

COLORADO OFFICE OF THE PUBLIC GUARDIANSHIP COMMISSION

PUBLIC MEETING

February 28, 2018

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 2B, Denver, Colorado 80202 at 10:12 AM by Commission Chair Shari Caton.

A quorum of the Commission was present.

Commission Members Present

Shari Caton, Chair

Deb Bennett-Woods, Vice-Chair

Marco Chayet*

Karen Kelley*

** Appeared by Telephone*

Others Present

Sherry Stwalley, Office of the State Court Administrator

Connie Lind, Office of the State Court Administrator

Hugh Wilson, Office of the State Court Administrator

Sueanna Johnson, Office of the Attorney General

Public Attendance

None

AGENDA ITEMS

I. Public Comment

The floor was open for public comment. No public comment was offered.

II. Approval of January 12, 2018 Minutes

Commission Vice-Chair Bennett-Woods moved for adoption of the January 12th minutes. The motion was seconded by Commissioner Kelley. The motion passed unanimously.

III. Document Retention Policy

The draft Document Retention Policy was discussed. The Policy was patterned off the policy adopted by the Office of the Child Protection Ombudsman.

AAG Johnson explained the definition for what constituted a "Commission Document" and the timelines for retention of documents in Section 2.2.

Commission Vice-Chair Bennett-Woods questioned where records will physically reside, especially in light of the fact that the chairmanship will rotate. AAG Johnson explained that State Judicial will not agree to taking responsibility for personnel records of an independent agency. When OPG has an office location, the Commission can have a secured filing cabinet accessible to the Commission Chair and secured from the director. As a temporary solution, AAG Johnson can hold documents until a long-term solution is available. As to non-personnel records, the agency director will be charged with securing records for the agency.

AAG Johnson clarified that this policy deals with personnel records and will need to be supplemented with a general records retention policy that the Director can promulgate after that person is appointed.

Commission Chair Caton asked about the office's ability to destroy originals when e-copies exist. AAG Johnson explained that this is standard governmental practice and will be an option for the Commission.

Commission Vice-Chair Bennett-Wood motioned for adoption of the policy. The motion was seconded by Commissioner Chayet. The motion was unanimously adopted.

IV. Update on Budget Supplemental

Hugh Wilson, from the State Court Administrator's Office, reported that the supplemental budget request submitted on behalf of the OPG Commission was approved by the JBC. The Commission will now have spending authority once the

Governor signs the bill, anticipated soon. The cash spending authority is in the amount of \$350,940. This will enable the Commission to spend funds that are donated up to that total amount during this fiscal year ending June 30, 2018.

The on-going budget request will be considered by the Joint Budget Committee on March 1. Once the full 1.7 million is obtained, Mr. Wilson anticipates no further budget hurdles.

V. Tax Deductible Issue

AAG AG Johnson reported that governmental entities can obtain a tax exempt letter from the IRS. The letter is similar to documentation provided to 501(c)(3)'s. She is working with Mr. Wilson at State Judicial to obtain the correct employer ID number needed to submit the request for the letter.

VI. Draft of Procedures/Guidelines for Fundraising

AAG Johnson provided a policy that meets the minimum legal requirements. Commission members mentioned that they had not had time to review the policy and suggest delaying further action until a future meeting.

There was discussion of various sources for obtaining guidance on drafting a fund raising policy, such as the Association of Fund Raising Professionals. During the discussion, AAG Johnson warned members to use caution in taking outside legal advice or in-kind assistance on this topic. There was discussion of whether an in-kind contribution would count toward the \$1.7 million required under the bill. Although the contribution may not count toward the \$1.7 million threshold, Commission members suggested that the bill may not prohibit them. AAG Johnson reminded Commission members that all contributions should have some level of disclosure prior to the donation being made.

The Chair announced the availability of funding through Next 50. At this point, Commissioner Chayet left the meeting to guard against any conflict of interest since he holds a position on the Commission of Next 50. He let other members know that he can talk in general about required grant criteria but cannot participate in general discussions about grant applications to this organization.

The Chair informed members that the organization has approximately \$200 million to distribute in grant funding. Grant application deadline is March 15, 2018. The

Chair reported, that according to online materials the maximum donation amount was \$750,000, and suggests that they should seek the maximum amount. She notes that the mission of the Office of Public Guardianship fits within the funding area of Next 50. Commission Chair Caton is willing to draft the initial request with assistance from the Vice-Chair.

The Committee granted the Chair and Vice Chair authority to explore and draft a grant proposal for any grant that fall within the funding guidelines. The Commission will review prior to submission. Commission members decided to set an additional meeting to review the application.

At this point, Commissioner Chayet rejoined the meeting.

The Commission discussed and agreed that the full Commission should review all grant applications prior to submission.

Suggestions to revise the Interim Fundraising Guidelines so that grant submission authority can be provided, in addition to other revisions, were discussed. The timeline to revise and approve the Interim Fundraising Guidelines included:

- Commission members would provide feedback to AAG Johnson by Monday, March 5th.
- AAG Johnson would provide Commission members with revisions and Commission member notes by March 7th.
- The Commission will meet again on March 9th at 10:00 to review and approve the Interim Fundraising Guidelines.

VII. Chair Announcements

A general topic for any announcements from the Chair will be added to all future agendas.

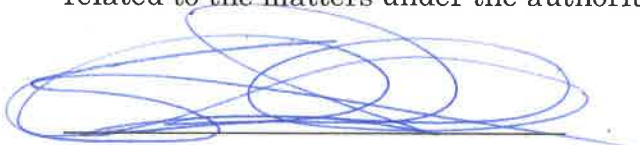
A permanent agenda item entitled, "Fundraising Update" will be added to future agendas.

VIII. Adjourn

Commissioner Bennett-Wood moved for the meeting to adjourn. The motion was seconded by Commissioner Chayet. The meeting was adjourned at 12:16

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

3-9-18

Date

3-9-18

Date