

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the July 7, 2015 Meeting
1300 Broadway, Room 2B, 9:00 am
Denver, Colorado

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

Also Present: Amy C. DeVan, IEC Executive Director; and Kyle Dumler of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. Commissioner Leone called the meeting to order at 9:00 a.m.
2. There were comments from two members of the public. Commissioner Marshall also made comments during the public comment portion of the meeting.
3. It was moved, seconded and passed unanimously to approve the minutes of the May 11, 2015 meeting.
4. Due to timing constraints on the part of a requester who was present, the Commission considered the agenda items out of order. The Commission considered the draft of Advisory Opinion 15-08, Acceptance of Travel Expenses from a Nonprofit Entity. The requester was present and answered questions posed by the Commissioners. It was moved and seconded to adopt the draft of the Advisory Opinion. The Commission unanimously adopted the draft.
5. The Commission considered the draft of Advisory Opinion 15-07, Acceptance of Travel Expenses from a Nonprofit Entity. The requester was present and answered questions posed by the Commissioners. Based on additional information provided, the Commission requested that staff prepare a revised version of Advisory Opinion 15-07 to be considered at a telephonic meeting on July 10, 2015.
6. Staff Report
 - a. There was one CORA request and thirteen calls requesting information during the period May 11 to July 7. Three requests for Advisory Opinions were received, and all three were considered during this meeting. Ms. DeVan presented to five different groups regarding IEC operations and state ethics rules.
 - b. Staff also gave a brief report regarding an audit of the IEC by the Office of the State Auditor.
 - c. Staff provided an update regarding the use of the SIPA grant funds to record IEC meetings.

- d. Staff and the commission members discussed the status of the advertisement for the “Fifth Commissioner” position. The advertisement began running in June 2015 and was also distributed via email to individuals on the Executive Director’s distribution list. The advertisement will also be posted on the IEC’s website.

7. The Commission considered the draft of Advisory Opinion 15-09, Payment of Third Party Travel Expenses. Due to distance, the requester was not present. The Commission requested additional information prior to reconsideration of the request. Staff was instructed to work with the requester regarding the additional information.

8. The Commission held a modified hearing regarding Complaint 14-16 in order to weigh the acceptance of a stipulation entered into and signed by both complainant and respondent. Complainant was not present; neither respondent nor counsel was present. Following a review of the stipulation, it was moved and seconded to accept the stipulated agreement as resolution of Complaint 14-16. The Commission decided on a vote of four to zero (Commissioner Smith recused) to accept the stipulated agreement.

9. At 11:17 a.m., it was moved, seconded and passed unanimously to enter into Executive Session to discuss complaint 15-09, 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 11:17 a.m. to 11:22 a.m. to discuss complaint 15-09.

III. GENERAL BUSINESS

10. The Commission returned to open session at 11:22 a.m.

11. It was moved, seconded and passed unanimously to dismiss Complaint 15-09 as frivolous and outside IEC jurisdiction pursuant to IEC Rules 7.G.1 and 7.G.2.

12. The Commission discussed whether to pursue a possible Position Statement, which would be 15-02. After discussion, they determined not to pursue a Position Statement at this time. Various other topics of interest with regard to potential future position statements were also discussed.

13. Having no further business, the Commission adjourned at 12:08 p.m. The next meeting is scheduled for Friday July 10, 2015 at 1:00 p.m., telephonically.

Respectfully Submitted,

Amy C. DeVan
IEC, Executive Director