

September 12, 2012

To the Independent Ethics Commission:

Please find enclosed two complaints. I have also submitted the agenda for the City Council meeting where the violations occurred. I am also including a recording of the City Council proceedings on the date indicated. If you will start listening at minute 47 on the recording, you will hear my point of order to the Council and Rebecca Brandau's response as well as a response from Diane Smith, another Council member who said she served on the Steering committee. In addition, I have enclosed a copy of the local paper dated July 5, 2012. The editor's editorial on page 4, the fourth through the seventh paragraphs gives information about the editor's interpretation of the events that took place at the meeting.

Thank you for your consideration of my concerns. Please advise me if any additional information is needed from me.

Sincerely,

A handwritten signature in cursive script that reads "Barbara L. Arnett". The signature is written in black ink and is positioned above the typed name.

Barbara L. Arnett, Ed.D.

INDEPENDENT ETHICS COMMISSION - Formal Complaint Form

BEFORE THE INDEPENDENT ETHICS COMMISSION CASE NO. _____
OF THE STATE OF COLORADO (IEC use only)

COMPLAINT

The Complainant(s) is (are):

BARBARA L. ARNETT

Address (Include City and Zip Code)

Daytime Phone No.

PO BOX 492
LEADVILLE CO 80461

719-239-0550

Email: blarnett@msn.com

The Respondent(s) is (are):

REBECCA BRANDAU

Address (Include City and Zip Code)

Daytime Phone No.

NOT LISTED IN PHONE BOOK
LEADVILLE, CO 80461

not listed

Email: rebecca_brandau@yahoo.com

The specific act or things complained of, with the facts to give a full understanding of the situation, is (are):

A violation of conflict of interest and appearance of impropriety.

At each meeting held, I raised the question that if you served on the steering committee for an event it would be a conflict of interest or the appearance of impropriety to vote on a use permit for the event.

At the meeting held on June 26, 2012, after all Council discussion and prior to the vote, I raised a point of order and read directly from page 5 of the Independent Ethics Commission 2011 Ethics Handbook, the sections referring to conflict of interest and appearance of impropriety.

Rebecca refused to recuse herself from the vote on the use permit.

(If you need more space, please attach a separate sheet of 8 1/2 X 11 paper)

The remedy to the matter I (we) would like is:

A public acknowledgement at a City Council meeting to which the press has specifically been invited. Further, a letter to her constituents, to be published in the local paper, indicating that she acted in an unethical manner by failing to recuse herself from a vote on a use permit for an event where she served on the steering committee for the event.

I (We) hereby acknowledge that I (we) will cooperate in this Complaint and will appear at any hearing if the Complaint is set for hearing.

Signature(s): Barbara L. Arnett

Attorney (if applicable): _____

Dated at Leadville, Colorado, this 12th day of September, 2012.