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# Colorado Office of Public Guardianship

**Commissioners**

Shari Caton, Chair  
Deb Bennett Woods, Vice Chair  
Marco Chayet  
Kelsey Lesco  
Karen Kelley



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## PUBLIC MEETING

May 23, 2018

### Record of Proceedings

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#### CONVENE

The meeting of the Colorado Office of Public Guardianship Commission was convened in the Ralph L. Carr Judicial Center, 1300 Broadway, Conference Room 2B in Denver, Colorado 80202 at 10:02 AM by Vice-Chair Deb Bennett-Woods.

A quorum of the Commission was present.

#### **Commission Members Present**

Shari Caton, Chair\*  
Kelsey Lesco

Deb Bennett-Woods, Vice-Chair  
Marco Chayet\*

\*Appeared by telephone

#### **Commission Members Absent**

Karen Kelly

#### **Others Present**

Danielle Becwar, Office of the State Court Administrator  
Janel Bravo, Office of the State Court Administrator  
Melanie Ulrich, Office of the State Court Administrator  
Connie Lind, Office of the State Court Administrator  
Sueanna Johnson, Office of the Colorado Attorney General

#### **Public Attendance**

Terry Lake

## **AGENDA ITEMS**

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

Vice-Chair Bennett-Woods announced that the time allotted for public comment has been moved to the end of the agenda. She will also allow the guests from the SCAO Human Resources Division to be called first on the agenda.

### **II. Approval of the April 24, 2018 Minutes**

Commissioner Lesco moved for adoption of the April 24, 2018 meeting minutes. The motion was seconded by Commission Chair Caton.

Commission Vice-Chair Bennet-Woods called attention to a typo on page 7 (seven), under Closing Comments by the Public. The \$300 listed should be \$300,000. Amending page 7 (seven) was unanimously passed.

### **III. Review of Job Description for OGP Executive Director with State Judicial HR Staff**

Two hand-outs were provided from State Judicial HR: (1) Examples of Director Salaries and Requirements; and (2) Draft Job Posting for the Executive Director of OPG. Both documents are for the purpose of providing general information regarding salary and qualifications, and to provide a high level example for the OPG Commission to consider.

Ms. Bravo, Ms. Becwar, and Ms. Ulrich are from the SCAO Human Resources Division.

Discussion:

- Job posting requirements, statute, and qualifications versus preferred qualification.
- Qualifications for the pilot project may need to be separate from that of the position after the pilot project ends.
- Recommended two subcategories: (1) pilot program job duties; and (2) post-pilot project job duties.

- Fundraising experience or oversight of fundraising is needed for the pilot project so the draft job posting feels incomplete and misleading.
- May need to include special duties such as cost analysis.
- Crucial to highlight the transition from a pilot program to either continuation or termination of the program in 2021.
- The Commission was reminded that the draft job posting was a rough draft and that they can expand/change as necessary to meet their needs.
- Concerns were expressed regarding recruitment. Would the person hired to fill the position during the pilot project be required to reapply for the Executor Director position after the pilot project was over.
- Mr. Lake provided public comment. Skills to fill a fundraising position are very different from that of an Executive Director. Mr. Lake also agrees with the above mentioned concerns.
- The example Executor Director salaries are set by statute, qualifications and education may differ.

During the meeting, Ms. Becwar emailed a copy of the job posting of the Director of the Office of Child Representative to Commission Chair Caton and AAG. Johnson. AAG Johnson would provide a copy of the OCR ED job description to the Commission members later.

Ms. Ulrich is to provide AAG Johnson with information regarding the qualifications required for an executive director position with non-profit organizations by May 30, 2018. AAG Johnson will forward to the OPG Commission by June 1<sup>st</sup> with the information collected by State Judicial HR.

The Commission has until June 20, 2018 to submit all edits to the draft job posting to AAG Johnson. AAG Johnson will then have a draft prepared that incorporates Commissioner's comments prepared for the June 27<sup>th</sup> OPG meeting.

SCAO HR Staff is not asked to attend the June 2018 meeting. The Commission thanked SCAO HR Staff for their work thus far.

#### IV. Chair Announcements

The Chair made the following announcements:

- The IRS confirmed to OPG that it has on record the correct office name and address.
- The OPG Commission has registered as a charitable entity with the Colorado Secretary of State.
- Commission Chair Caton recommends that the Commission draft an Interim Report for the Judiciary Committee or other relevant legislative body, noting that after six months, they are still not in a position to hire a director.

Following discussion, it was determined that AAG Johnson will:

- Seek input from Terry Scanlon, SCAO Legislative Liaison regarding an Interim Report, as the Commission unanimously believes one is necessary even if it is not submitted to the Judiciary Committee.
- Verify if there is a need to file IRS Form 941.
- Check into the requirements for a National Charitable Registration since the OPG may receive out of state grants. AAG Johnson advises she has been working with State Judicial regarding their website as it pertains to contributions to the OPG.
- Follow-up with David Kribs, SCAO Director of Financial Services regarding processing credit card payments and if it may be necessary to have a separate system/pass through account for monies received.

An emergency OPG meeting can be scheduled to discuss the above matters if necessary.

#### V. Fundraising Update/Outreach Efforts

***Meet-and-Greet at the Colorado Bar Association.*** The Commission reported that although there was not a great turnout for the Meet-and-Greet at the CBA, it was very productive and the attendees were very engaging. Stakeholders had good ideas regarding collaboration, legislation, and holding such events in the future.

**Commission Vice-Chair Bennett-Woods Report.** Commission Vice-Chair Bennett-Woods discussed her outreach efforts:

- Advocacy Rapid Response Funding with the Colorado Health Foundation;
- Veteran's Administration; and
- Representative Young

Questions arose during Vice-Chair Bennett-Wood's outreach as to whether funds solicited may be used on a targeted basis.

Representative Young is willing to have fundraising materials be sent out of his office for lending his name, but the Commission needs to provide the materials and a list of those they wish to solicit.

Commission Chair Caton has Representative Young's letter from the Next Fifty Grant that she can modify.

**Commissioner Chayet Report.** Commissioner Chayet discussed his outreach efforts.

Commissioner Chayet advised he met with Judge Elizabeth Leith, Denver Probate Court as the Commissioner assigned to that pilot district. They discussed:

- Guardianship Alliance of Colorado and volunteer guardianship services.
- Behavioral Health has a contract with Guardianship Alliance.
- Denver Health's Oasis Unit and the need for guardians.
- He also reached out to the Denver County Attorney's Office.
- Judge Leith is to provide data to Commissioner Chayet regarding the need for guardianships that would fit into the OPG.
- Denver Adult Protective Services petitions the court for guardianship, whereas, the OPG will serve as guardians, but not as the petitioner.
- There are still questions regarding such processes.

Commission Vice-Chair Bennett-Woods advised that the Veteran's Affairs also questioned the processes, including jurisdiction since the VA has moved to the Aurora Campus.

AAG Johnson suggested she and Commissioner Chayet put together broad talking points, for which he agreed. He will also get with Commission Chair Caton regarding a CLE they put together on the basics of guardianship.

***Commissioner Lesco Report.*** Commissioner Lesco discussed her outreach efforts.

Commissioner Lesco advised the Jefferson County Senior Law Day will be held on June 2, 2018 and the OPG will be provided a table to place materials on. Her reach out includes: Zim Consulting, The Colorado Trust, Health Foundation, and Colorado Senior Lobby.

Feedback she has received is a need for:

- More information regarding the need for OPG.
- Marketing materials.
- Real life stories of others that can be shared.

Commissioner Lesco, as the Commissioner assigned to the 7<sup>th</sup> Judicial District (pilot district) has called and left messages for Judge Deganhart. She has also spoken with Dr. Saliman at Montrose Memorial Hospital and offered to provide a presentation on June 6, 2018.

***Thank you notes for Current Donors.*** AAG Johnson advises her paralegal will send out thank you letters once the Commission approves the draft provided, as she keeps a running spreadsheet of donations received.

Commissioner Lesco motioned to approve the thank you letter and to have it sent out with the Chair's Signature. The motion was seconded by Commission Chair Caton. The motion passed unanimously.

***Commissioner Kelly Report.*** AAG Johnson indicated that Commissioner Kelly emailed to report she could not attend the meeting today, but she anticipated providing a written report.

**Follow-up Assignments.** Commission Chair Caton will reach out to the Colorado Non-Profit Association and Denver University. Commission Vice-Chair Bennett-Woods will reach out to the Hospital Association.

**Donor Report.** AAG Johnson suggested that she can provide the Commission a report/list at each meeting detailing the funds donated, funds spent, and the balance in the account. The report/list should not include the name of the donor. The Commission unanimously agrees. AAG Johnson will work with David Kribs, SCAO on a master list.

**Interim Report.** Commissioner Lesco motioned to delegate to Commission Chair Caton the drafting of an Interim Report, as previously discussed under Agenda Section IV above.

The motion was seconded by Commission Chair Caton. The motion passed unanimously.

**Fiscal Sponsor Issue.** Commission Chair Caton mentioned that there may have been an issue with the Next Fifty Grant application in that the Commission is a 'volunteer board. AAG Johnson will scan the letter from Next Fifty and send it to the Commission members.

The question by Next Fifty or another applicant who was rejected by Next Fifty asked: who will be responsible for using/disbursing grant funds as awarded? AAG Johnson will speak to David Kribs, SCAO Director of Financial Services regarding that, as well as:

- The Fiscal Sponsor who will oversee grants;
- What the Fiscal Note contemplates;
  - Staff Attorney
  - Controller
- Oversight of funds being received; and
- Whether any of this falls within the current MOU.

**Email Communications Archive Protocol when Conducting Community Outreach.** Commission Vice-Chair Bennett-Woods suggests sharing emails she receives that pose questions outside of fundraising with the OPG. She recommends the Commission copy such emails with OPG gmail account to archive such emails.

**VI. Public Comment**

Mr. Lake provided comment during the meeting. Nothing further added.

**VII. Adjourn**

Commissioner Lesco moved for the meeting to be adjourned. The motion was seconded by Commission Chair Caton. With no objections, the meeting was adjourned at 12:08 p.m.

**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.

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Shari Caton, Commission Chair

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Deb Bennett-Woods, Commission  
Vice-Chair

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Date

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Date