

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the November 5, 2012 Meeting
101 West Colfax Avenue, 5th 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 and Stacey Chapman of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. The meeting commenced at 9:07 am.
2. There was no public comment.
3. It was moved, seconded and passed unanimously to approve the minutes of the October 1, 2012 meeting.
4. Executive Director's Report:
 - a. Ms Feldman reported that the FY14 budget request was delivered to the Joint Budget Committee. She passed out copies of the submission.
 - b. Ms. Feldman reported that she has been working on a redraft of the IEC Handbook. She passed out copies of the current draft; she asked the Commissioners to review the draft prior to the next meeting, so that it could be finalized on December 7.
 - c. Ms. Feldman reminded the Commission that she would be attending the COGEL conference on December 1-5 in Columbus, Ohio. She stated that she had registered for the conference and made the travel arrangements with the permission of the Chairman. It was moved, seconded and passed unanimously to ratify the decision of the Chairman.
 - c. Ms. Feldman told the Commission that she had received a phone call from the Secretary of State's Office regarding the IEC's regulatory agenda. It was decided that she would tell the Secretary's Office that there were no current plans for changes in the administrative rules, but that it was possible that would change.
 - d. There was a discussion of whether the Commission should adopt personnel rules, or whether Ms. Feldman should be on a contract. The Commission did determine that unless modified by the IEC, all employees of the Commission are at-will employees.
 - e. 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.
5. There was an update on Complaint 12-06. Ms Feldman summarized the response. The Commission directed Ms. Feldman to investigate the case and report back to the Commission.

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 December meeting.
7. At 2 pm , it was moved, seconded and passed unanimously to enter into Executive Session to discuss Complaint 12-07 which is 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 12-07.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 2:00-2:25 pm to discuss Complaint 12-07 which is 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 12-07.

III. GENERAL BUSINESS

The Commission returned to open session at 2:25 pm.

8. It was moved, seconded, and passed unanimously to find Complaint 12-07 as not frivolous and to notify the respondent and ask staff to commence an investigation.
9. The Commission set January 7, 2013 as a meeting date.
10. The Commission adjourned at 2:35 pm. Next meeting is December 7, 2012 at 9 am.

Respectfully submitted,

Jane T. Feldman
Executive Director