

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the March 3, 2016 Meeting
1300 Broadway, Room 1A, 9:00 am
Denver, Colorado

Present: William Leone, Chairman; Bob Bacon, Vice-Chair; Matt Smith; April Jones.

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

I. GENERAL BUSINESS

1. Chairman Leone called the meeting to order at 9:02 a.m.
2. The Commission received oral comments from six members of the public.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the February 9, 2016, meeting without amendment.
4. Staff Report
 - a. Mr. Ioannides reported monthly data concerning correspondence with the Commission.
5. At 9:36 a.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss the ongoing audit by the Office of the State Auditor, which is required to be kept confidential by federal law or rules, state statutes, or in accordance with the requirements of any joint rule of the senate and the house of representatives.

II. EXECUTIVE SESSION BUSINESS

6. The Commission met in Executive Session from 9:36 a.m. to 10:45 a.m. to discuss the ongoing audit by the Office of the State Auditor.

III. GENERAL BUSINESS

7. The Commission recessed briefly and returned to open session at 10:52 a.m.
8. The Commission considered adoption of the draft of Advisory Opinion 16-02 (Reimbursement of Travel Expenses by a For-Profit Entity). After a motion duly seconded to adopt the draft Advisory Opinion with amendments, the Commission postponed further consideration to the next meeting by unanimous consent, with instructions that staff modify the contents of the draft opinion.

9. The Commission considered adoption of the draft of Advisory Opinion 16-03 (Acceptance of Travel Expenses Paid by a Third Party). Upon motion duly seconded, the Commission unanimously approved issuance of Advisory Opinion 16-03 as drafted.

10. The Commission recessed at 12:05 p.m. and reconvened at 12:24 p.m.

11. The Commission considered adoption of the draft of Advisory Opinion 15-12 (Application of Ethics Code to State Employees Serving as Elected Officials) and, in connection therewith, the written and oral comments of interested stakeholders. By unanimous consent, the Commission requested its staff to provide additional drafts of the Advisory Opinion for further consideration. The Commission also expressed its desire to receive additional public feedback regarding implicated home-rule jurisdiction issues; the Commission instructed its staff to dedicate a portion of the Commission's next meeting agenda to this issue and to publish notice of same.

12. The Commission considered adoption of the draft of Letter Ruling 16-01 (Former Legislator Meeting with Current Legislator). Commissioner Smith disclosed the nature of his relationship with the Requestor, who indicated no objection to Commissioner Smith's participation in the decision. Upon motion duly seconded, the Commission unanimously ordered staff to redraft the Letter Ruling, with instructions.

13. At 2:50 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-02, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b), of the Colorado Constitution.

IV. EXECUTIVE SESSION BUSINESS

14. The Commission met in Executive Session from 2:50 p.m. to 3:06 p.m. to discuss Complaint 16-02.

V. GENERAL BUSINESS

15. The Commission returned to open session at 3:06 p.m.

16. Upon motion duly seconded, Complaint 16-02 was unanimously stayed until the Commission's May meeting under Rule 7.H.1 of 8 *Code of Colorado Regulations* 1510-1.

17. At 3:10 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss Complaints 16-03, 16-04, 16-05, and 16-06, which are required to be kept confidential pursuant to Article XXIX, § 5(3)(b), of the Colorado Constitution.

VI. EXECUTIVE SESSION BUSINESS

18. The Commission met in Executive Session from 3:10 p.m. to 3:12 p.m. to discuss Complaints 16-03, 16-04, 16-05, and 16-06.

VII. GENERAL BUSINESS

19. The Commission returned to open session at 3:12 p.m.

20. Upon motion duly seconded, Complaints 16-03, 16-04, 16-05, and 16-06 were unanimously dismissed under Rules 7.G.1 and 7.G.2 of 8 *Code of Colorado Regulations* 1510-1.

21. At 3:14 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss Complaints 16-08, 16-09, 16-10, and 16-11, which are required to be kept confidential pursuant to Article XXIX, § 5(3)(b), of the Colorado Constitution.

VI. EXECUTIVE SESSION BUSINESS

22. The Commission met in Executive Session from 3:14 p.m. to 3:21 p.m. to discuss Complaints 16-08, 16-09, 16-10, and 16-11.

VII. GENERAL BUSINESS

23. The Commission returned to open session at 3:21 p.m.

24. Commissioner Smith recused himself from consideration of Complaints 16-08, 16-09, 16-10, and 16-11.

25. The Commission acknowledged that Complaint 16-08 was withdrawn by the Complainant.

26. Upon motion duly seconded, Complaints 16-09, 16-10, and 16-11 were unanimously dismissed under Rules 7.G.1 and 7.G.2 of 8 *Code of Colorado Regulations* 1510-1, Commissioner Smith having recused himself.

27. Having no further business, the Commission adjourned at 3:29 p.m. The next meeting is scheduled for Monday, April 4, 2016, at 9:00 a.m., room 2A, with the room assignment subject to change.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission