

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the January 19, 2011 Meeting
101 West Colfax Avenue, Room 628 (Columbine Room) 9 am
Denver, Colorado

Present: Commissioners Matt Smith, Chair; Dan Grossman, Vice Chair; Sally H. Hopper; Larry R. Lasha; Roy V. Wood

Also Present: Jane T. Feldman, Executive Director, IEC; Doug Platt, Communication Director, IEC; Eric Maxfield and Melissa Phipps, Colorado Attorney General's Office

I. GENERAL BUSINESS

1. The meeting commenced at 9:10 a.m.
2. The Commission heard testimony from Elena Nunez of Colorado Common Cause and Luis Toro of Colorado Ethics Watch relating to the proposed revisions to the Commission's Rules of Procedure. The Commission also received written comments from both parties. No other written comments were received. It was moved, seconded and passed unanimously to close the public comment period at 10:35 am. The Commission discussed the comments and proposed rules and directed staff to modify the proposed rules in accordance with the discussions.
3. Staff Report:
 - a. Ms. Feldman reported on the approval by the Joint Budget Committee of the IEC's supplemental request relating to the construction of offices.
 - b. Ms. Feldman requested approval of payment of the Commission's annual dues to COGEL of \$450. It was moved seconded and passed unanimously to renew the Commission's membership.
 - c. Ms. Feldman reported on contacts with the General Assembly, the Governor's Office, and the Treasurer's Office relating to training.
 - d. Ms. Feldman passed out copies of a memo done by the Office of Legislative Legal Services on the revolving door provisions of Article XXIX.
 - e. Mr. Platt discussed the IEC Handbook and passed out copies to the Commissioners.
 - f. Mr. Platt reported on trainings he had conducted for the Professional Development Center, Colorado Counties, Inc., and state procurement officers at the Department of Natural Resources.
 - g. Mr. Platt reported that the revised Annual Report is now on the Commission's web site.
 - h. Mr. Platt reported on media inquiries and CORA requests.

4. It was moved, seconded and passed unanimously to approve the minutes of the December 10, 2010 meeting.
5. Mr. Platt reported on the status of his investigation on Complaint 10-05. Ms. Feldman reported on the status of the creation of personnel rules for the IEC employees. Commissioner Smith informed the Commission that he would be meeting with Marci Sannes of the Human Resources Division of the Judicial Department and would report back to the Commission at the next meeting on options for the Commission.
6. Ms. Feldman presented her investigative report on Complaint 10-06. The parties in Complaint 10-06 appeared before the Commission and presented a proposed stipulation settling the case. The Commission discussed the proposed stipulation with the parties and asked for additional information. It was moved, seconded, and passed unanimously to accept the proposed stipulation and order as amended.
7. It was moved, seconded and passed unanimously to enter into Executive Session 2:27pm to discuss complaints 10-11 and 10-12-filed with the Commission which are required to be confidential pursuant to Article XXIX, Section 5(c) of the Colorado Constitution, and C.R.S. Section 24-6-402(3)a)(III) and the Commission's Rules of Procedure.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 2:27 pm to 2:45 p.m. to discuss Complaints 10-11 and 10-12 filed with the Commission which are required to be confidential pursuant to Article XXIX, Section 5(c) of the Colorado Constitution, and C.R.S. Section 24-6-402(3)a)(III) and the Commission's Rules of Procedure. Commissioner Grossman recused himself from the discussion of Complaint 10-12 and left the room. Commissioner Smith left the room and did not participate in the discussion of Complaint 10-12.

III. GENERAL BUSINESS

8. The Commission returned to open session at 2:45 pm. It was moved, seconded and passed unanimously to dismiss Complaint 10-11 on jurisdictional grounds since the complaint related to employees of special districts not under the Commission's jurisdiction.
9. It was moved, seconded, and passed unanimously (3-0) to find Complaint 10-12 as non frivolous and directed staff to do further investigation. Commissioner Grossman recused himself from this matter. Commissioner Smith did not participate in the discussion of this case.

10. Commissioner Lasha informed the Commission that he would be resigning from the Commission due to personal reasons, and that he would serve until his replacement is appointed.
11. Ms. Feldman passed out copies of the Commission's Memorandum of Understanding with the Judicial Department.
12. The Commission adjourned at 3 pm.

Next Meeting: February 23, 2011 at 9:00 a.m.

Respectfully submitted,

Jane T. Feldman
Executive Director