

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the August 5, 2013 Meeting
1300 Broadway First Floor, Room 1F 9 a.m.
Denver, Colorado

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

Also Present: Jane T. Feldman, Executive Director, IEC; Lisa Brenner Freimann, Kyle Dumler, and Patrick Brady of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. The meeting commenced at 9:05 a.m.
2. There was no public comment.
3. It was moved, seconded and passed unanimously to approve the minutes of the meeting of July 1, 2013 and July 23, 2013.
4. Chairman Smith presented plaques to former Commissioners Grossman and Hopper and thanked them for their service on the IEC.
5. There was a discussion of Complaint 13-07. It was moved, seconded and passed unanimously to permit the Respondent to file a motion to dismiss, and to give the Complainant until August 23 to respond. The Commission will conduct a hearing on the motion to dismiss on September 3, 2013. The IEC authorized attendance of the parties by telephone. The Executive Director will finalize the investigation before that date.
6. There was a discussion of Advisory Opinion 13-03, part 2 (Travel Paid for by the State of Colorado). The Commission will begin working on a Position Statement on this issue and solicit input from other state agencies. The remaining issues on this request were withdrawn by the requestor.
7. There was a discussion of Advisory Opinion 13-12 (Waiver of Registration Fee and Lodging). It was moved, seconded and passed unanimously to approve Advisory Opinion 13-12 as amended.
8. Executive Director's Report:
 - a. Ms. Feldman reported that the Joint Budget Committee ("JBC") staff had requested that the Commission change its numbering system to a fiscal year basis. It was decided to retain the current numbering system and to discuss the matter further with JBC staff.
 - b. Ms. Feldman reported on the cost of ordering laptops for the Commission. It was decided to table that request for the time being and check on the price of ordering ipads.

c. Ms. Feldman reported that copies of Title 24 had been ordered.

d. Ms. Feldman reported that she had spent most of July preparing the administrative record and listening to the recordings of the hearing on Complaint 12-07. She reported that the quality of the transcripts was very poor and that she would have to listen to the remaining tapes.

9. There was a hearing on the motion to dismiss Complaint 13-03. The Respondent moved to dismiss the complaint as moot, and the motion was unopposed. It was moved, seconded and passed unanimously (Commissioner Smith not participating) to dismiss the complaint as frivolous pursuant to IEC Rule 7.G.1.
10. There was a discussion of Advisory Opinion 13-10 (Application of the Ethics Code). Kyle Dumler will work on this request while the Executive Director is on vacation. It was decided to issue this as a Position Statement and to solicit input from the public and affected communities.
11. There was a discussion of budget and personnel issues and how the Commission should move forward.
12. At 1:48 p.m. it was moved, seconded and passed unanimously to enter into Executive Session to discuss complaints 13-01, 13-06 and 13-08 and 13-09 filed with the Commission which are required to be kept confidential pursuant to Article XXIX, Section 5(3)(b) of the Colorado Constitution.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 1:48 p.m. to 2:20 p.m. to discuss complaints 13-01, 13-06, 13-08 and 13-09 filed with the Commission which are required to be kept confidential pursuant to Article XXIX, Section 5(3)(b) of the Colorado Constitution.

III. GENERAL BUSINESS

16. The Commission returned to open session at 2:20 p.m.

17. It was moved, seconded, and passed unanimously, to dismiss Complaint 13-08 as frivolous pursuant to Rules 7.G.1, and 7.G.2.

The Commission adjourned at 2:35 p.m.

The next meeting is September 3, 2013 at 9 a.m.

Respectfully submitted,

Jane T. Feldman
Executive Director