

## COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the May 19, 2011 Meeting  
101 West Colfax Avenue, Columbine Room 9 am  
Denver, Colorado

Present: Commissioners Matt Smith, Chair; Dan Grossman, Vice Chair; Sally H. Hopper; Bill Pinkham, Roy V. Wood (after 11:30)

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

### I. GENERAL BUSINESS

1. The meeting commenced at 9:15.
2. There was no public comment.
3. It was moved, seconded and passed unanimously to approve the minutes of April 21, 2011 meeting. Commissioner Pinkham abstained.
4. It was moved seconded and passed unanimously to approve the minutes of the May 6, 2011 meeting. Commissioner Pinkham abstained.
5. There was a discussion of Advisory Opinion 11-08 (Acceptance of Funds through a Blind Trust). Jennifer G. Gilroy and Dan L. Cartin of the Office of Legislative Legal Services were present to answer questions relating to the request.
6. Staff Report:
  - a. Ms. Feldman reported on upcoming trainings at the Attorney General's Office and at the State Auditor's Office with Jennifer Gilroy.
  - b. Ms. Feldman reported that HB 1315 on appointment of Commissioners passed both houses unanimously, and is awaiting the Governor's signature.
  - c. Ms. Feldman reminded the Commission that all travel reimbursements need to be submitted prior to the end of the fiscal year.
  - d. Ms. Feldman told the Commission that she had contacted Rep. Dorothy Butcher, the new appointee, and that Rep. Butcher will come to observe the Commission's next meeting on June 20<sup>th</sup>. Ms. Feldman sent her a binder with relevant documents, and offered to meet with her and go through it. Ms. Feldman stated that she had met with Commissioner Pinkham last week for almost 3 hours.
  - e. Mr. Platt reported that he had conducted or scheduled 15 trainings since the last meeting. He noted that the trainings had received an average score above 4 (on a scale of 1-5) at all of the trainings.

- f. Mr. Platt reported that he had received 9 media inquiries over the last month, mostly related to a television story and some newspaper articles.
7. It was moved, seconded and passed unanimously to approve Advisory Opinion 11-08 (Acceptance of Funds from relatives and personal friends through a Blind Trust) as revised.
  8. The Commission discussed Advisory Opinion 11-09 (Acceptance of a Complimentary Ticket to a Dinner by a Public Employee). It was moved, seconded and passed 3-2 (Commissioners Smith and Hopper dissenting in separate opinions) to approve Advisory Opinion 11-09 as revised.
  9. There was a discussion of selection of a new chair. It was moved, seconded and passed unanimously to select Dan Grossman as the new Chair. It was moved, seconded and passed unanimously to select Sally H. Hopper as the new Vice Chair.
  10. There was an update on budget and personnel issues. Commissioner Grossman reported on his meeting with Senator Mary Hodge, the chair of the JBC.
  11. At 1:45 pm 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 1:45-pm to 2:15 pm 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 were not present.

## III. GENERAL BUSINESS

12. The Commission returned to open session at 2:15 pm.
13. It was moved, seconded and passed unanimously at 2:35 pm to enter into Executive Session discuss Complaints 11-05, 11-06, and 11-07 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.

#### IV. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 2:37 p.m. to 3:19 pm to discuss Complaints 11-05, 11-06, and 11-07 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

#### V. GENERAL BUSINESS

12. The Commission returned to open session at 3:20 pm.
13. It was moved, seconded and passed unanimously to dismiss Complaint 11-06 as frivolous.
14. The Commission directed staff to conduct additional research relating to Complaints 11-05 and 11-07.

The Commission adjourned at 3:25 pm.

Next Meeting: June 20<sup>th</sup> 2011 at 9 am

Respectfully submitted,

Jane T. Feldman  
Executive Director