
Colorado Office of Public Guardianship

Director, Sophia M. Alvarez

Commissioners

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



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PUBLIC MEETING

January 27, 2020

RECORD OF PROCEEDINGS

CONVENE

The meeting of the Colorado Office of Public Guardianship Commission was convened by telephone conference at 10:03 AM by Commission Chair Kelsey Lesco.

A quorum of the Commission was present.

Commission Members Present

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

OPG Director

Sophia M. Alvarez

Others Present

Jacquelyn Beal, Office of Public Guardianship
Rhonda Sanchez, Office of Public Guardianship
Camille Price, Office of Public Guardianship
Erin McGavin, Office of Public Guardianship
America Paz Pastrana, Office of Public Guardian
Debbie Enck, Office of the Attorney General

Public Attendance

Ann McKenzie, Silver Key Senior Services

Hanni Raley, Arc of Aurora

Maureen Welch

Jim Tatten

Robert Hernandez, Former State Senator

All participated by telephone.

AGENDA ITEMS

I. Call to Order

The meeting was called to order. Chair Lesco indicated that the meeting is being recorded.

II. Approval of the December 15, 2020 Meeting Minutes

Chair Lesco calls for amendments to the December 15, 2020 draft meeting minutes. There were none. Commissioner Zinn **moves** to approve the December 15, 2020 Meeting Minutes as presented. Commissioner Bennett-Woods **seconded** the motion. Motion **passed** unanimously.

III. Chair Report (Kelsey Lesco)

a. Discussion and Vote to fill Vice-Chair Position

Chair Lesco requested to have the Discussion and Vote to fill Vice-Chair Position agenda item to after the Discussion of Oversight Role of Commission.

b. Discussion of Oversight Role of Commission and Amendment of By-Laws

- A. There were no comments on Section I. Fiscal Oversight.
- B. After discussion to amend Section II. Programmatic Oversight, bullet point 2 and bullet point 3 it was agreed to leave as is.
- C. Chair Lesco advised that there is a new state policy regarding credit card charges, therefore she will re-write Section I. Fiscal Oversight, bullet point 8, to reflect changes.
- D. Commissioner Bennett-Woods **moved** to approve Oversight Role of Commission and Amend By-Laws to include the Oversight Role of the

Commission with an amendment on last bullet point of the Fiscal Oversight section. Commissioner Zinn **seconded**. Motion **passed** unanimously.

Discussion and Vote to fill Vice-Chair Position

- A. Chair Lesco asked for comments.
- B. AG Enck advised that Vice-Chair Kelley was a Governor's appointment and her resignation was submitted to the Governor's office. AG Enck informed that it is the responsibility of Director Alvarez to coordinate with the Governor's office in determining the next steps to fill the vacancy.
- C. After discussion of who will be the next Vice-Chair, Commissioner Bennett-Woods nominated herself for the position.
- D. Commissioner Chayet **moved** to approve nomination of Commissioner Bennett-Woods as Vice-Chair. Commissioner Zinn **seconded**. Motion **passed** unanimously.

IV. Director Report (Sophia M. Alvarez)

Director Alvarez's 1.27.2021 Director Report was distributed electronically along with other materials and discussed. Additional items discussed included, but were not limited to:

- A. Director Alvarez informed that in the FY22 Budget Amendment, the Office of State Planning and Budgeting (OSPB) made adjustments related to the health, life, dental request. Therefore, the Judicial Budget Manager submitted a Budget Amendment on behalf of the CO OPG for these adjustments. *See Attachment 2 OSPB HLD Budget Amendment*. This will result in a cash fund spending authority reduction of \$1,779.00.
- B. Director Alvarez stated that the Office of State Planning and Budgeting (OSPB) made adjustments related to the 2.05% across-the-board salary increase for state employees. Therefore, the Judicial Budget Manager submitted a Budget Amendment on behalf of the CO OPG for these adjustments. *See Attachment 3 OSPB ATB Budget Amendment*. This will cost \$10,396.00 in cash fund spending authority.
- C. Director Alvarez informed that the Judicial Department fully executed the updated MOU, which was included among the materials provided.
- D. Director Alvarez informed that the SMART Act hearing was this past Monday, 1.25.2021 and there were no questions regarding her presentation.
- E. Director Alvarez announced upcoming trainings for the OPG office staff from Atlantis Community in February and Colorado Cross-Disability Coalition with Julie Reiskin in March.

- F. Director Alvarez provided an update on the number of registered users, referrals, accepted cases, included on page 4 of Director's report.
 - i. 53 total accepted cases
 - ii. 29 active guardianships
 - iii. 24 accepted cases, pending court proceedings
 - iv. 5 partial/incomplete referrals, waiting for more information to determine whether to accept or decline
 - G. Director Alvarez informed Commission of an increase in streamline referrals from Arapahoe, Boulder, El Paso, Huerfano, La Plata and Las Animas counties.
 - H. Director Alvarez announced that today, 1.27.2021 is the one-year anniversary for OPG staff.
 - I. Chair Lesco asked for comments. There were none.
- V. **Follow-Up Discussion of Interim Evaluation of the Executive Director**

Chair Lesco informed that a separate meeting will be scheduled to discuss this item, because Commissioner Bennett-Woods had to leave the current meeting due to a personal emergency.

VI. **Public Comment**

- A. Maureen Welch stated that the OPG Commission Special Meeting in January 2021 was cancelled and needed to be mentioned as part of the record. Ms. Welch mentioned that the Oversight Role of the Commission policy should have been in place prior to the hiring of the Director. Ms. Welch requested to include the public's participation after every item of the agenda and to be notified of OPG appearances in front of other committees.
- B. Robert Hernandez, Former State Senator, stated that he has not received notices of the Commission meetings, even though he has provided his email address during the public comment section. Mr. Hernandez requested for the OPG office to layoff or furlough some of the employees and that funds be sent to the State General fund.
- C. Commissioner Chayet stated that the Commission appreciates public comments and takes them seriously. Commissioner Chayet further advised that the Commission's role is to serve and make sure that the public is aware of what the Commission is doing as well.
- D. Commissioner Chayet stated that even though public comment appears to be critical, that is not the intent. Public comment is to provide a prospective that the commission cannot get unless public comment is provided.

- E. Jim Tatten stated he listens to commission meetings because they can be very educational and informative. Mr. Tatten stated that public discussion can help in guiding the commission and the public in advancing state action towards the legislative goals.
- F. Mr. Hernandez stated that Senate Bill 129 was crafted very well by the Colorado Bar Association in terms of the supportive decision-making process rather than jumping into guardianship for people. Mr. Hernandez stated that this is the new model that is coming forward and that the OPG Office and Commission should begin to embrace it.
- G. Chair Lesco informed she provided the Colorado Bar Association with the supportive decision-making language and that it is one of her areas of interest. Chair Lesco stated that the OPG Office and Commission have long expressed support for it.
- H. Chair Lesco inquired about additional questions. There were none.

VII. Adjourn

Commissioner Zinn **moved** to adjourn the meeting. Commissioner Chayet **seconded** the motion. Motion **passed** unanimously. Meeting adjourned at 11:10 a.m.

There was no discussion regarding this item.

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.

Kelsey Lesco, Chair

Date

Debra Bennett-Woods, Vice-Chair

Date