

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the May 11, 2015 Meeting
1300 Broadway, Room 1B, 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 one member of the public.
3. It was moved, seconded and passed unanimously to approve the minutes of the April 10, 2015 meeting.
4. Staff Report
 - a. There was one CORA request and eleven calls requesting information. Ms. DeVan presented to two different groups regarding IEC operations and state ethics rules.
 - b. Staff also gave a brief report regarding the decision of the Colorado Court of Appeals in the *Gessler* matter.
 - c. Staff and the commission members discussed the status of the three Commission appointments, which expire on June 30, 2015. Staff was directed to prepare a posting requesting applications for the "fifth commissioner" appointment.
5. The Commission considered the revised draft of Advisory Opinion 15-02, Acceptance of Travel and Conference Expenses Paid by a Third Party. This Opinion was first considered in April 2015, and revised per instructions from the Commission members. It was moved and seconded to adopt the draft of the Advisory Opinion. The Commission unanimously adopted the draft.
6. The Commission held a modified hearing regarding Complaint 15-01 in order to weigh the acceptance of a stipulation entered into and signed by both complainant and respondent. Complainant was not present; respondent was present. Following a review of the stipulation and after hearing comments from the respondent, it was moved and seconded to accept the stipulated agreement as resolution of Complaint 15-01. The Commission unanimously accepted the stipulated agreement.

7. The Commission held a modified hearing regarding Complaint 15-02 in order to weigh the acceptance of a stipulation entered into and signed by both complainant and respondent. Neither complainant nor respondent were present, although respondent indicated he would be available by telephone. Following a review of the stipulation it was moved and seconded to accept the stipulated agreement as resolution of Complaint 15-02. The Commission unanimously accepted the stipulated agreement.

8. At 10:25 a.m., it was moved, seconded and passed unanimously to enter into Executive Session to discuss complaint 14-07, 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 10:25 a.m. to 11:20 a.m. to discuss complaint 14-07.

III. GENERAL BUSINESS

9. The Commission returned to open session at 11:20 a.m.

10. It was moved, seconded and passed by a vote of three to two to dismiss complaint 14-07 as frivolous pursuant to IEC Rule 7.G.1. (Commissioners Bacon, Pinkham, Smith vote yes, Commissioners Marshall and Leone vote no.)

11. The Commission discussed rescheduling the June 2015 meeting due to conflicting schedules. Due to the light workload of the IEC, the Commissioners elected to cancel the June 2015 IEC meeting. The next meeting will be held on July 7, 2015.

12. Having no further business, the Commission adjourned at 11:30 a.m. The next meeting is scheduled for Tuesday, July 7, 2015 at 9:00 a.m., room 2B.

Respectfully Submitted,

Amy C. DeVan
IEC, Executive Director