

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the August 20, 2024, Meeting
Meeting Conducted by Web Conference

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

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

I. GENERAL BUSINESS

1. Chair Mercer called the meeting to order at 9:04 a.m.
2. The Commission invited public comment and received none.
3. The Commission unanimously approved the minutes of the May 21, June 18, and July 8, meetings, with Chair Mercer abstaining from consideration of the June 18 and July 8 minutes.
4. At 9:10 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session concerning Complaint 21-25, for purposes of conducting deliberations and receiving legal advice.
5. Chair Mercer, Ms. Cannan, and Mr. Fitzgerald recused themselves from consideration of Complaint 21-25.

II. CLOSED SESSION BUSINESS

6. The Commission met in closed session from 9:10 a.m. to 9:52 a.m. regarding Complaint 21-25.

III. GENERAL BUSINESS

7. The Commission returned to open session at 9:52 a.m.
8. Vice-Chair Wolf announced that the closed session included only receiving legal advice of counsel; the closed session did not include deliberations due to the absence of Commissioner Espinosa-Krupa.
9. The Commission called Complaints 21-18, 22-07, and 22-22. Mr. Ioannides and Ms. Cannan provided a status update.

10. At 10:00 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session concerning Complaints 21-18, 22-07, and 22-22, for purposes of receiving legal advice.

IV. CLOSED SESSION BUSINESS

11. The Commission met in closed session from 10:00 a.m. to 10:13 a.m. regarding Complaints 21-18, 22-07, and 22-22.

V. GENERAL BUSINESS

12. The Commission returned to open session at 10:13 a.m.
13. Chair Mercer invited the parties in Complaints 21-18, 22-07, and 22-22 to file concurrent briefs regarding whether the stay in the cases should be extended. Mr. Ioannides will notify the parties.
14. At 10:15 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session concerning Complaints 16-02 and 17-14, for purposes of receiving legal advice.
15. Commissioner Mercer and Mr. Fitzgerald recused themselves from consideration of Complaints 16-02 and 17-14.

VI. CLOSED SESSION BUSINESS

16. The Commission met in closed session from 10:15 a.m. to 10:29 a.m. regarding Complaints 16-02 and 17-14.

VII. GENERAL BUSINESS

17. The Commission returned to open session at 10:29 a.m.
18. Mr. Ioannides provided the staff report.
19. Upon motion duly seconded, the Commission unanimously ratified the Commission staff's pay ranges previously approved by Chair Mercer.
20. Due to technical power/internet difficulties, the Commission briefly recessed.
21. At 10:53 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session concerning HB 21-1110 and SB 23-244, and § 4 of Colo. Const. art. XXIX, for purposes of receiving legal advice.

VIII. CLOSED SESSION BUSINESS

22. The Commission met in closed session from 10:53 a.m. to 11:23 a.m. regarding Complaints HB 21-1110 and SB 23-244, and § 4 of Colo. Const. art. XXIX.
23. Commissioner Wist left the meeting at 11:00 a.m.

IX. GENERAL BUSINESS

24. The Commission returned to open session at 11:23 a.m.
25. At 11:25 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session concerning Complaints 24-08, 24-09, 24-10, 24-11, 24-12, 24-15, 24-16, 24-17, 24-18, 24-19, 24-20, and 24-21, 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.

X. CLOSED SESSION BUSINESS

26. The Commission met in closed session from 11:25 a.m. to 12:28 p.m. regarding Complaints 24-08, 24-09, 24-10, 24-11, 24-12, 24-15, 24-16, 24-17, 24-18, 24-19, 24-20, and 24-21.
27. Commissioner Mercer recused herself from consideration of Complaints 24-17 and 24-18.

XI. GENERAL BUSINESS

28. The Commission returned to open session at 12:28 p.m.
29. Upon motion duly seconded, the Commission unanimously deemed Complaint 24-08 non-frivolous.
30. Upon motion duly seconded, the Commission unanimously stayed Complaints 24-09, 24-10, 24-11, and 24-12.
31. Upon motion duly seconded, the Commission unanimously deemed Complaint 24-15 non-frivolous.
32. Upon motion duly seconded, the Commission unanimously dismissed Complaint 24-19 as frivolous.
33. Upon motion duly seconded, the Commission unanimously dismissed Complaint 24-20 as frivolous.
34. Upon motion duly seconded, the Commission unanimously dismissed Complaint 24-21 as frivolous.
35. Chair Mercer clarified that, with respect to Complaint 24-15, the Commission invites the parties to brief the issue of jurisdiction. Mr. Ioannides will send instructions to the parties.
36. Having no further business, the Commission adjourned at 12:35 p.m.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission