

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the January 23, 2017, 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 9:01 a.m.
2. The Commission invited public comments and received none.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the December 19, 2016, meeting.
4. Mr. Ioannides provided the staff report.
5. The Commission discussed Advisory Opinion 15-12 and tabled action pending edits to be made during the meeting.
6. The Commission acknowledged the Regional Transportation District's submission of its internal code of ethics.
7. At 10:13 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.
8. Mr. Ioannides recused himself for the discussion of Complaint 16-02.

II. EXECUTIVE SESSION BUSINESS

9. The Commission met in Executive Session from 10:13 a.m. to 10:40 a.m. to discuss Complaint 16-02.

III. GENERAL BUSINESS

10. The Commission returned to open session at 10:40 a.m.
11. At 10:41 a.m., upon motion duly seconded, the Commission voted unanimously (with four voting Commissioners—Commissioner Jones having left the room) 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.

12. Mr. Ioannides recused himself for the discussion of Complaint 16-13.

IV. EXECUTIVE SESSION BUSINESS

13. The Commission met in Executive Session from 10:41 a.m. to 11:33 a.m. to discuss Complaint 16-13.

V. GENERAL BUSINESS

14. The Commission returned to open session at 11:33 a.m.

15. Upon motion duly seconded, the Commission unanimously determined that Complaint 16-13 is non-frivolous.

a. The Commission ordered an investigation; that the complainant and respondent be notified of the non-frivolous determination; and that the parties be invited to a pre-hearing conference at which the threshold question will be whether the home rule City of Glendale has resolved its complaint consistently with Position Statement 16-01 and whether the Commission should proceed with the merits.

16. Upon motion duly seconded, the Commission unanimously held over Complaint 16-02 to the next Commission meeting.

17. At 11:50 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.

18. Mr. Ioannides recused himself for the discussion of Complaint 16-02.

VI. EXECUTIVE SESSION BUSINESS

19. The Commission met in Executive Session from 11:50 a.m. to 12:01 p.m. to discuss Complaint 16-02.

VII. GENERAL BUSINESS

20. The Commission returned to open session at 12:01 p.m.

21. The Commission recessed from 12:02 p.m. to 12:07 p.m.

22. At 12:08 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.

23. Commissioner Jones recused herself from discussion of Complaint 16-17.

VIII. EXECUTIVE SESSION BUSINESS

24. The Commission met in Executive Session from 12:08 p.m. to 12:49 p.m. to discuss Complaint 16-17.

IX. GENERAL BUSINESS

25. The Commission returned to open session at 12:49 p.m.

26. Upon motion duly seconded, the Commission unanimously (with Commissioner Jones recused) dismissed Complaint 16-17 as frivolous under Rule 7.G.1.

27. By unanimous consent, the Commission appointed Chairman Leone as the administrative hearing officer for Complaint 16-20.

28. At 12:58 p.m., upon motion duly seconded, the Commission voted unanimously (with four voting Commissioners—Commissioner Bacon having recused himself) 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.

X. EXECUTIVE SESSION BUSINESS

29. The Commission met in Executive Session from 12:58 p.m. to 1:17 p.m. to discuss Complaint 16-24.

XI. GENERAL BUSINESS

30. The Commission returned to open session at 1:17 p.m.

31. Upon motion duly seconded, the Commission unanimously (with Commissioner Bacon recused) dismissed Complaint 16-24 as frivolous under Rule 7.G.1. and for failure to comply with complaint verification requirements under Rule 7.D.4.

32. At 1:19 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 16-27 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

33. The Commission met in Executive Session from 1:19 p.m. to 1:25 p.m. to discuss Complaint 16-27.

XIII. GENERAL BUSINESS

34. The Commission returned to open session at 1:25 p.m.

35. Upon motion duly seconded, the Commission unanimously dismissed Complaint 16-27 as frivolous under Rule 7.G.1.
36. At 1:27 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 17-01 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

37. The Commission met in Executive Session from 1:27 p.m. to 1:32 p.m. to discuss Complaint 17-01.

XV. GENERAL BUSINESS

38. The Commission returned to open session at 1:32 p.m.
39. Upon motion duly seconded, the Commission unanimously dismissed Complaint 17-01 as frivolous under Rule 7.G.1. and for failure to comply with complaint verification requirements under Rule 7.D.4.
40. At 1:34 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 17-02 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

41. The Commission met in Executive Session from 1:34 p.m. to 1:44 p.m. to discuss Complaint 17-02.

XVII. GENERAL BUSINESS

42. The Commission returned to open session at 1:44 p.m.
43. Upon motion duly seconded, the Commission unanimously dismissed Complaint 17-02 as frivolous under Rule 7.G.1.
44. Upon motion duly seconded, the Commission unanimously approved Advisory Opinion 15-12, as amended.
45. Having no further business, the Commission adjourned at 2:03 p.m. The next regular meeting is scheduled for March 6, 2017, at 9:00 a.m., 1300 Broadway, Room 1C.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission