

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the August 3, 2015 Meeting
TELEPHONIC
1300 Broadway, 9:00 a.m.
Denver, Colorado

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

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 9:02 a.m.
2. There were no public comments.
3. It was moved, seconded and passed unanimously to approve the minutes of the July 7, July 10 and July 24, 2015 meetings.
4. Staff Report
 - a. During the period from July 7 to August 3 there were seven calls requesting information; one CORA request; one complaint and one advisory opinion request – both were included in the materials for the August 3 meeting. Additionally during this meeting Ms. DeVan presented information to one organization.
 - b. Staff updated the Commission regarding the search for the fifth commissioner. The advertisement is running again in the CML and CCI newsletters. Staff has also reached out to the Colorado Bar Association and announced the vacancy to various community groups.
 - c. The Commission rescheduled its September 8 meeting to September 21. The Commission also tentatively scheduled meetings for November and December 2015. This will be discussed again at the September 21 meeting.
5. The commission considered the draft of Advisory Opinion 15-10, Acceptance of Travel Expenses from a Nonprofit Entity. The requester was not present. It was moved and seconded to adopt the draft of the Advisory Opinion. The Commission unanimously adopted the draft.
6. At 9:42 a.m. it was moved, seconded and passed unanimously to enter into Executive Session to discuss Complaint 15-10, 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 9:42 a.m. to 9:45 a.m. to discuss complaint 15-10.

III. GENERAL BUSINESS

7. The Commission returned to open session at 9:45 a.m.

8. It was moved, seconded and passed unanimously to dismiss Complaint 15-10 as frivolous and outside IEC jurisdiction pursuant to IEC Rules 7.G.1 and 7.G.2.

9. The Commission discussed whether to engage in rulemaking to clarify the definition of frivolousness pursuant to the Constitution. It was determined that this matter will be added to the September 21 agenda and will be taken up at that meeting.

10. Having no further business, the Commission adjourned at 10:03 a.m. The next meeting is scheduled for Monday September 21, 2015 at 9:00 a.m. in Room 2B of the Carr Justice center.

Respectfully Submitted,

Amy C. DeVan
IEC, Executive Director