

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the April 21, 2011 Meeting
101 West Colfax Avenue, Roxborough Room 9 am
Denver, Colorado

I. Present: Commissioners Matt Smith, Chair; Dan Grossman, Vice Chair; Sally H. Hopper; Larry R. Lasha (by telephone from 11:45 am to 1:05 pm); Roy V. Wood (until 2 pm)

Also Present: Jane T. Feldman, Executive Director, IEC; Doug Platt, Communication Director, IEC; Lisa Brenner Freimann and Melissa Phipps of the Colorado Attorney General.

1. The meeting commenced at 9:08.
2. There was no public comment.
3. It was moved, seconded and passed unanimously to approve the minutes of March 3, 2011 meeting.
4. It was moved seconded and passed unanimously to approve the minutes of the April 8, 2011 meeting subject to the correction of a typographical error.
5. The Commission interviewed a candidate for the Fifth Commissioner position.
6. Staff Report:
 - a. Ms. Feldman reported that the Commission has approximately \$2500 in its operating budget for the remainder of the fiscal year.
 - b. Ms. Feldman reported on several trainings she had conducted for members of the Executive Branch and on an upcoming training at the Attorney General's Office.
 - c. Ms Feldman stated that since Commissioner Wood would be unable to make the May 13 meeting, the May meeting needed to be rescheduled. The Commission scheduled a telephonic meeting for May 6 at 10:30, and regular meetings for May 19 and June 20th.
 - d. Ms Feldman reminded the Commission that the new procedural rules were now in effect and passed out copies to the Commission.
 - e. Ms Feldman reported that she had been asked to moderate and participate in a panel on staff-board relations at the COGEL conference in December.
 - f. Mr. Platt reported that he had conducted numerous trainings at Executive Branch Departments and was scheduled to do more training including at several organizations of state employees.
7. The Commission discussed Advisory Opinion 11-04 (Solicitation of Funds by an Association of Covered Individuals). Chip Taylor, Executive Director of Colorado

Counties, Inc. was present to answer questions.

8. At 11:06 am it was moved, seconded and passed unanimously to enter into Executive Session to receive legal advice pursuant to C.R.S. §24-6-402(3)a(II) and § 13-90-107(b) concerning disputes that are the subject of pending or imminent court action and/or for the purpose of receiving legal advice on specific legal questions regarding budget and personnel issues. Ms. Feldman and Mr. Platt left the room for the duration of the Executive Session.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 11:06 am to 11:26 am to receive legal advice pursuant to C.R.S. §24-6-402(3)a(II) and § 13-90-107(b) concerning disputes that are the subject of pending or imminent court action and/or for the purpose of receiving legal advice on specific legal questions regarding budget and personnel issues.

III. GENERAL BUSINESS

9. The Commission returned to open session at 12:25 pm.
10. It was moved, seconded and passed unanimously to enter into Executive Session to consider the employment and discipline, promotion or compensation of public employees, Jane T. Feldman and Doug Platt, who requested that this discussion be held in Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(VIII)(b)(I).

IV. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 12:27pm to 1:03 pm to consider the employment and discipline, promotion or compensation of public employees, Jane T. Feldman and Doug Platt, who requested that this discussion be held in Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(VIII)(b)(I). Mr. Platt was not present during the discussion of Ms Feldman's review, and Ms Feldman was not present during Mr. Platt's review.

V. GENERAL BUSINESS

11. The Commission returned to Open Session at 1:09 pm. It was moved, seconded and passed unanimously enter into Executive Session discuss Complaints 11-03 and 11-04 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.

VI. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 1:10 p.m. to 1:20 pm to discuss Complaints 11-03 and 11-04 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 Hopper recused herself from the discussion of Complaint 11-03.

VII. GENERAL BUSINESS

12. The Commission returned to open session at 1:20pm.
13. It was moved, seconded and passed unanimously to dismiss Complaint 11-04 pursuant to IEC Rule 7.G.2 and 3, because the conduct complained of did not occur within the preceding 12 months and does not allege violations of Article XXIX or other standards of conduct under the jurisdiction of the IEC.
14. The Commission interviewed a candidate for the Fifth Commissioner position.
15. There was a discussion of Advisory Opinion 11-05 (Acceptance of Travel Expenses and Written Materials from a Nonprofit Organization) It was moved, seconded and passed unanimously to approve Advisory Opinion 11-05 as revised. (Commissioners Lasha and Wood did not participate)
16. There was a discussion of Advisory Opinion 11-06 (Acceptance of Travel Expenses from a Nonprofit). It was moved, seconded and passed unanimously to approve Advisory Opinion 11-06 as revised. (Commissioners Lasha and Wood did not participate)
17. The Commission discussed Advisory Opinion 11-07(Acceptance of Travel Expenses from a Nonprofit). It was moved, seconded and passed unanimously to approve Advisory Opinion 11-07 as revised. (Commissioners Lasha and Wood did not participate).
18. The Commission discussed Advisory Opinion 11-04 (Solicitation of Funds by an Organization of Covered Individuals.) It was moved, seconded and passed unanimously to approve Advisory Opinion 11-04 as revised. (Commissioners Lasha and Wood did not participate).

The Commission adjourned at 2:45 pm.

Next Meeting: May 6, 2011 at 10:30 a.m. (Telephonic, only)

Respectfully submitted,

Jane T. Feldman
Executive Director