

## **COLORADO INDEPENDENT ETHICS COMMISSION**

Minutes of the December 19, 2016, Meeting  
1300 Broadway, Room 1C, 9:00 a.m.  
Denver, Colorado

Present: Chairman William Leone; Vice-Chairman Bob Bacon; Commissioner April Jones; Commissioner Matt Smith; and Commissioner Jo Ann Sorensen.

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 9:09 a.m.
2. The Commission invited public comments and received none.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the November 15-16, 2016, meeting.
4. Mr. Ioannides provided the staff report.
5. Mr. Dumler provided an update regarding the Gessler matter.
6. Upon motion duly seconded, the Commission unanimously approved Advisory Opinion 16-07.
7. By unanimous consent, Commissioner Smith and Mr. Ioannides were authorized to amend the draft of Advisory Opinion 16-06 pursuant to the Commission's discussion. Upon motion duly seconded, the Commission unanimously approved Advisory Opinion 16-06, as amended.
8. The Commission recessed from 9:54 a.m. to 10:02 a.m.
9. By unanimous consent, the Commission tabled other agenda matters to take up discussion of the draft Home Rule Position Statement.
10. At 10:40 a.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(II) and §13-90-107(1)(b) concerning Home Rule Ethics Codes and Article XXIX of the Colorado Constitution for purposes of receiving legal advice on specific legal questions.

### **II. EXECUTIVE SESSION BUSINESS**

11. The Commission met in Executive Session from 10:40 a.m. to 11:20 a.m. to discuss Home Rule Ethics Codes and Article XXIX of the Colorado Constitution.

### **III. GENERAL BUSINESS**

12. The Commission returned to open session at 11:20 a.m.
13. Upon motion duly seconded, the Commission unanimously approved Position Statement 16-01 [incorrectly cited as Position Statement 16-02], as amended, with the Executive Director given authority to make additional non-substantive punctuation and typographical changes during finalization.
14. At 11:49 a.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(II) and §13-90-107(1)(b) concerning Home Rule Ethics Codes and Article XXIX of the Colorado Constitution for purposes of receiving legal advice on specific legal questions.

### **IV. EXECUTIVE SESSION BUSINESS**

15. The Commission met in Executive Session from 11:49 a.m. to 12:24 p.m. to discuss Home Rule Ethics Codes and Article XXIX of the Colorado Constitution.

### **V. GENERAL BUSINESS**

16. The Commission returned to open session at 12:24 p.m.
17. The Commission recessed from 12:24 p.m. to 12:33 p.m.
18. Upon motion duly seconded, the Commission unanimously approved Letter Ruling 16-05, as amended.
19. At 12:57 a.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) to discuss Complaint 16-02 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b) of the Colorado Constitution.
20. Mr. Ioannides recused himself for the discussion of Complaint 16-02.

### **VI. EXECUTIVE SESSION BUSINESS**

21. The Commission met in Executive Session from 12:57 p.m. to 1:30 p.m. to discuss Complaint 16-02.

### **VII. GENERAL BUSINESS**

22. The Commission returned to open session at 1:30 p.m.
23. At 1:31 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) to discuss Complaint 16-13 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b) of the Colorado Constitution.
24. Mr. Ioannides remained recused for the discussion of Complaint 16-13.

## **VIII. EXECUTIVE SESSION BUSINESS**

25. The Commission met in Executive Session from 1:31 p.m. to 1:39 p.m. to discuss Complaint 16-13.

## **IX. GENERAL BUSINESS**

26. The Commission returned to open session at 1:39 p.m.
27. At 1:41 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) 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.
28. Commissioner Jones recused herself for discussion of Complaint 16-17.

## **X. EXECUTIVE SESSION BUSINESS**

29. The Commission met in Executive Session from 1:41 p.m. to 1:54 p.m. to discuss Complaint 16-17.

## **XI. GENERAL BUSINESS**

30. The Commission returned to open session at 1:54 p.m.
31. At 1:55 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) to discuss Complaint 16-20 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b) of the Colorado Constitution.

## **XII. EXECUTIVE SESSION BUSINESS**

32. The Commission met in Executive Session from 1:55 p.m. to 2:13 p.m. to discuss Complaint 16-20.

## **XIII. GENERAL BUSINESS**

33. The Commission returned to open session at 2:13 p.m.
34. Upon motion duly seconded, the Commission unanimously found Complaint 16-20 non-frivolous and ordered its Executive Director to proceed accordingly.
35. At 2:15 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) to discuss Complaint 16-23 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b) of the Colorado Constitution.

#### **XIV. EXECUTIVE SESSION BUSINESS**

36. The Commission met in Executive Session from 2:15 p.m. to 2:23 p.m. to discuss Complaint 16-23.

#### **XV. GENERAL BUSINESS**

37. The Commission returned to open session at 2:23 p.m.
38. Upon motion duly seconded, the Commission unanimously dismissed Complaint 16-23 pursuant to Rules 7.G.1 and 7.G.3.
39. At 2:26 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) to discuss Complaint 16-24 filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b) of the Colorado Constitution.

#### **XVI. EXECUTIVE SESSION BUSINESS**

40. The Commission met in Executive Session from 2:26 p.m. to 2:51 p.m. to discuss Complaint 16-24.

#### **XVII. GENERAL BUSINESS**

41. The Commission returned to open session at 2:51 p.m.
42. At 2:52 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(II) and §13-90-107(1)(b) concerning Legal Updates from the Office of the Attorney General for purposes of receiving legal advice on specific legal questions.

#### **XVIII. EXECUTIVE SESSION BUSINESS**

43. The Commission met in Executive Session from 2:52 p.m. to 3:05 p.m. to discuss legal updates from the Office of the Attorney General.

#### **XIX. GENERAL BUSINESS**

44. The Commission returned to open session at 3:05 p.m.
45. Having no further business, the Commission adjourned at 3:07 p.m. The next regular meeting is scheduled for January 23, 2017, at 9:00 a.m., 1300 Broadway, Room 1C.

Respectfully Submitted,

Dino Ioannides  
Executive Director  
Colorado Independent Ethics Commission