

**COLORADO OFFICE OF THE PUBLIC GUARDIANSHIP COMMISSION**

**PUBLIC MEETING**

**October 30, 2017**

**Record of Proceedings**

---

**CONVENE**

The meeting of the Colorado Office of the Public Guardianship Commission was convened in the Ralph L. Carr Judicial Center, 1300 Broadway, Conference Room 1B, Denver, Colorado 80202 at 1:06 PM by Terry Scanlon, a representative of the Office of the State Court Administrator.

A quorum of the Board was present.

**Board Members present**

Shari Caton

Kelsey Lesco

Marco Chayet

Deb Bennett-Woods

Karen Kelley

**Others Present**

Terry Scanlon, Office of the State Court Administrator

Sueanna Johnson, Office of the Attorney General

Terri Morrison, Office of the State Court Administrator

Eric Brown, Office of the State Court Administrator

Dawn Tremblay, Office of the State Court Administrator

David Kribs, Office of the State Court Administrator

**Present from the Public**

Amy Redfern

**AGENDA ITEMS**

**I. Introduction of Commission Members**

The Commission members introduced themselves, their backgrounds, and familiarity with guardianship issues.

## **II. Organization of the Commission**

Ms. Johnson explained the role of chair and vice-chair for the Commission. The commission members discussed the roles and the level of commitment associated with the positions. Mr. Chayet nominated Ms. Caton to serve as a chair and Ms. Bennett-Woods as vice-chair. Ms. Kelley seconded the nominations and called for a motion to vote. Ms. Lesco seconded the motion to vote. The commission voted unanimously to elect Ms. Caton as chair and Ms. Bennett-Woods as vice-chair.

Ms. Caton assumed the role of chair for the remainder of the meeting.

## **III. Discussion of Immediate Tasks**

### **1. Memorandum of Understanding with Judicial and Other Administrative Issues**

Ms. Johnson said she would work with the State Court Administrator's Office (SCAO) in the coming weeks to develop a Memorandum of Understanding between the Commission and SCAO. She said the MOU would detail the administrative support provided by SCAO to the Commission and Office. Ms. Johnson said she would try to have a draft of the MOU for the Commission to review at the next meeting.

#### **A. Finance discussion**

Mr. Kribs, the CFO for SCAO, discussed in general terms the support that SCAO may provide to the Commission, particularly on financial issues. The Commission discussed fund-raising. Mr. Kribs cautioned the Commission that any donations to the Commission would not be able to be refunded for any reason. The Commission discussed whether donations would be tax exempt and whether the work of the office could begin before it is fully funded. Neither issue was resolved.

#### **B. Human Resources discussion**

Mr. Brown, the Director of Human Resources for SCAO, distributed a letter that outlined the role SCAO would serve in recruiting and selecting candidates for executive director. Mr. Brown said his office would help with drafting a job descriptions, compensation setting, and recruitment. He said the hiring process

could be done as quickly as six weeks but would more realistically take between eight to 10 weeks.

Ms. Johnson said the Commission needs to appoint an executive director no later than one month after it reaches the statutory fundraising goal of \$1.7 million. Ms. Caton said she has conducted research from similar offices in other states. After some discussion, she said she would share that research with the other commissioners. Discussion ensued again about the various challenges presented by fund-raising.

Ms. Redfern, who serves as a contract lobbyist, said the governor's office has had success fund-raising on other matters. Ms. Redfern also offered to help if legislation is needed in 2018 to clarify some aspects of the OPG.

## **2. Independent Ethics Commission opinion**

Ms. Johnson recommended that the Commission seek an advisory opinion from the Independent Ethics Commission regarding Article 29 of the Colorado Constitution and whether it applies to the Commission and the Director of the Office, once appointed. The Commission discussed the merits of seeking an opinion. The Commission agreed that all five commissioners should review a draft of the request before it is sent to the IEC. Ms. Johnson indicated she would have a draft letter for them to review at the next meeting.

## **IV. Public Comment**

No members of the public spoke.

## **V. Scheduling future meetings**

The Commission scheduled the next two meetings for November 20, 2017 at 10 a.m. and December 11, 2017 at 10 a.m. Both meetings will be held at the Ralph Carr Judicial Center in rooms to be determined.

## **VI. Commission Training: Legal and Ethical Issues for Commission Members**

At 3:12 p.m., Ms. Caton read a motion to enter executive session to receive legal advice from counsel, Ms. Johnson, from the Colorado Attorney General's Office

regarding legal and ethical issues for Commission members. Ms. Kelley made the motion to go into Executive Session. Ms. Bennet-Woods seconded the motion. The Commission voted unanimously to enter executive session pursuant to the motion.

**Executive Session was held to protect  
the Attorney-Client Privilege.**

**Executive Session was recorded**

**Return to open meeting**

At 4:10 p.m., the Commission returned to Open Session.

Ms. Johnson highlighted the issues she would be working on for the Commission with regard to legal advice on the Open Meetings Law, the Memorandum of Understanding, and the Independent Ethics Commission letter.

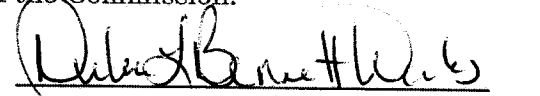
**VII. Adjourn**

At 4:15 p.m., Mr. Chayet moved to adjourn. Ms. Caton seconded the motion. The meeting was adjourned.

**ATTESTATION**

As Commission Chair and Commission Vice-Chair, we attest that these minutes of the open public meeting of the Colorado Office of the Public Guardianship Commission substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Commission.

  
Shari Caton, Commission Chair

  
Deb Bennett-Woods, Commission Vice-Chair

12-28-17  
Date

12-28-17  
Date