

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the September 12, 2011 Meeting
101 West Colfax Avenue, Columbine Room, 9 am
Denver, Colorado

Present: Dan Grossman, Chair, Sally H. Hopper; Vice-Chair; Dorothy Butcher, Bill Pinkham, Matt Smith.

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

I. GENERAL BUSINESS

1. The meeting commenced at 9:10.
2. There was no public comment.
3. Commissioner Smith made several amendments to the draft Minutes. It was moved, seconded and passed unanimously to approve the minutes of the August 26, 2011 meeting as amended.
4. Executive Director's Report:
 - a. Ms Feldman reported on an upcoming training of employees of the Public Trustee in Jefferson County. She also reported that she would be meeting with the Judicial Department's Director of Training to see how state-wide training is accomplished in the Department.
 - b. Ms Feldman reported that she had ordered 1000 additional copies of the IEC Handbook at a cost of about \$400.
 - c. Ms Feldman reported that there had been one CORA request since the last meeting, and six phone calls from the public and media relating to a media story about Secretary of State Scott Gessler.
 - d. Ms Feldman passed out copies of a Denver Post article about the Commission.
5. There was an update on Complaint 10-12, 11-02. Ms. Feldman informed the Commission that a Notice of Hearing was sent out, and that the hearing is scheduled for November 18, 2011 in a conference room on the 8th floor. There was a brief discussion of whether the hearing should occur in a courtroom.
6. There was an update on Complaint 11-02. Ms. Feldman reported that she had sent out a Notice of Hearing, and that the hearing is scheduled for December 5, 2011 in the Columbine Room.
7. There was an update on Complaint 11-03. Ms. Feldman reported that there was a new attorney on the matter, and that she is still reviewing documents and interviewing witnesses.

She plans on completing the investigation by the end of the month.

8. There was a discussion of the IEC's strategic plan which is required to be prepared pursuant to C.R.S. §2-7-101 *et seq.* as well as the Commission's FY13 budget. Ms. Feldman was directed to draft a strategic plan as soon as possible and forward it to the Chair for review and then to the entire Commission as soon as possible.
9. It was moved, seconded and passed unanimously at 10:30 am to enter into Executive Session pursuant to C.R.S. §24-6-402(3)a)(II) and §13-90-107(b) to receive legal advice on specific legal questions regarding whistleblower protections under Colorado law and the Commission's jurisdiction.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 10:30 am to 11:05 to receive legal advice pursuant to C.R.S. §24-6-402(3) (a) (II) and §13-90-107(b) on specific legal questions regarding whistleblower protections under Colorado law, and the Commission's jurisdiction.

III. GENERAL BUSINESS

10. The Commission returned to open session at 10:45 am.
11. It was moved, seconded and passed unanimously at 11:23 am to enter into Executive Session discuss Complaint 9-12 filed with the Commission which is required to be kept 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 11:23 am to 12:10 pm to discuss Complaint 09-12 filed with the Commission which is required to be kept 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. The Complainant was present to answer questions.

V. GENERAL BUSINESS

12. The Commission returned to open session at 12:10 pm.
13. There was further discussion of the Commission's FY13 budget and strategic plan.

The Commission adjourned at 12:45 pm.

Next Meeting: October 3, 2011 at 9 am in the Roxborough Room, 101 West Colfax Ave, 5th floor, Denver, CO.

Respectfully submitted,

Jane T. Feldman

Executive Director