding subsection (3), Dr. Box or the participating IDOH employee is prohibited from using her IDOH position to secure unwarranted privileges or exemptions for IHIE or anyone else that subsection (3) prohibits.

C. Conflict of interests – contracts

Pursuant to IC 4-2-6-10.5, a state employee may not knowingly have a financial interest in a contract made by an agency. This prohibition, however, does not apply to an employee that does not participate in or have contracting responsibility for any of the activities of the contracting agency, provided certain statutory criteria are met.

Mr. Van Gorp confirmed that no IDOH employee would receive compensation, including reimbursement for expenses, from IHIE for serving on the Board. Thus, this rule will not apply.

D. Gifts

Dr. Box or the participating IDOH employee also should be aware of 42 IAC 1-5-1, which is the gift rule. The gift rule states, in part, that a state employee shall not knowingly solicit, accept or receive any gift, favor, service, entertainment, food, drink, travel expenses or registration fees from: (1) a person who has a business relationship with the employee's agency; or (2) a person who is seeking to influence an action by the employee in his or her official capacity.

"Business relationship" is defined in IC 4-2-6-1(a)(5) to include the dealings of a person with an agency seeking, obtaining, establishing, maintaining or implementing (i) a pecuniary interest in a contract or purchase with an agency; (ii) a license or permit requiring the exercise of an agency's judgment or discretion; or (iii) a lobbyist.

The general prohibition on gifts is subject to the eight exceptions outlined in subsection (b) of 42 IAC 1-5-1, or the agency's appointing authority may waive its application in certain circumstances as provided for in subsections (c) and (d).

Mr. Van Gorp provides that IDOH has a contract with IHIE. As such, IHIE has a business relationship with IDOH, and an IDOH employee is prohibited from accepting any gifts from IHIE, unless an exception applies or the IDOH employee obtains a gift waiver.

E. Confidential information

Dr. Box or the participating IDOH employee is prohibited under 42 IAC 1-5-10 and 42 IAC 1-5-11 from benefitting from, permitting any other person to benefit from, or divulging information of a confidential nature except as permitted or required by law. To the extent that the participating IDOH employees will possess information of a confidential nature by virtue of their position with IDOH that could be used to benefit the Board, IHIE or any other person or entity, the participating IDOH employees must ensure that they comply with these rules.

Subject to the foregoing analysis, the Commission finds that Dr. Box or the participating IDOH employee would have a potential conflict of interests under IC 4-2-6-9 if they were to participate in decisions or votes, or matters related to such decisions and votes for IDOH in which IHIE would have a direct financial interest in the outcome of the matter. The Commission further finds that IDOH should implement a screening mechanism to ensure the participating IDOH employee does not participate in any decisions or votes, or matters relating to such decisions and votes, in which IHIE has a financial interest.

Commissioner Finnerty moved to approve the Commission's findings, and Commissioner Gilroy seconded the motion, which passed (5-0).

VII. Consideration of 2022 Public Meeting Dates

Tiffany Mulligan, OIG's Chief of Staff and Chief Legal Counsel and Interim Ethics Director, provided proposed dates to the Commission for the 2022 State Ethics Commission Public Meeting Dates. The dates have previously been set on the second Thursday of each month automatically.

After discussion from the Commission, Commissioner Gilroy moved for approval of the remaining 2022 meeting dates with no proposed changes. Commissioner Sanchez seconded the motion, which passed (5-0).

The approved dates are as follows:

- January 13 (Previously cancelled due to lack of Commission business)
- February 10
- March 10
- April 14
- May 12
- June 9
- July 14
- August 11
- September 8
- October 13
- November 10
- December 8

Commissioner Todd took the opportunity during this point of the meeting to indicate he has not accepted reappointment to the State Ethics Commission and has sent his resignation letter to the Governor's office. Commissioner Todd's final SEC meeting will be the March 10, 2022 meeting.

VIII. Interim Ethics Director's Report

Tiffany Mulligan, OIG's Chief of Staff and Chief Legal Counsel, started the report by indicating that Jen Cooper has left OIG as State Ethics Director as of the end of December 2021, and that she will be Interim Ethics Director until a new Ethics Director is hired. She indicated it is hoped the position is filled soon. Ms. Mulligan also reported that new OIG Staff Attorney, Doreen Clark, started in late December 2021. Ms. Clark was previously with DWD and FSSA, and OIG is very happy to have her on board.

Ms. Mulligan reported that OIG staff has issued 56 informal advisory opinions since the previous last meeting. The majority of these requests dealt with questions concerning conflicts of interests, use of state property, ghost employment, outside employment, post-employment and gifts.

The deadline for the 2021 Financial Disclosure Statement filing period was February 2, 2022. As of this meeting date, less than five filers remained, and the hope is the matter will be completed by the March SEC meeting.

Ms. Mulligan also indicated that the Ethics Training is still being worked on and should be completed soon. Chair Noel and Commissioners Gilroy and Sanchez offered their thanks to OIG for their continued diligence since the previous meeting.

IX. Adjournment

Commissioner Gilroy moved to adjourn the public meeting of the State Ethics Commission. Commissioner Sanchez seconded the motion, which passed (5-0).

The public meeting adjourned at 11:19 a.m.