

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the February 4, 2010 Meeting
633 17th Street, Room 1345, 9 am
Denver, Colorado

Present: Commissioners Matt Smith, chair; Roy Wood, vice-chair; Dan Grossman (on the telephone from 10:50-11:40 am); Sally H. Hopper; Larry R. Lasha.

Also Present: Jane T. Feldman, Executive Director of the IEC; Doug Platt, Director of Communication, IEC; Lisa Brenner Freimann of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. The meeting commenced at 9:10 a.m.
2. Luis Toro of Colorado Ethics Watch addressed the Commission regarding Senate Bill 10-099, recently introduced in the Colorado General Assembly.
3. It was moved, seconded, and passed unanimously to approve the minutes of the January 6, 2010 meeting.
4. Staff Report:
 - a. Ms. Feldman reported on the budget of the Commission.
 - b. Ms. Feldman reported that she will conduct a CLE program on February 19.
 - c. Mr. Platt discussed the draft Communication Plan and draft FYI's which had been distributed to the Commission.
5. There was a discussion of Draft Advisory Opinion 10-02 (payment of expenses by the federal government). Ms. Feldman was directed to redraft portions, get additional information from the requestor and resubmit the Opinion to the Commission.
6. A telephonic meeting of the Commission was scheduled for February 11, 2010 at 10:30.
7. There was a discussion of the draft PDQ's for the IEC's two staff positions. Ms. Feldman and Mr. Platt were directed to redraft the PDQ's in accordance with the discussion.
8. There was a discussion of the status of the legislation to move the IEC to the offices of the Judicial Department.
9. There was a discussion of SB10-099.

10. There was a discussion of the draft revisions of the IEC's Rules of Procedure. It was decided to table this discussion until all five Commissioners were present.
11. There was a discussion of the status of Complaint 09-08, currently scheduled for a hearing on March 11, 2010.
12. It was moved, seconded, and passed unanimously to enter into Executive Session at 12:51 to receive legal advice pursuant to CR.S. § 24-6-402(3)(a)(II),(III), and §13-90-107(b) on specific legal questions relating to discovery and prehearing statements in preparation for the hearing on Complaint 09-08.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 12:51 p.m. to 1:44 p.m. to receive legal advice pursuant to CR.S. § 24-6-402(3)(a)(II),(III), and §13-90-107(b) on specific legal questions relating to discovery and prehearing statements in preparation for the hearing on Complaint 09-08.

III. GENERAL BUSINESS

13. The Commission returned to open session at 12:51 pm.
14. There was further discussion of the hearing procedures for Complaint 09-08. It was moved, seconded, and passed unanimously to issue an Order to Show Cause asking why the response filed by the Larimer County Attorney's should be considered the response of the Respondent.
15. It was moved, seconded, and passed unanimously to issue subpoenas to the Complainant for two subpoenas as requested. Ms. Feldman was directed to prepare the subpoenas, and authorized to use the stamp with Commissioner Smith's signature.
16. A meeting of the Commission was scheduled for April 19, 2010 subject to Commissioner Grossman's availability.

Next Meeting: February 11, 2010 at 10:30 (Telephonic)

Respectfully submitted,

Jane T. Feldman
Executive Director