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# Colorado Office of Public Guardianship

## Commissioners

Deb Bennett-Woods, Chair  
Kelsey Lesco, Vice-Chair  
Marco Chayet  
Karen Kelley  
Alison Zinn



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## PUBLIC MEETING September 25, 2019

### Record of Proceedings

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#### CONVENE

The meeting of the Colorado Office of Public Guardianship Commission was convened in the Ralph Carr Judicial Building at 1300 Broadway, Conference Room 2B in Denver, Colorado at 10:05 AM by Commission Chair Bennett-Woods.

A quorum of the Commission was present.

#### **Commission Members Present**

Deb Bennett-Woods, Chair	Vice-Chair Kelsey Lesco
Karen Kelley*	Alison Zinn
Marco Chayet*	

#### **Others Present**

Hugh Wilson, State Court Administrator Office  
Connie Lind, State Court Administrator Office  
Sueanna Johnson, Senior AAG

#### **Public Attendance**

Maureen Welch\*  
Rob Hernandez

\* Appeared/Participated by Telephone

## **AGENDA ITEMS**

### **I. Call to Order**

The meeting was called to order.

Before starting with the agenda, Commissioner Chayet asked to address the OPG webpage. It was brought to his attention that the OPG webpage still shows the Notice of Vacancy due to Shari Caton's resignation, which has now been filled by Commissioner Zinn. Ms. Lind explained that all matters/material ever posted remains on the webpage for historical purposes. Ms. Lind was asked to archive the vacancy. Ms. Lind agreed to do so.

### **II. Approval of the August 28, 2019 Meeting Minutes**

Vice-Chair Lesco advised that in some of the meeting minutes, she is referred to as the Chair, instead of the Vice Chair and asks for amendments to correct the error. The error will be corrected in all applicable minutes.

Commissioner Chayet moves to approve the August 28<sup>th</sup> Meeting Minutes as amended. Commissioner Kelley seconds the motion. The motion passes unanimously.

### **III. Approval of the August 29, 2019 Meeting Minutes**

Vice-Chair Lesco moves to approve the August 29<sup>th</sup> Meeting Minutes as amended. Commissioner Chayet seconds the motion. The motion passes unanimously.

### **IV. Approval of the September 3, 2019 Meeting Minutes**

Commissioner Chayet moves to approve the September 3<sup>rd</sup> Meeting Minutes. Vice-Chair Lesco seconds the motion. The motion passes unanimously.

### **V. Approval of the September 10, 2019 Meeting Minutes**

Commissioner Chayet moves to approve the September 10<sup>th</sup> Meeting Minutes as amended. Vice-Chair Lesco seconds the motion. The motion passes unanimously.

### **VI. Approval of the September 11, 2019 Meeting Minutes**

Commissioner Chayet moves to approve the September 11<sup>th</sup> Meeting Minutes as amended. Commissioner Kelley seconds the motion. The motion passes unanimously.

## **VII. Budget Update (Mr. Hugh Wilson)**

Mr. Wilson informed the Commission that he does not have much to report. He will have a Revenue – Expenditure update at the next meeting. On November 1<sup>st</sup>, Judicial’s budget is to be submitted. There will not be an exchange of dollars for the administrative work performed by the State Court Administrator’s Office. He will gather the data for fees collected due to the increase in some filing fees.

Chair Woods advises that a new MOU will need to be drafted.

Commissioner Zinn arrives.

## **VIII. Update on Administration Issues (Location of OPG Office and Other Issues - Mr. Hugh Wilson)**

Mr. Wilson advises he has spoken with Ms. Amber Roth, Court Executive for the Denver Probate Court regarding office space in the City and County Building for the OPG, however, he has not seen the space. He will continue to work with Ms. Roth on the office space, furniture, etc.

Chair Bennett-Woods advises they hope to make an offer today to the candidate selected for the Executive Director position. Once hired, the Executive Director will work with SCAO staff, and SCAO can put this individual in contact with the Director of the Office of Child Representative, Amber Roth, etc.

## **IX. Public Comment**

*Mr. Robert Hernandez*

Mr. Hernandez looks forward to working with the Executive Director, as are stakeholders. Mr. Hernandez advised, Judge Terry, who is over all probate courts in the state has been talking with stakeholders and taking comment from individuals.

He believes the candidate selected for the Executive Director position should be:

- Made aware of the State Audit of Adult Protective Services (APS); and
- Required to undergo the same background check as others who work with at risk individuals, such as those who work for APS.

No other public comment.

**X. Discussion of the Selection for the OPG Director**

At 10:26 a.m., the Chair calls for a motion to move into Executive Session. Vice-Chair Lesco moves to have this portion of the meeting held in Executive Session, as the Commission will deliberate on confidential personnel matters. Commissioner Chayet seconds the motion. The motion passes unanimously.

**Executive Session was held to protect the confidential personnel deliberations of the Commission under Colorado law, specifically related to the appointment of the Director for the Office**

**Executive Session was recorded**

**Return to open meeting**

At 11:46 a.m., the Commission returned to Open Session, and invited the public to return to the meeting, whereupon Mr. Hernandez from the public was present.

The Chair calls for a motion to appoint Candidate G as the Director for the Office of Public Guardianship, conditional upon successful completion of a criminal background check and submission of a financial credit report. Vice-Chair Lesco made the motion, and Commissioner Zinn seconded. The Chair called for a roll call vote. Commissioner Kelley voted yes. Commissioner Zinn voted yes. Commissioner Chayet voted yes. Commissioner Lesco voted yes. And the Chair voted yes. The motion passed unanimously.

There was discussion about next steps once the conditions were completed by Candidate G for the appointment process, such as a press release about the appointment a negotiations on a start date for Candidate G to assume duties.

AAG Johnson advised that the Commission will need to delegate completion of these issues to the Chair.

The Chair called for a vote to delegate to her the authority to negotiate the start date for Candidate G upon satisfactions of the identified conditions. Vice-Chair Lesco made the motion and Commissioner Chayet seconded. The motion passed unanimously.

The Chair called for a vote to delegate to her the authority to finalize a press release announcing the appointment of Candidate G. Commissioner Chayet made the

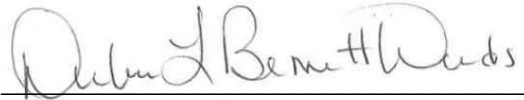
motion and Vice-Chair Lesco seconded. The Chair indicated that the press release will be submitted to the Commission before it is released to the media so they are aware of its issuance. Mr. Hernandez had a question about when the press release may be forthcoming, and the Chair anticipated sometime later in the week of September 29<sup>th</sup>. The motion passed unanimously.

**XI. Adjourn**

Chair Bennett-Woods called for a motion to adjourn the meeting. Vice-Chair Lesco made the motion and it was seconded by Commissioner Chayet. With no objections, the meeting adjourned at 11:58 AM.

**ATTESTATION**

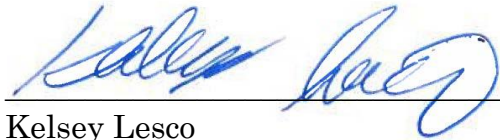
As Commission Chair and Commission Vice-Chair, we attest that these minutes of the open public meeting of the Colorado Office of Public Guardianship Commission substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Commission.



Deb Bennett-Woods  
Commission Chair

10-23-2019

\_\_\_\_\_  
Date



Kelsey Lesco  
Commission Vice-Chair

10-23-2019

\_\_\_\_\_  
Date