

## COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the October 1, 2012 Meeting  
101 West Colfax Avenue, 5<sup>th</sup> Floor 9 am  
Denver, Colorado

Present: Dan Grossman, Chair, Sally H. Hopper; Vice-Chair, Bill Pinkham, Matt Smith.  
Also Present: Jane T. Feldman, Executive Director, IEC; Lisa Brenner Freimann of the Colorado Attorney General's Office.

### I. GENERAL BUSINESS

1. The meeting commenced at 9:10 am.
2. Kathy Sasak, Deputy Director of the Colorado Department of Public Safety, Bernie Buescher, Deputy Attorney General, and Luis Toro, Executive Director of Colorado Ethics Watch made statements regarding Draft Position Statement 12-01.
3. It was moved, seconded and passed unanimously to approve the minutes of the August 24, 2012 (as corrected), September 4, and September 20, 2012 meetings.
4. Executive Director's Report:
  - a. Ms Feldman reported that Doug Platt is now working at DPA, and the parties appear to have settled the lawsuit.
  - b. Ms. Feldman reported that she had done training with Suzanne Dugan, a contractor with Adams County for county officials and employees on September 14. She also reported on the reception for international visitors she hosted on the same day. She will be doing trainings for the Public Trustees Association and the County Attorney's Association in October and November.
  - c. Ms Feldman told the Commission that she had started working with the website designer on improvements to the IEC's website. There will be access to a webinar, easier uploading of opinions, an interactive question and answer, and an opportunity to ask confidential questions.
  - c. Ms. Feldman told the Commission that she would be located on the southeastern end of the Carr building, and that she would obtain furniture from the State Court Administrator's Office.
  - d. Ms. Feldman advised the Commission that she will be meeting with Carolyn Kampman, the JBC analyst, this Friday about the Commission's FY14 budget.
  - e. Ms. Feldman advised the Commission that she would be updating the Handbook in December.
  - f. She also advised the Commission that a college intern from UNC is doing research on enforcement models from ethics commissions across the country.

5. The Commission set November 5 and December 7 for meetings.
6. There was a discussion of Draft Position Statement 12-01. Members of the public who were present participated in the discussion. It was decided to extend the comment period for an additional two weeks and the Commission would discuss the opinion at the November meeting.
7. There was a discussion of the Commission's proposed budget for FY14. It was agreed that Commissioner Grossman would discuss the issues with the SCAO, and get back to Ms. Feldman before Friday.
8. At 12:42 pm , it was moved, seconded and passed unanimously to enter into Executive Session to discuss Complaints 09-12 and 12-06 which are required to be kept confidential pursuant to Article XXIX of the Colorado Constitution, and C.R.S sections 24-6-402(3)(a)(III) and the Commission's Rules of Procedure and to receive legal advice pursuant to C.R.S. §26-6-402(3)(a)(II) and § 13-90-107(b) on specific legal questions concerning Complaint 09-12 as well as specific legal questions related to sufficiency of notice of open meetings under C.R.S. §24-6-402(2)(c).

## II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 12:42 to 1:35 pm to discuss Complaints 09-12 and 12-06 which are required to be kept confidential pursuant to Article XXIX of the Colorado Constitution, and C.R.S sections 24-6-402(3)(a)(III) and the Commission's Rules of Procedure and to receive legal advice pursuant to C.R.S. §26-6-402(3)(a)(II) and § 13-90-107(b) on specific legal questions concerning Complaint 09-12, and on sufficiency of notice of open meetings under C.R.S. §24-6-402(2)(c).

## III. GENERAL BUSINESS

The Commission returned to open session at 1:35 pm.

9. It was moved, seconded, and passed unanimously to dismiss the second claim of Complaint 09-12 pursuant to IEC Rules 3.A.5 and 7.G.1.
10. It was moved, seconded and passed unanimously to find Complaint 12-06 as non-frivolous and to ask the respondent to respond.
11. The Commission adjourned at 1:45 pm. Next meeting is November 5, 2012 at 9 am.

Respectfully submitted,

Jane T. Feldman  
Executive Director