

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the April 28, 2014 Meeting
1300 Broadway, Room 1F, 9:00 a.m.
Denver, Colorado

Present: Rosemary Marshall; Chair, Matt Smith; Vice-Chair, Bob Bacon, William Leone, and Bill Pinkham.

Also Present: Maureen Toomey, IEC Assistant Director, and Kyle Dumler, Lisa Brenner Freimann and Diana Black of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. Commissioner Marshall called the meeting to order at 9:03 a.m.
2. It was moved, seconded and passed unanimously to approve the minutes of the March 10, 2014 meeting with corrections.
3. There was no public comment.
4. Staff Report
 - a. Ms. Toomey reported that she was working with the new Chair and Vice-Chair on transition issues.
 - b. Ms. Toomey reported that she had responded to eight CORA requests since the last meeting two weeks ago.
 - c. Modification was made to the CORA statement on the webpage. There was a discussion about charging fees for certain CORA requests.
5. At 9:24 a.m., it was moved, seconded and passed unanimously to approve the CORA statement posting on the website. This statement may need to be changed pending legislation, House Bill 14-1193, which if signed takes effect on July 1, 2014.
6. At 9:32 a.m., it was moved, seconded and passed unanimously to enter into Executive Session pursuant to C.R.S. §24-6-402(3)(a)(II) and §13-90-107(b) for the purpose of seeking legal advice specifically related to Complaint 13-11.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 9:32 a.m. to 9:43 a.m. pursuant to C.R.S. §24-6-402(3)(a)(II) and §13-90-107(b) for the purpose of seeking legal advice specifically related to Complaint 13-11.

III. GENERAL BUSINESS

7. The Commission returned to open session at 9:43 a.m.
8. Commissioner Leone reported that the Commission was not ready to finalize an order on Complaint 13-11. The Commission will let the Complainant and Respondent know if an order will be ready before the next meeting on June 9, 2014.
9. There was a discussion of Advisory Opinion 14-08 (Acceptance of Gifts). The Commission instructed the Assistant Director to draft an opinion in accordance with the discussion.
10. At 10:18 a.m., it was moved, seconded and passed unanimously to enter into Executive Session pursuant to C.R.S. §24-6-402(3)(a)(II) and §13-90-107(b) for the purpose of seeking legal advice regarding the scope of Attorney General representation.

IV. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 10:18 a.m. to 10:41 a.m. pursuant to C.R.S. §24-6-402(3)(a)(II) and §13-90-107(b) for the purpose of seeking legal advice regarding the scope of Attorney General representation.

V. GENERAL BUSINESS

11. The Commission returned to open session at 10:41 a.m.
12. At 10:45 a.m., it was moved, seconded and passed unanimously to approve the draft of Advisory Opinion 14-09 (Acceptance of Travel Expenses Paid For by a Third Party).
13. The Commission discussed Position Statement 14-01 and decided to make a general statement regarding whether the ethics codes of home rule counties and some home rule municipalities conform to Amendment XX.IX.
14. At 11:37 a.m., it was moved, seconded and passed unanimously to enter into Executive Session to discuss Complaint 14-09 (erroneously labeled 14-10 on the Agenda) which is required to be kept confidential pursuant to Article XX.IX, section 5(3)(b) of the Colorado Constitution.

VI. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 11:37 a.m. to 11:40 a.m. to discuss Complaint 14-09 which is required to be kept confidential pursuant to Article XXIX, section 5(3)(b) of the Colorado Constitution.

VII. GENERAL BUSINESS

15. The Commission returned to open session at 11:40 a.m.

16. It was moved, seconded and passed unanimously to dismiss Complaint 14-09 as frivolous pursuant to IEC Rule 7.G.1.

17. Commissioner Smith reported on the website transition to SIPPA. He and Mr. Dumler will take the lead to complete the process.

18. Commissioner Marshall reported on the budget and that it allowed for the posting of an Executive Director position in June.

19. At 12:28 p.m., it was moved, seconded and passed unanimously to enter into Executive Session to discuss personnel issues and individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. §24-6-402(3)(b)(I).

VIII. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 12:28 p.m. to 1:10 p.m. to discuss personnel issues and individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. §24-6-402(3)(b)(I).

IX. GENERAL BUSINESS

20. The Commission returned to open session at 1:10 p.m.

The Commission adjourned at approximately 1:14 p.m. The next meeting is scheduled for June 9, 2014 in Room 1F.

Respectfully Submitted,

Maureen Toomey
IEC Assistant Director