

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the July 25, 2016, Meeting
1300 Broadway, Room 1C, 9:00 a.m.
Denver, Colorado

Present: William Leone, Chairman; Bob Bacon, Vice-Chairman; April Jones; and Matt Smith.

Also Present: Dino Ioannides, IEC Executive Director; and Kyle Dumler of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. Chairman Leone called the meeting to order at 9:07 a.m.
2. The Commission received public comments.
3. Upon motion duly seconded, the Commission unanimously and without debate approved the minutes of the June 30, 2016, meeting, after amendment.
4. Mr. Ioannides provided the staff report.
5. Mr. Ioannides provided a status update regarding the 2015 legislative audit report.
6. Upon motion duly seconded, the Commission unanimously and without debate appointed Chairman Leone to serve as the presiding commissioner on Complaints 15-31, 15-32, 15-33, and 15-34, and delegated to Chairman Leone the necessary authority to rule on prehearing matters in order to be prepared for the full hearing on August 10, 2016.
 - a. With both Complainant and Respondent present, presiding Commissioner Leone conducted further pre-hearing proceedings in Complaints 15-31, 15-32, 15-33, and 15-34.
7. The Commission recessed at 11:15 a.m. and came back to order at 11:24 a.m.
8. The Commission discussed home rule ethics codes, Article XXIX of the Colorado Constitution, and a draft Position Statement. The Commission received public comment concerning the draft Position Statement.
9. By unanimous consent, the Commission postponed further consideration of Advisory Opinion 15-12 until after the Commission makes a decision about the home rule draft Position Statement.
10. The Commission received an update from its counsel regarding the grant of certiorari in *Gessler v. IEC*.

11. Upon motion duly seconded, the Commission unanimously and without debate postponed further action on Complaints 16-02 and 16-13 until after the Commission makes a decision about the home rule draft Position Statement, except that the complaints will be included on every meeting agenda in the interim for the purpose of providing updates to the Commission.
12. At 12:51 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to §24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-14 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

II. EXECUTIVE SESSION BUSINESS

13. Chairman Leone recused himself. The Commission met in Executive Session from 12:51p.m. to 1:45 p.m. to discuss Complaint 16-14.

III. GENERAL BUSINESS

14. The Commission returned to open session at 1:45 p.m.
15. At 1:45 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to §24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-15 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

IV. EXECUTIVE SESSION BUSINESS

16. The Commission met in Executive Session from 1:45 p.m. to 1:49 p.m. to discuss Complaint 16-15.

V. GENERAL BUSINESS

17. The Commission returned to open session at 1:49 p.m.
18. Upon motion duly seconded, the Commission unanimously dismissed Complaint 16-15 pursuant to Rules 7.G.1 and 7.G.2 of 8 *Code of Colorado Regulations* 1510-1.
19. At 1:51 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to §24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-16 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

VI. EXECUTIVE SESSION BUSINESS

20. The Commission met in Executive Session from 1:51 p.m. to 1:52 p.m. to discuss Complaint 16-16.

VII. GENERAL BUSINESS

21. The Commission returned to open session at 1:52 p.m.

22. Upon motion duly seconded, the Commission unanimously dismissed Complaint 16-16 pursuant to Rules 7.G.1 and 7.G.2 of 8 *Code of Colorado Regulations* 1510-1.
23. At 1:53 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to §24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-17 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

VIII. EXECUTIVE SESSION BUSINESS

24. The Commission met in Executive Session from 1:53 p.m. to 3:00 p.m. to discuss Complaint 16-17.

IX. GENERAL BUSINESS

25. The Commission returned to open session at 3:00 p.m.
26. Upon motion duly seconded, the Commission unanimously stayed further action on Complaint 16-17.
27. At 3:02 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to §24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-18 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

X. EXECUTIVE SESSION BUSINESS

28. The Commission met in Executive Session from 3:02 p.m. to 3:18 p.m. to discuss Complaint 16-18.

XI. GENERAL BUSINESS

29. The Commission returned to open session at 3:18 p.m.
30. Upon motion duly seconded, the Commission unanimously stayed further action on Complaint 16-18.
31. Having no further business, the Commission adjourned at 3:22 p.m. The next meeting is scheduled for Wednesday, August 10, 2016, at 11:00 a.m., 1300 Broadway, Room 1E.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission