

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the October 7, 2010 Meeting
101 West Colfax Ave., Denver Room 541 9:00 am
Denver, Colorado

Present: Commissioners Matt Smith, chair; Dan Grossman; vice chair, Sally H. Hopper; Larry R. Lasha; Roy V. Wood.

Also Present: Jane T. Feldman, Executive Director of the IEC; Doug Platt, Director of Communication, IEC; Lisa Brenner Freimann of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. The meeting commenced at 9:10 a.m.
2. Public Comment: Luis Toro of Colorado Ethics Watch ("CEW") stated that he was pleased that the Commission planned on discussing the revision of its procedural rules.
3. It was moved, seconded and passed unanimously to approve the minutes of the September 13, 2010 meeting.
4. It was moved, seconded and passed unanimously to approve the minutes of the September 16, 2010 meeting.
5. Ms. Feldman stated that there was a paragraph missing in the previously approved August 19 meeting minutes that should be inserted. It was moved, seconded and passed unanimously to approve the August 19, 2010 minutes as revised.
6. Staff Report:
 - a. Ms. Feldman requested that she be permitted to attend the COGEL conference in Washington DC in December. She estimated that the total cost of the conference would be approximately \$1500-1800, including airfare, lodging and conference admission. It was moved, seconded and passed unanimously to approve this request up to a total cost of \$2000.
 - b. Ms. Feldman passed out copies of the revised statute 24-18.5-101 *et seq.* to the Commissioners.
 - c. Ms. Feldman reported that the staff briefing to the JBC on the Commission's budget is scheduled for November 11, and the JBC hearing will be November 18; she plans to attend on both dates. There was a brief discussion about Commissioners attending the November 18 hearing.
 - d. Ms. Feldman reported on the status of the construction of new offices.

- e. There was a discussion of the replacement of Commissioner Lasha and how and when that would occur. Any action was tabled at this time.
 - f. There was a discussion of the status of the MOU with the Judicial Department. Ms. Feldman reported that one issue that needed to be addressed was the Personnel Rules. Marci Sannes of the Judicial Department Human Resources Division was present and answered questions from the Commission. Ms. Sannes will forward information on recommendations to Ms. Feldman, who will disseminate the information to the Commission.
 - g. Ms. Sannes reported to the Commission with respect to the Judicial Department's report on the salary of the Executive Director position. There was further discussion. It was moved, seconded and passed unanimously to request that the JBC appropriate sufficient funds to set the Executive Director's salary at \$8000 per month. (Ms. Feldman and Mr. Platt excused themselves during this discussion).
 - h. Mr. Platt reported on changes and improvements he has made to the IEC website.
 - i. Mr. Platt reported on efforts he has made to get bids for publication of a handbook for state and local employees.
 - j. Mr. Platt reported on two CORA requests which had been received by the Commission.
 - k. There was a discussion of education and outreach opportunities which Mr. Platt has been involved in setting up.
7. There was a discussion of the draft Proposed Rules. There was a discussion of whether to provide a copy of the draft rules to members of the public. It was moved, seconded and passed 3-2 (Commissioners Grossman and Wood dissenting) not to release the draft
 8. There was a discussion of Advisory Opinion 10-17 (Travel paid for by a For Profit) It was moved, seconded and passed unanimously to approve Advisory Opinion 10-17 as revised.
 9. There was an update on Complaint 10-05. Ms Freimann will investigate some legal issues and report back to the Commission at the next meeting
 10. There was an update on Complaint 10-06. It was moved, seconded and passed unanimously to accept the motion to dismiss and direct Ms. Feldman to notify the Secretary of State to respond.
 11. It was moved, seconded and passed unanimously to enter into Executive Session at 3:35pm to discuss complaint 10-10 filed with the Commission which is

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.

II. EXECUTIVE SESSIONI

The Commission met in Executive Session from 3:36 until 3:41pm to discuss Complaint 10-10 filed with the Commission which is 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.

III. GENERAL BUSINESS

The Commission returned to Open Session at 3:41 pm.

12. It was moved, seconded and passed unanimously to dismiss Complaint 10-10 as not within the jurisdiction of the Commission and to ask the complainant if the complaint should be referred to an appropriate agency.

The Commission adjourned at 3:45 pm

Next meeting: November 18, 2010 at 9 am.

Respectfully submitted,

Jane T. Feldman
Executive Director