

## COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the October 25, 2022, Meeting  
Meeting Conducted by Web Conference

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

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 10:33 a.m.
2. The Commission invited public comment and received none.
3. The Commission unanimously approved the minutes of the September 20, 2022, meeting.
4. Mr. Ioannides provided the staff report.
5. The Commission postponed consideration of Complaint 20-18 to its next meeting.
6. At 10:42 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss personnel matters; to receive legal advice on litigation involving the IEC, including *Glendale v. IEC* and *Line v. IEC*; to receive investigative updates and legal advice on Complaints 16-02 and 17-14; and to discuss Complaints 22-24, 22-25, 22-31, 22-32, 22-33, 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.
7. Chair Baschiera noted that Ms. Cannan is recused for Complaints 22-24 and 22-25; and that Commissioner Mercer is recused on Complaint 22-24 [note: this announcement incorrectly indicated the case number – Commissioner Mercer is recused from Complaint 22-25, not 22-24].
8. Commissioner Wist announced his recusal from Complaints 22-24 and 22-25.
9. Commissioner Mercer announced her recusal [in addition to her recusal from Complaint 22-25] from Complaints 16-02 and 17-14. Ms. Cannan clarified that Commissioner Mercer is also recused from the *Line v. IEC* litigation.

### II. CLOSED SESSION BUSINESS

10. The Commission met in closed session from 10:42 a.m. to 1:01 p.m. to discuss personnel matters; to receive legal advice on litigation involving the IEC, including *Glendale v. IEC*

and *Line v. IEC*; to receive investigative updates and legal advice on Complaints 16-02 and 17-14; and to discuss Complaints 22-24, 22-25, 22-31, 22-32, 22-33.

11. Commissioners and counsel recused themselves and did not participate in closed session discussions, as indicated in paragraphs 7, 8, and 9, above.

### **III. GENERAL BUSINESS**

12. The Commission returned to open session at 1:01 p.m.
13. Recognizing that the Commission's subpoena authority is currently being litigated and that the Commission disagrees that four votes are needed to issue a subpoena, in order to prevent any further delay in Complaints 16-02 and 17-14, and upon motion duly seconded, the Commission unanimously (Commissioner Mercer recused) delegated subpoena authority to Commissioner Baschiera for subpoenas for Doris Rigoni, Michael Dunafon, and any other witnesses approved by Commissioner Baschiera.
14. By unanimous consent (Commissioner Mercer recused), the Commission held in abeyance the pending motions in Complaints 16-02 and 17-14 [Respondent's Motion for Access to Investigative Facts or a Statement of Scope, and Respondent's Motion for Summary Judgment and Findings of Fact] under Rule 6(H) of the Commission's Rules of Procedure.
15. By unanimous consent (Commissioners Mercer and Wist recused; Ms. Cannan recused), the Commission directed staff to conduct additional preliminary investigation for Complaint 22-25.
16. Upon motion duly seconded, the Commission unanimously (Commissioner Wist recused; Ms. Cannan recused) dismissed Complaint 22-24 as frivolous.
17. Upon motion duly seconded, Complaint 22-32 was dismissed as frivolous.
18. Upon motion duly seconded, Complaint 22-33 was dismissed as frivolous.
19. Having no further business, the Commission adjourned at 1:09 p.m. The next regular meeting is scheduled for November 15, 2022.

Respectfully Submitted,

Dino Ioannides  
Executive Director  
Colorado Independent Ethics Commission