

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the February 20, 2024, Meeting
1313 Sherman Street, Room 318
Denver, Colorado

Present: Chair Wist, Vice-Chair Sarah Mercer, Commissioner Lora Thomas, and Commissioner Daniel Wolf.

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

I. GENERAL BUSINESS

1. Chair Wist called the meeting to order at 9:18 a.m.
2. The Commission invited public comment and received none.
3. By unanimous consent, the Commission approved the minutes of the January 16, 2024, regular meeting, as amended.
4. Mr. Ioannides provided the staff report.
5. Ms. Cannan provided legal updates.
6. The Commission called complaint 23-23. Respondent appeared through counsel. Complainant, having received proper notice, declined to appear. The Commission received oral arguments regarding the Commission's jurisdiction and Complainant's Motion to Dismiss.
7. The Commission called Complaint 21-25. Commissioner Mercer recused herself. Complainant and Respondent each appeared through counsel. The Commission received oral argument regarding Complainant's Motion for Summary Judgment.
8. The Chair announced that [due to recusals and absences] the Commission would not have a quorum to consider Complaints 22-34 and 22-35. As such, consideration of these complaints was postponed to the Commission's next meeting.
9. The Commission called Letter Ruling 24-01. Requestor appeared remotely and presented the request.
10. Mr. Ioannides provided an update regarding Complaints 21-31 and 23-20.
11. Commissioner Mercer volunteered to serve as hearing officer for Complaint 21-31 and, without objection, was so appointed.

12. At 10:46 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session concerning Complaint 23-23, Complaint 21-25, and Letter Ruling 24-01, for purposes of receiving legal advice; and Complaints 23-24, 23-26, 23-27, 23-28, 24-01, 24-02, and 24-03, 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.

II. CLOSED SESSION BUSINESS

13. The Commission met in closed session from 10:46 a.m. to 12:34 p.m. regarding Complaints 23-23, 21-25, 23-24, 23-26, 23-27, 23-28, 24-01, 24-02, and 24-03; and Letter Ruling 24-01.
14. Commissioner Mercer recused herself from the closed session as pertaining to Complaint 21-25.
15. Ms. Cannan and Mr. Fitzgerald recused themselves from the closed session as pertaining to Complaint 24-01.

III. GENERAL BUSINESS

16. The Commission returned to open session at 12:34 p.m.
17. Chair Wist announced the following:
 - a. An order will be issued regarding Respondent's Motion to Dismiss in Complaint 23-23.
 - b. An order will be issued regarding Respondent's Motion for Summary Judgment in Complaint 21-25.
 - c. An opinion will be issued regarding Letter Ruling 24-01.
18. Upon motion duly seconded, the Commission unanimously dismissed Complaint 23-27 as frivolous.
19. Upon motion duly seconded, the Commission unanimously dismissed Complaint 23-28 as frivolous.
20. Upon motion duly seconded, the Commission unanimously dismissed Complaint 24-01 as frivolous.
21. Upon motion duly seconded, the Commission unanimously dismissed Complaint 24-02 as frivolous.
22. Upon motion duly seconded, the Commission unanimously dismissed Complaint 24-03 as frivolous.
23. Having no further business, the Commission adjourned at 12:39 p.m. The next regular meeting is scheduled for March 19, 2024.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission