

BEFORE THE COLORADO INDEPENDENT ETHICS COMMISSION

STATE OF COLORADO

Case No. 15-02

ORDER

Mike Stevens,

Complainant

v.

Dong Seabury,

Respondent

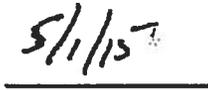
UPON stipulation of the parties, the Independent Ethics Commission being fully advised in the matter, enters the following Order:

- 1) The Independent Ethics Commission finds that there is a factual basis for adopting this stipulation as an order of the Commission.**
- 2) Article XXIX of the Colorado Constitution, Section 3, provides that no local government official may receive a gift or other thing of value having a cost greater than \$50 in any calendar year from a person without that person receiving lawful consideration of equal or greater value.**
- 3) In 2011 the gift limit was raised to \$53 pursuant to Section 3(6) of Article XXIX and Position Statement 11-01 issued by the Independent Ethics Commission.**
- 4) Section 2(3) of Article XXIX provides that a "local government official" as used in paragraph 2 means "an elected or appointed official of a local government."**
- 5) Section 2(2) defines "local government" as a county or municipality, which would include the Town of Eagle.**
- 6) A member of the Town Board of Trustees for the Town of Eagle is an elected official of local government.**
- 7) Respondent is a Trustee of the Town Board of Trustees for the Town of Eagle and therefore falls under the jurisdiction of the Independent Ethics Commission and Article XXIX.**
- 8) In late October and early November 2014 respondent traveled to Florida at the request of a developer with a pending project in the Town of Eagle. The developer paid for the respondent's flight and ground transportation. In addition, respondent stayed at a guest house on the developer's property, and ate food provided by the developer. The cost of this trip exceeded \$53.**

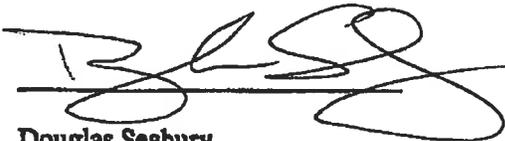
- 9) Upon his return from Florida, respondent was advised by the Town Attorney that the trip was in violation of Article XXIX. Respondent repaid the cost of the flight in mid-November 2014. In early 2015 Respondent was advised by counsel that he was also required to repay the cost of meals, lodging and ground transportation. Respondent repaid those costs in early March 2015. As of the date of this Order, respondent has repaid the total cost of his portion of the trip.
- 10) Respondent admits, and the Independent Ethics Commission finds, that in accepting the payment of his travel expenses to Florida in late October and early November 2014, respondent violated the "gift ban" provision of Article XXIX.
- 11) The Independent Ethics Commission accepts respondent's admission and this stipulation of the parties as resolution of the matter.



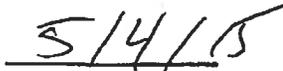
Mike Stevens,
Complainant



Date

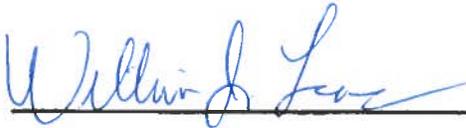


Douglas Seabury,
Respondent



Date

Accepted as to form and so entered.



Chair, Independent Ethics Commission



Date