

## COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the December 4, 2009 Meeting  
633 17<sup>th</sup> Street, Room 2A, 9:00 a.m.  
Denver, Colorado

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

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

### I. GENERAL BUSINESS

1. The meeting commenced at 9:04 a.m.
2. Public Comment: Luis Toro of Colorado Ethics Watch made suggestions regarding the process for issuing Advisory Opinions and Letter Rulings as well as other changes to the Rules of Procedure.
3. It was moved, seconded and passed unanimously to approve the minutes of the November 20, 2009 meeting.
4. Executive Director's Report:
  - a. Ms. Feldman reminded the Commissioners that she will be at the COGEL conference in Scottsdale, Arizona from December 6-9.
  - b. Ms. Feldman noted that the COGEL dues are up for renewal. It was moved, seconded and passed unanimously to renew the COGEL membership at \$445 per year.
5. There was a discussion of Position Statement 09-06 (Article XXIX section 3(3)(f)). This discussion was tabled until the next meeting when all Commissioners could participate.
6. There was a discussion the division of responsibility between the Executive Director Position and the Public Information and Outreach position. This conversation will be continued at the next meeting.
7. The Commission took a break from 10:45 to 10:55 a.m.
8. There was a discussion of a revision of the IEC's Rules, especially with respect to complaints.

9. Ms. Feldman reported on the additional investigation of Complaint 09-08. It was decided to table a decision on this matter until the next meeting when all Commissioners could participate.

10. It was moved, seconded and passed unanimously to enter into Executive Session at 11:36 a.m. to discuss pending and imminent court action involving the Commission.

## II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 11:36 to 11:46 a.m. a.m. to discuss pending and imminent litigation pursuant to Sections 24-6-402(3)(a)(II) and 24-6-402(3)(a)(III) and 13-90-107, C.R.S.:

- a. Center for Independent Media and Norris v. IEC, Case No. 2009CV5109
- b. Ethics Watch v. IEC, Case No. 2009CV4989

## III. GENERAL BUSINESS

The Commission returned to open session at 11:46 a.m. and it was moved, seconded and passed unanimously to enter into Executive Session for the purpose of receiving legal advice on specific legal questions particular matter pursuant to C.R.S. Sections 24-6-402(3)(a)(II).

## IV. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 11:47 a.m. to 12:12 p.m. to receive legal advice on specific legal questions pursuant to C.R.S. Section 24-6-402(3)(a)(II).

The Commission returned to open session at 12:12 p.m.

The Commission adjourned at 12:16 p.m.

Respectfully submitted,

Jane T. Feldman  
Executive Director