

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the August 4, 2014 Meeting
1300 Broadway, Room 1F, 9:00 am
Denver, Colorado

Present: Rosemary Marshall; Chair, Matt Smith; Vice-Chair, Bob Bacon, William Leone, and Bill Pinkham.

Also Present: Maureen Toomey, IEC Assistant Director, and Kyle Dumler of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. Commissioner Marshall called the meeting to order at 9:10 a.m.
2. There were no public comments.
3. It was moved, seconded and passed unanimously to approve the minutes of the July 7, 2014 meeting as amended. Changes were made to the minutes of July 23, 2014. It was moved, seconded and passed unanimously to approve the minutes of the July 23, 2014 meeting as amended.
4. Staff Report
 - a. Ms. Toomey reported that the Commission had received two CORA requests.
 - b. Ms. Toomey provided an update on electronic filing.
5. At 9:49 a.m., it was moved, seconded and passed unanimously to enter into Executive Session to discuss Complaint 14-13 which is required to be kept confidential pursuant to Article XXIX, section 5(3)(b) of the Colorado Constitution.

II. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 9:49 a.m. to 9:56 a.m. to discuss Complaint 14-13 which is required to be kept confidential pursuant to Article XXIX, section 5(3)(b) of the Colorado Constitution.

III. GENERAL BUSINESS

6. The Commission returned to open session at 9:56 a.m.
7. At 9:57 a.m., it was moved, seconded and passed unanimously to dismiss Complaint 14-13 pursuant to IEC Rule 7.G.3 and as frivolous pursuant to IEC Rule 7.G.1.
8. Commissioner Smith stated that he will recuse himself from Complaint 14-16.

9. At 9:59 a.m. it was moved, seconded and passed unanimously to enter into Executive Session to discuss Complaints 14-14, 14-15 and 14-16 which are required to be kept confidential pursuant to Article XXIX, section 5(3)(b) of the Colorado Constitution.

IV. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 9:59 a.m. to 10:20 a.m. to discuss Complaints 14-14, 14-15 and 14-16 which are required to be kept confidential pursuant to Article XXIX, section 5(3)(b) of the Colorado Constitution. (Commissioner Smith did not participate in the discussion of Complaint 14-16.)

V. GENERAL BUSINESS

10. The Commission returned to open session at 10:20 a.m.

11. At 10:21 a.m., it was moved, seconded and passed unanimously to stay Complaint 14-14 pursuant to IEC Rule 7.H.3.

12. At 10:22 a.m., it was moved, seconded and passed unanimously to dismiss Complaint 14-15 for lack of jurisdiction pursuant to IEC Rule 7.G.2 and as frivolous pursuant to IEC Rule 7.G.1.

13. At 10:23 a.m., it was moved, seconded and passed 4 to 0 to stay Complaint 14-16 pursuant to IEC Rule 7.H.3. (Commissioner Smith not participating).

14. At 10:24 a.m. it was moved, seconded and passed unanimously to enter into Executive Session pursuant to C.R.S. §24-6-402(3)(a)(II), 3(a)(V), 4(b)(1) and §13-90-107(b) for the purpose of receiving legal advice on specific legal questions regarding personnel matters.

VI. EXECUTIVE SESSION BUSINESS

The Commission met in Executive Session from 10:24 a.m. to 11:15 a.m. pursuant to C.R.S. §24-6-402(3)(a)(II), 3(a)(V), 4(b)(1) and §13-90-107(b) for the purpose of receiving legal advice on specific legal questions regarding personnel matters.

VII. GENERAL BUSINESS

15. The Commission returned to open session at 11:15 a.m.

16. At 12:14 p.m., 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), 3(III) and §13-90-107(b) on specific legal questions and updates in the law regarding COML, CORA and attorney-client communications.

VIII. EXECUTIVE SESSION BUSINESS

17. The Commission met in Executive Session from 12:14 p.m. to 1:00 p.m. pursuant to C.R.S. §24-6-402(3)(a)(II), 3(III) and §13-90-107(1)(b) on specific legal questions and updates in the law regarding COML, CORA and attorney-client communications.

IX. GENERAL BUSINESS

18. The Commission returned to open session at 1:01 p.m.

19. At 1:10 p.m. it was moved, seconded and passed unanimously to enter into Executive Session to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

X. EXECUTIVE SESSION BUSINESS

20. The Commission met in Executive Session from 1:10 p.m. until 1:49 p.m. to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XI. GENERAL BUSINESS

21. The Commission returned to open session at 1:49 p.m.

22. At 1:50 p.m. it was moved, seconded and passed unanimously to enter into Executive Session to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XII. EXECUTIVE SESSION BUSINESS

23. The Commission met in Executive Session from 1:50 p.m. until 2:35 p.m. to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XIII. GENERAL BUSINESS

24. The Commission returned to open session at 2:35 p.m.

25. At 2:40 p.m. it was moved, seconded and passed unanimously to enter into Executive Session to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XIV. EXECUTIVE SESSION BUSINESS

26. The Commission met in Executive Session from 2:40 p.m. until 3:20 p.m. to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XV. GENERAL BUSINESS

27. The Commission returned to open session at 3:20 p.m.

28. At 3:40 p.m. it was moved, seconded and passed unanimously to enter into Executive Session to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XVI. EXECUTIVE SESSION BUSINESS

29. The Commission met in Executive Session from 3:40 p.m. until 4:22 p.m. to interview and consider the applications and appointments of persons to the staff of the Independent Ethics Commission, and other personnel issues and the individuals have requested that these matters be conducted in Executive Session pursuant to C.R.S. section 24-6-402 (3)(b)(I).

XVII. GENERAL BUSINESS

30. The Commission returned to open session at 4:23 p.m.

The Commission adjourned at approximately 4:24 p.m. The next meeting is scheduled for August 5, 2014 at 9 a.m. in room 1E.

Respectfully Submitted,

Maureen Toomey
Assistant Director