

## **COLORADO INDEPENDENT ETHICS COMMISSION**

Minutes of the May 20, 2019, Meeting  
1300 Broadway, Room 1E, 9:00 a.m.  
Denver, Colorado

Present: Vice-Chair William Leone; Commissioner April Jones (participating by telephone); Commissioner Matt Smith; and Commissioner Jo Ann Sorensen.

Also Present: Dino Ioannides, IEC Executive Director; and Gina Cannan, Chris Aggeler, and Gina Simonson of the Colorado Attorney General's Office.

### **I. GENERAL BUSINESS**

1. Vice-Chair Leone called the meeting to order at 9:00 a.m.
2. The Commission invited public comment and received none.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the April 22, 2019, meeting, as amended.
4. Mr. Ioannides provided the staff report.
5. By unanimous consent, the Commission postponed Complaint 18-08 to its next meeting.
6. The Commission called Complaint 18-24. Commissioner Smith recused himself. The complainant and counsel for the respondent entered their appearances. Upon motion duly seconded, the Commission unanimously (Commissioner Smith recused) approved the parties' jointly filed Stipulation of Dismissal.
7. The Commission received the staff report regarding Complaints 18-22 and 18-29.
8. The Commission called Advisory Opinion 19-01. The requester and counsel from the Office of Legislative Legal Services were present. By unanimous consent, the Commission instructed the requester to provide additional information applicable to Art. XXIX, sec. 3(3)(f), and postponed further consideration to its next meeting.
9. The Commission recessed from 10:45 a.m. to 10:55 a.m.
10. The Commission considered proposed amendments to its records disposition schedule. By unanimous consent, the Commission approved the proposed amendments and delegated authority to staff to explore the possibility of shorter records maintenance times for legislative materials.
11. At 11:11 a.m., upon motion duly seconded, the Commission voted unanimously to enter executive session pursuant to C.R.S. § 24-6-402(3)(a)(II), concerning legal updates from

the Office of the Attorney General for *Dunafon v. Jones*, for purposes of receiving updates concerning disputes involving the IEC that are the subject of pending or imminent court action and for purposes of receiving legal advice on specific legal questions.

## **II. EXECUTIVE SESSION BUSINESS**

12. The Commission met in Executive Session from 11:11 a.m. to 11:45 a.m. to receive legal updates regarding *Dunafon v. Jones*.

## **III. GENERAL BUSINESS**

13. The Commission returned to open session at 11:45 a.m.
14. At 11:50 a.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 (III), to discuss Complaints 19-02 and 19-03 for purposes of receiving legal advice on specific legal questions and which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

## **IV. EXECUTIVE SESSION BUSINESS**

15. The Commission met in executive session from 11:50 a.m. to 12:19 p.m. concerning Complaints 19-02 and 19-03. Commissioner Smith recused himself for Complaint 19-02.

## **V. GENERAL BUSINESS**

16. The Commission returned to open session at 12:19 p.m.
17. Upon motion duly seconded, the Commission unanimously (Commissioner Smith recused) dismissed Complaint 19-02 as frivolous pursuant to IEC Rule 7.G.1.
18. Upon motion duly seconded, the Commission unanimously dismissed Complaint 19-03 as frivolous pursuant to IEC Rule 7.G.1.
19. At 12:23 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 (III), to discuss Complaint 19-08 for purposes of receiving legal advice on specific legal questions and which are 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 12:23 p.m. to 12:32 p.m. concerning Complaint 19-08.

## **VII. GENERAL BUSINESS**

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

22. Upon motion duly seconded, the Commission unanimously dismissed Complaint 19-08 as frivolous and untimely under IEC Rules 7.G.1. and 7.G.3.
23. At 12:34 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 (III), to discuss Complaint 19-09 for purposes of receiving legal advice on specific legal questions and which are 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 12:34 p.m. to 12:47 p.m. concerning Complaint 19-09.

#### **IX. GENERAL BUSINESS**

25. The Commission returned to open session at 12:47 p.m.
26. Commissioner Smith moved to dismiss Complaint 19-09 as frivolous under IEC Rule 7.G.1. The motion was seconded but no vote was taken.
27. At 12:49 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 (III), to discuss Complaint 19-09 for purposes of receiving legal advice on specific legal questions and which are 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 12:49 p.m. to 12:56 p.m. concerning Complaint 19-09.

#### **XI. GENERAL BUSINESS**

29. The Commission returned to open session at 12:56 p.m.
30. By unanimous consent, Commissioner Smith's motion to dismiss Complaint 19-09 as frivolous was permitted to be withdrawn. The Commission instructed staff to complete additional investigation.
31. Upon motion duly seconded, the Commission unanimously postponed the remainder of its agenda to the Commission's next meeting.
32. Having no further business, the Commission adjourned at 12:59 p.m. The next regular meeting is scheduled for June 24, 2019, at 9:00 a.m., 1300 Broadway, Denver, Colorado.

Respectfully Submitted,

Dino Ioannides  
Executive Director  
Colorado Independent Ethics Commission