

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the May 19, 2009 Meeting
633 17th Street, Room 12A, 10:30 a.m.
Denver, Colorado

Present: Commissioners Matt Smith, chair; Roy Wood, vice chair; Nancy E. Friedman; Sally H. Hopper; Larry R. Lasha

Also Present: Jane T. Feldman, Executive Director of the IEC; James Carr and David Joeris of the Colorado Attorney General's Office

I. GENERAL BUSINESS

1. The meeting commenced at 10:40 a.m. Commissioner Smith noted that the order in the agenda would be changed to accommodate the schedule of Monica Cortez-Sangster who would be speaking on hiring issues instead of Georgia Adame. It was moved, seconded and passed unanimously to approve the agenda of the open session portion of the May 19, 2009 meeting as amended.
2. There was a discussion of the minutes of the open session portion of the May 6, 2009 meeting. It was moved, seconded and passed unanimously to approve the minutes of the open session portion of the May 6, 2009 meeting as amended.
3. Report from Monica Cortez-Sangster:
Ms. Cortez-Sangster reported that for the Assistant Director position, 48 applications had been submitted, 8 of which met the minimum qualifications. She also discussed various options for testing and selection. The Commission agreed to a process. Commissioner Wood and Ms. Feldman will work on revising the test and identifying oral board members.
4. Executive Director Position:
Commissioner Smith reported that there was only one applicant for the reallocated Executive Director position. It was moved, seconded and passed unanimously to hire Jane Feldman as the Executive Director effective as of May 18, 2009.
5. Executive Director's Report:
 - a. The Executive Director reported on the possibility of furloughs of state employees. She reported that she had been asked whether the Commission would voluntarily comply with the mandatory furloughs even though the IEC is not within the Executive Branch. It was moved, seconded, and passed unanimously to voluntarily comply with the Executive Order, when it is issued.

- b. Ms. Feldman reported that she had completed the paperwork to allow for the payment of the outstanding bill for the conflicts counsel. She reported that she has met with the DPA Controller to expedite that process, and that the funds will come out of the IEC's personal services line.
 - c. Ms. Feldman reported on the status of the FY09 budget, and passed out a document detailing the actuals for the current fiscal year. The IEC anticipates having approximately \$2000 left in the budget. There was a discussion of how that money should be spent. It was moved, seconded and passed unanimously to purchase a laptop with the funds.
 - d. Ms. Feldman reported on the FY 10 budget and presented a proposed budget for next fiscal year. Commissioner Friedman noted that she thought it extremely important for at least two people to attend the COGEL conference.
- 6. Advisory Opinion 09-05: There was a discussion of a draft of Advisory Opinion 09-05 (Acceptance of a Fellowship from a Nonprofit Entity). It was moved, seconded and passed unanimously to approve the opinion as amended by the discussion.
 - 7. There was no public comment.
 - 8. Other business:
 - a. There was a discussion of the location of the meetings and of the IEC offices.
 - b. Commissioner Friedman suggested that the web site be updated to make opinions searchable by section of the Constitution.
 - c. Commissioner Friedman suggested that the Executive Director include in her Reports any information about ethics issues elsewhere in Colorado that are being addressed by other ethics commissions.
 - d. Additional meetings were scheduled. Telephonic meetings were scheduled for June 30, and July 7, if necessary, and the next Commission meeting has been scheduled for July 21, 2009 at a location to be determined.
 - 9. It was moved, seconded and passed unanimously to enter into Executive Session at 1:15 p.m.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 1:15 p.m. to 3:25 p.m. to discuss pending and imminent litigation.

III. GENERAL BUSINESS

The Commission returned to Open Session at 3:25 p.m.

There was further discussion of the hiring process, and whether current members of the Commission should be on the oral board.

The Commission adjourned at 3:55 p.m.

Next meeting: June 16, 2009 at 10:00 a.m. at 633 17th Street, Room 12A Denver, CO.

Respectfully submitted,

Jane T. Feldman
Executive Director