

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the October 11, 2013 Meeting
1300 Broadway First Floor, Room 1C 9 a.m.
Denver, Colorado

Present: Matt Smith; Chair, Rosemary Marshall; Vice-Chair, Bob Bacon, William Leone (until 12:15 p.m.), Bill Pinkham.

Also Present: Jane T. Feldman, Executive Director, IEC; Kyle Dumler of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. The meeting commenced at 9:05 a.m.
2. The Commission heard presentations by Sherry Stwalley, David Kribs and Chad Cornelius of the State Court Administrators Office, and by Bob Beatty and Roy Torres of the Ricoh Copy Center regarding services available to the Commission.
3. Deputy Secretary of State Suzanne Staiert made a public comment regarding the Commission and its procedures.
4. The Commission heard a presentation from John Conley and Martin Hartley of the Statewide Internet Portal Authority regarding the new web site and its capabilities
5. At 10:10 it was moved, seconded and passed unanimously to enter into Executive Session pursuant to C.R.S. §24-6-402(3)(a)(II), 4 (b) and §13-90-107(b) for the purpose of receiving legal advice on specific legal questions regarding issues pertaining to the order on the Motion to Dismiss Complaint 13-07.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 10:10 a.m. to 10:35 a.m. pursuant to C.R.S. §24-6-402(3)(a)(II), (4)(b) and §13-90-107(b) for the purpose of receiving legal advice on specific legal questions regarding issues pertaining to order on the Motion to Dismiss Complaint 13-07.

III. GENERAL BUSINESS

6. The Commission returned to open session at 10:35 a.m.
7. Michelle Merz-Hutchinson was present on behalf Respondent in Complaint 13-07. Ms. Feldman stated that she had provided counsel for the Complainant with the opportunity to appear by telephone and he had declined to participate. It was moved, seconded and passed unanimously to approve the Order on the Motion to Dismiss. The Order will be provided to the parties later in the day.
8. Commissioners Smith and Leone made revisions to the Minutes of the meetings of September 3 and 23. It was moved, seconded and passed unanimously to approve the Minutes of the meetings of September 3 and September 23, 2013 as amended.

9. There was a discussion of the Draft Strategic Plan and Budget Request. Ms. Feldman will work with Commissioners Smith and Marshall to complete this document.

10. There was a discussion of Advisory Opinion 13-05. Olen Teague, the requestor, reported on what had occurred since he appeared before the Commission in April 2013. The IEC decided that it would issue an advisory opinion regarding the potential ethics issues in the situation, but would not render a legal opinion. The Commission set October 22, 2013 at 9 a.m. for a telephonic meeting to consider a draft advisory opinion.

11. Executive Director's Report:

a. Ms. Feldman reported that she had arranged for state.co.us email accounts to be set up for all Commissioners. She provided each Commissioner with his or her email address and temporary log in information.

b. Ms. Feldman handed out copies of Colorado Revised Statutes Title 24 which had been ordered for the IEC.

c. Ms. Feldman reported that the briefing for the IEC before the Joint Budget Committee is on November 21 at 1:30, and that the hearing is set for December 13 at 9. Commissioner Marshall will attend on behalf of the IEC and perhaps Commissioner Smith as well if his schedule permits.

d. Ms. Feldman requested authorization to attend the annual COGEL conference in December. The estimated cost of the registration fees, airfare and lodging is \$2000. It was moved and seconded and passed 4-0 (Commissioner Leone not participating) to approve this expenditure. The actual cost will be reviewed by Commissioner Smith.

e. Ms. Feldman reported that the IEC had incurred \$59 in copying costs for the first quarter of FY 2014.

f. Ms. Feldman reported that she will be attending the Denver Board of Ethics meeting on October 16.

g. Ms. Feldman reported that she has to file a Regulatory Agenda with the Secretary of State by November 1.

h. It was moved, seconded and passed unanimously to approve the purchase of a printer for approximately \$500. Ms. Feldman will also explore renting a printer.

12. There was a discussion of the position description for the assistant to the director position.

The Commission adjourned at 3 p.m.

The next meeting is November 18, 2013 at 9 a.m.

Respectfully submitted,

Jane T. Feldman
Executive Director