

## COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the December 7, 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 9:06 am.
2. There was no public comment.
3. Commissioner Smith suggested changes to the minutes of November 5, 2012. It was moved, seconded and passed unanimously to approve the minutes of the November 5, 2012 meeting as amended.
4. Executive Director's Report:
  - a. Ms Feldman reported that the Joint Budget Committee did not have any questions regarding the FY14 budget request, and JBC analyst said she did not have to appear at the hearing.
  - b. Ms. Feldman reported that she will be attending a Joint House and Senate Judiciary Committee meeting on January 15 at 9:30 am.
  - c. There was a discussion of the redraft of the Handbook. Commissioners will review the Handbook and forward comments to Ms. Feldman as soon as possible. It was agreed that she would order 5000 copies.
  - d. Ms. Feldman reported on the upcoming move to the Ralph Carr Building on December 14. She provided the Commissioners with her new contact information.
  - e. Ms. Feldman reported on upcoming trainings and presentations.
  - f. Ms. Feldman reported that she will be meeting with the web designer on December 11.
  - g. Ms. Feldman reported on the COGEL conference in Columbus, Ohio. Next December the conference will be in Quebec, Canada.
5. Ms. Freimann discussed issues relating to the Colorado Open Records Act. She passed out copies of the Attorney General's Office and the Governor's Office policies. The Commissioners will review these policies prior to the next meeting.
6. There was an update on Complaint 12-07.

At 10:25 am, it was moved, seconded and passed unanimously to enter into Executive Session 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 10:27 to 10:45pm to receive legal advice pursuant to C.R.S. §24-6-402(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 10:45 am.

7. There was a discussion of the Respondent's motion for a stay regarding Complaint 12-07. Respondent's attorneys were present and spoke to the Commission. Complainant's attorney was also given an opportunity to speak. It was moved, seconded and passed unanimously to deny the motion for a stay but to give Respondent an additional ten days to respond to the complaint.
8. There was an update on Complaint 12-06. Ms Feldman summarized her investigation. There was a discussion of the Respondent's Motion to Dismiss. It was moved, seconded and passed 3-1 (Commissioner Hopper dissenting) to deny the Motion to dismiss and to set the matter for a hearing at the Commission's February 4, 2013 meeting.
9. The Commission set February 4, 2013 as a meeting date.
10. There was a discussion of draft Position Statement 12-01(Travel). Several people made comments on the draft document. It was moved, seconded and passed unanimously to approve Position Statement 12-01 as amended.
11. The Commission adjourned at 2:30 pm. Next meeting is January 7, 2013 at 9 am at the Ralph Carr Justice Center.

Respectfully submitted,

Jane T. Feldman  
Executive Director