

## COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the November 7, 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, Melissa Phipps and Diane M. Dash (from 9:14 to 9:55) of the Colorado Attorney General's Office.

### I. GENERAL BUSINESS

1. The meeting commenced at 9:05.
2. There was no public comment.
3. Ms. Feldman introduced Andrew Shapiro, a student at Denver University who will be volunteering for the Commission for the next six months.
4. It was moved, seconded and passed unanimously to approve the Minutes of the October 3, 2011 meeting. Commissioner Hopper abstained.
5. At 9:14 am, it was moved, seconded and passed unanimously to enter into Executive Session to receive legal advice pursuant to C.R.S. §24-6-402(3)a)(II) and § 13-90-107(b) concerning disputes that are the subject of pending or imminent court action filed by Doug Platt.

### II. EXECUTIVE SESSION BUSINESS:

The Commission met in Executive Session from 9:32 am to 9:50 am to receive legal advice pursuant to C.R.S. §24-6-402(3)a)(II) and § 13-90-107(b) concerning disputes that are the subject of pending or imminent court action filed by Doug Platt. Ms. Freimann was not present.

### III. GENERAL BUSINESS

6. At 9:57 am, it was moved, seconded and passed unanimously 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 the Motion to Dismiss Complaint 11-01.

### IV. EXECUTIVE SESSION BUSINESS:

The Commission met in Executive Session from 9:57 am to 10:40 am 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 the Motion to Dismiss Complaint 11-01. Commissioners Grossman and Smith were recused.

### V. GENERAL BUSINESS

7. The Commission returned to open session. There was a brief discussion on Complaint 11-01. It was moved, seconded and passed 2-1 (Commissioner Butcher dissenting) to deny

the Motion to Dismiss Complaint 11-01, and to reschedule the hearing for early 2012.

8. Executive Director's Report:

- a. Ms Feldman passed out copies of the Strategic Plan/Budget request which was submitted to the Joint Budget Committee last week.
- b. Ms. Feldman reported on upcoming trainings scheduled at UCD, the Department of Revenue and the Arapahoe County Trustee.
- c. Ms. Feldman reported that there have been lots of advice calls this month as well as one CORA request.
- d. Ms. Feldman reminded the Commission that she will be gone December 4-7, at the COGEL conference, and also reported that she had been asked to join the COGEL Steering Committee.
- e. Ms. Feldman reported on her attendance at the Denver Board of Ethics meeting, and passed out information about the proposed changes to the Denver Ethics Code.

9. There was a discussion of Advisory Opinion 11-12 (Travel paid for by a For Profit). Representatives of the Governor were present to answer questions. It was moved, seconded and passed unanimously to approve Advisory Opinion 11-12 as revised.

10. Renny Fagan, Executive Director of the Colorado Association of Nonprofits, made a presentation regarding the valuation of meals when the cost of admission is donated to a public employee or official. Mr. Fagan answered questions from the Commissioners.

11. There was an update on Complaint 11-02. It was moved, seconded and passed 3-0 (Commissioners Grossman and Smith recused) to approve a subpoena submitted by the complainant's attorney.

12. There was an update on Complaint 11-03. There was a discussion of the date for the hearing. The hearing will be held on January 11, 2012. (Commissioner Hopper recused).

The Commission adjourned at 12:50pm.

Next Meeting: November 18, 2011 at 10 am 101 West Colfax Ave, 8<sup>th</sup> floor, Denver, CO.

Respectfully submitted,

Jane T. Feldman  
Executive Director