

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the July 24, 2017, Meeting
1300 Broadway, Room 1C, 9:00 a.m.
Denver, Colorado

Present: Chairman Matt Smith; Vice-Chairwoman April Jones; Commissioner William Leone; Commissioner Gary Reiff; 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 Smith called the meeting to order at 9:07 a.m.
2. The Commission held a preliminary discussion pertaining to the FY 2019 budget.
3. The Commission recessed from 9:59 a.m. to 10:37 a.m.
4. Brief introduction of Commissioner Reiff.
5. The Commission invited public comments and received none.
6. Upon motion duly seconded, the Commission unanimously approved the minutes of the June 12, 2017, meeting.
7. Mr. Ioannides provided the staff report.
8. By unanimous consent, the Commission instructed Mr. Ioannides to administratively approve the requester's withdrawal of Letter Ruling 17-01.
9. The Commission considered the request for Advisory Opinion 17-05. Upon motion duly seconded, the Commission unanimously approved issuance of Advisory Opinion 17-05 as drafted.
10. Commissioner Leone recused himself for the Commission's consideration of the request for Advisory Opinion 17-06. Upon motion duly seconded, the Commission unanimously (Commissioner Leone recused) approved issuance of Advisory Opinion 17-06 as amended.
11. The Commission considered the draft Report of Investigation on Complaint 16-20. Mr. Grueskin, representing the Respondent was present; Mr. Bucknam, the complainant, appeared by telephone. Mr. Ioannides was instructed to provide the Report of Investigation to both parties and to contact the parties in approximately one week's time

to schedule a hearing conference with the hearing officer (Commissioner Leone) regarding the type of hearing to be held.

12. The Commission considered Complaint 17-18. Upon motion duly seconded, the Commission unanimously appointed Commissioner Jones as the hearing officer.

13. The Commission recessed from 12:22 p.m. to 12:29 p.m.

14. At 12:30 p.m., upon motion duly seconded, the Commission voted unanimously to enter Executive Session pursuant to C.R.S. §24-6-402(3)(a)(III) to discuss Complaints 17-09 and 17-25, filed with the Commission, both of which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

II. EXECUTIVE SESSION BUSINESS

15. The Commission met in Executive Session from 12:30 p.m. to 12:32 p.m. concerning Complaints 17-09 and 17-25.

III. GENERAL BUSINESS

16. The Commission returned to open session at 12:32 p.m.

17. At 12:37 p.m., upon motion duly seconded, the Commission voted unanimously to enter Executive Session pursuant to C.R.S. §24-6-402(3)(a)(III) to discuss Complaints 17-24, 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

18. The Commission met in Executive Session from 12:37 p.m. to 12:43 p.m. concerning Complaint 17-24.

V. GENERAL BUSINESS

19. The Commission returned to open session at 12:43 p.m.

20. At 12:45 p.m., upon motion duly seconded, the Commission voted unanimously to enter Executive Session pursuant to C.R.S. §24-6-402(3)(a)(III) to discuss Complaints 17-26, 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

21. The Commission met in Executive Session from 12:45 p.m. to 12:46 p.m. concerning Complaint 17-26.

VII. GENERAL BUSINESS

22. The Commission returned to open session at 12:46 p.m.

23. Upon motion duly seconded, the Commission unanimously voted to deny the Complainant's motion for reconsideration of Complaint 17-24.
24. Upon motion duly seconded, the Commission unanimously voted to dismiss Complaint 17-26 as frivolous under Rule 7.G.1 and for lack of jurisdiction under Rule 7.G.2.
25. The Commission set the following future meetings:
 - a. August 28, 2017, at 11:00 a.m.
 - b. September 28, 2017, at 9:00 a.m.
 - c. October 30, 2017, at 9:00 a.m.
 - d. November 27, 2017, at 11:00 a.m.
 - e. December 21, 2017, at 9:00 a.m.
26. At 1:06 p.m., upon motion duly seconded, the Commission voted unanimously to enter Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(II) and §13-90-107(1)(b) to discuss the FY 2019 budget for purposes of receiving legal advice on specific legal questions.

VIII. EXECUTIVE SESSION BUSINESS

27. The Commission met in Executive Session from 1:06 p.m. to 1:24 p.m. concerning the FY 2019 Budget.

IX. GENERAL BUSINESS

28. The Commission returned to open session at 1:24 p.m.
29. The Commission recessed from 1:29 p.m. to 2:00 p.m.
30. The Commission held a hearing on Complaint 16-13, Commissioner Leone presiding. Mr. Ioannides recused himself. Ms. Duke and Mr. Kemp appeared on behalf of the Complainant. Mr. Peters appeared on behalf of the Respondent.
31. The Commission recessed from 2:55 p.m. to 3:03 p.m. and continued its hearing for Complaint 16-13.
32. The Commission recessed from 4:04 p.m. to 4:14 p.m. and continued its hearing and deliberations for Complaint 16-13.
33. The Commission took Complaint 16-13 under advisement until its next meeting, except that Mr. Dumler was requested to contact the parties and commissioners to attempt scheduling a special meeting if possible.

34. Having no further business, the Commission adjourned at 5:41 p.m. The next regular meeting is scheduled for August 28, 2017, at 11:00 a.m., 1300 Broadway, Denver, Colorado.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission