

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the July 19, 2022, Meeting
1300 Broadway, Room 1E, 9:30 a.m.
Denver, Colorado

Present: Chair Selina Baschiera, Commissioner Elizabeth Espinosa Krupa, Commissioner Annie Kao, and Commissioner Cole Wist.

Also Present: Dino Ioannides, IEC Executive Director; and Gina Cannan of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. Chair Baschiera called the meeting to order at 9:33 a.m.
2. The Commission invited public comment and received none.
3. The Commission unanimously (Commissioner Espinosa Krupa not participating) approved the minutes of the May 17, 2022, meeting.
4. The Commission received legal updates from the Office of the Attorney General.
5. The Commission called Letter Ruling 22-03. The Requestors were present. Commissioner Kao disclosed that she serves on the board of the National Ski Areas Association, and also stated that she believes there is no conflict.
6. At 9:54 a.m., upon motion duly seconded, the Commission voted unanimously (Commissioner Espinosa Krupa not participating) to enter closed session to discuss Letter Ruling 22-03, for purposes of receiving legal advice.

II. CLOSED SESSION BUSINESS

7. The Commission met in closed session from 9:54 a.m. to 10:12 a.m. concerning Letter Ruling 22-03.

III. GENERAL BUSINESS

8. The Commission returned to open session at 10:12 a.m.
9. By unanimous consent, the Commission instructed staff to issue Letter Ruling 22-03 upon circulation to the commissioners.
10. The Commission took up a Position Statement draft pertaining to unpaid local government officials. Upon motion duly seconded, the Commission unanimously

(Commissioner Espinosa Krupa not participating) approved issuance of the Position Statement (which will be numbered Position Statement 22-01).

11. The Commission called Complaints 16-02 and 17-14. Both parties appeared through counsel.
12. Commissioner Espinosa Krupa joined the meeting at 10:31 a.m.
13. Upon motion duly seconded, the Commission unanimously resolved to schedule the Respondent's Motion for Discovery for oral argument upon completed briefing, to include the Respondent's Reply to the Complainant's Response, with the Reply being due on or before July 25, 2022.
14. Mr. Ioannides provided the staff report.
15. The Commission called Complaint 21-18 to consider the Complainant's Motion to Lift Stay. By unanimous consent, the Commission instructed the Complainant to file a supplement to the Motion, clarifying whether there is new information available since the Commission's order staying the proceedings; and instructed that the Respondent need only file a response if Complainant's supplement presents new information.
16. The Commission called Complaint 21-31 and, by unanimous consent, instructed staff to commence its investigation.
17. The Commission called Complaint 22-22 and, by unanimous consent, instructed staff to commence its investigation. By unanimous consent, the Commission held the Respondent's motion to dismiss in abeyance.
18. At 11:12 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss Complaints 22-23 and 22-26, for purposes of receiving legal advice and which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

IV. CLOSED SESSION BUSINESS

19. The Commission met in closed session from 11:12 a.m. to 11:30 a.m. concerning Complaints 22-23 and 22-26.

V. GENERAL BUSINESS

20. The Commission returned to open session at 11:30 a.m.
21. Upon motion duly seconded, the Commission unanimously dismissed Complaint 22-23 as frivolous.
22. Upon motion duly seconded, the Commission unanimously dismissed Complaint 22-26 as frivolous.

23. At 11:32 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss Complaints 22-24 and 22-25, which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

24. Ms. Cannan recused herself from Complaints 22-24 and 22-25.

VI. CLOSED SESSION BUSINESS

25. The Commission met in closed session from 11:32 a.m. to 12:03 p.m. concerning Complaints 22-24 and 22-25.

VII. GENERAL BUSINESS

26. The Commission returned to open session at 12:03 p.m.

27. By unanimous consent, the Commission instructed staff to commence preliminary investigations for Complaints 22-24 and 22-25; and ordered that both complaints are held in abeyance until special counsel is appointed and preliminary investigations are complete.

28. Having no further business, the Commission adjourned at 12:04 p.m. The next regular meeting is scheduled for August 23, 2022.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission