
Colorado Office of Public Guardianship

Commissioners

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



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PUBLIC MEETING

January 18, 2019

Record of Proceedings

CONVENE

The emergency meeting of the Colorado Office of Public Guardianship Commission was convened via telephone, with the conference call-in number noticed to the public, at 3:17 PM by Commission Chair Bennett-Woods.

A quorum of the Commission was present.

Commission Members Present

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

Others Present

Kristine Vasquez, Office of the State Court Administrator*
Sueanna Johnson, Senior AAG*

* Appeared/Participated by Telephone

AGENDA ITEMS

I. Chair/Vice Chair Election in Light of Chair Caton's Resignation from OPG Commission

The meeting was called because there are urgent updates. There needs to be some continuity in light of Chair Caton's resignation from the Commission for personal and professional reasons.

Vice-Chair Bennett-Woods indicates that Terry Scanlon at Judicial is seeking candidates for the vacancy. Vice-Chair Bennett-Woods forwarded candidates suggested to her from outside the Commission to Terry Scanlon. These included Jane Bishop, Leah Useri, Bernie Buescher and Ford Allison.

Discussion among the Commission included that a candidate needs extensive experience in guardianship proceedings.

The Commission discussed also providing suitable candidate names at the meeting January 23, 2019, at which point the Commission will vote on whether those name(s) should be submitted to Terry Scanlon at Judicial.

There was discussion that in the interim, a new chair needed to be appointed.

AAG Johnson explained that according to the OPG Commission By-Laws, Vice-Chair Bennett-Woods has been acting in the absence of the Chair but a formal nomination and election process was required. As the By-Laws indicate that the Vice-Chair is Chair-Elect it makes sense for her to be nominated as the next Chair.

Commissioner Chayet moved to nominate Deb Bennett-Woods to fill the role of Chair that has been vacated by Shari Caton's resignation. Commissioner Kelley seconded the motion. The motion passed unanimously.

Commissioner Chayet moved to nominate Kelsey Lesco to fill the vacant role of Vice-Chair of the Commission. Commissioner Kelley seconded the motion. The motion passed unanimously.

Present Chair Deb Bennett-Woods had a conversation with prior Chair Shari Caton subsequent to her resignation to assist with the transition. Commission Chair Bennett-Woods now has access to the OPG email. Chair Bennett-Woods also met with Representative Snyder and sat in an interview with Doug Chartier from Law Week Colorado. She has also made contact with the Governor's Office and was referred to Eve Lieberman (Chief Policy Advisor and Legislative Counsel). Eve responded and copied Wade Buchanan (Policy Director). Commissioner Lesco also mentioned Elisabeth Arenales (CCLP) as another possible contact.

II. Update on Hearing on the OPG Commission's Request for an Advisory Ruling before the Independent Ethics Commission

Chair Bennett-Woods and AAG Johnson attended and presented at the Independent Ethics Commission hearing on January 14, 2019. The IEC discussed

the topic and had questions and went into Executive Session. On a voice ruling of 4-1, the IEC determined that the Office of Public Guardianship was not under IEC jurisdiction, but Commissioner Matt Smith wanted to write a dissent. The IEC requested that the Executive Director also re-draft the Letter Ruling because the IEC did not want to opine beyond the lack of jurisdiction. Because revisions and a dissent will be drafted, the OPG did not receive a letter ruling that day. But AAG Johnson advised that based on the voice vote of the IEC, the OPG Commission could move forward with its plan to hire a lobbyist pro bono.

AAG will attend the February IEC meeting behalf of Office of Public Guardianship in the event they have additional questions.

The dissenting opinion generally agreed there was no jurisdiction over the Office of Public Guardianship as a Commission, but had questions as to whether there was jurisdiction over the lobbyist.

III. Update on Chair Deb Bennett-Woods' meeting with Representative Snyder

Commission Chair Deb Bennett-Woods and Hugh Wilson met with Representative Marc Snyder Monday, January 14, 2019.

Representative Snyder submitted his first bill, SB19-1045 "Office Of Public Guardianship Operation Conditions." The first hearing, likely before the Judiciary Committee, is scheduled for Thursday, January 31, 2019 at 1:30 PM.

Commission Chair Bennett-Woods discussed funding options with Representative Snyder and the need to consider amendment of the pilot project dates.

Commissioner Chayet will reach out and follow-up with Representative Snyder regarding Guardianship materials.

Representative Snyder has been approached to be House Sponsor of SB19-072 "Bill Of Rights Protected Person Under Guardianship".

It is suggested to organize and prepare to strategically for committee testimony. This will be discussed further at the meeting on Wednesday, January 23, 2019.

IV. Update on Hiring a Lobbyist

The firm that originally expressed interest had a change in circumstances and is currently assessing if they will be able to take on this project. Chair Bennett-Woods has provided the firm a detailed summary of what the expectations and goals are. It is hopeful that there will be an agenda item on Wednesday, January 23, 2019 to engage them if they can move forward with OPG as a pro bono lobbyist.

V. Proposed Agenda items for January 23, 2019:

- Call to Order
- Approval January 3, 2019 Meeting Minutes
- Monthly Budget Report from Hugh
- Update on Budget Supplemental
- Potential candidates for Commissioner Vacancy
- Legislative strategy
- Hiring Lobbyist
- Update on Commissioner Contacts with General Assembly re: HB19-1045
- Possible testimony for Commissioners at Legislative Committee Hearings
- Stakeholder Meetings and General Outreach for Support at General Assembly
- Fundraiser Efforts Community Outreach by Name
- Public Comment
- Appropriations Process and Fees Guidance
- Draft Guardianship Document

VI. Adjourn

Without objection the meeting adjourned at 4:14 PM.

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

Kelsey Lesco
Commission Vice-Chair

Date

Date

For OPG Commission Review - 2-27-2019