

State of Colorado



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MEETING MINUTES

November 19, 2019

The State Personnel Board met in public session on Tuesday, November 19, 2019, at 1525 Sherman Street, First Floor Conference Room 104, Denver, Colorado 80203.

The meeting was called to order at 9:02 a.m. Board Members Patricia Bangert, Nora Kelly, Maurie Knaizer, Michelle Palmquist and Sarah Wager were present in person.

Rick Dindinger, Board Director, and Assistant Attorney General Amy Lopez, Board Counsel, were present in person.

Ms. Wager recused from the discussion of Pipeola v. DHS (SPB 2020G002) and Chol v. DHS (2020G004).

I. REPORT OF DEPARTMENT OF PERSONNEL AND ADMINISTRATION [DPA] AND REPORT OF THE DIVISION OF HUMAN RESOURCES [DHR].

There was no report scheduled this month.

II. REVIEW OF INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES ON APPEAL TO THE BOARD.

There were no Initial Decisions or other final orders on appeal to the Board this month.

III. REVIEW OF PRELIMINARY RECOMMENDATIONS OF THE ADMINISTRATIVE LAW JUDGES TO GRANT OR DENY PETITIONS FOR HEARING.

A. Grace Uki Novotny v. Department of Corrections, SPB 2020G005.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Palmquist moved to adopt the recommendation and deny the petition for hearing. Mr. Knaizer seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Ms. Wager. Ms. Bangert voted in opposition.

- B. John Farnes v. Colorado State University, Housing and Dining Services, SPB 2019G084.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Kelly moved to adopt the recommendation and deny the petition for hearing. Mr. Knaizer seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Ms. Wager.

- C. Travis Tyndall v. Department of Public Safety, Colorado State Patrol, SPB 2020G021.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Palmquist moved to adopt the recommendation and deny the petition for hearing. Ms. Bangert seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Ms. Wager.

- D. Oludare Pipeola v. Department of Human Services, Office of Children, Youth & Families, Division of Youth Services, Mount View Youth Services Center, SPB 2020G002.

Ms. Wager recused herself from discussion on this case and left the meeting room.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Bangert moved to adopt the recommendation and grant the petition for hearing. Ms. Kelly seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, and Ms. Palmquist.

After the vote, Ms. Wager remained outside of the meeting room.

- E. Paulino Chol v. Department of Human Services, Office of Children, Youth & Families, Division of Youth Services, Mount View Youth Services Center, SPB 2020G004.

Ms. Wager recused herself from discussion on this case and was not present in the meeting room.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Palmquist moved to adopt the recommendation and grant the petition for hearing. Ms. Kelly seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, and Ms. Palmquist.

Ms. Wager rejoined the meeting after the vote.

IV. INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES.

There were no Initial Decisions or other Final Orders of the Administrative Law Judges for review.

V. REVIEW OF MINUTES FROM THE OCTOBER 15, 2019, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Mr. Knaizer moved to approve the minutes as submitted. Ms. Kelly seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, Ms. Palmquist, and Ms. Wager.

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Board Counsel Lopez informed the Board that there are no updates as to the matters pending at the Colorado Court of Appeals.

B. GENERAL COMMENTS FROM ATTORNEYS, EMPLOYEE ORGANIZATIONS, PERSONNEL ADMINISTRATORS, AND THE PUBLIC.

- There were no comments made to the Board.

VII. PROPOSED LEGISLATION OR RULEMAKING.

There was no proposed legislation or rulemaking at the meeting.

VIII. EXECUTIVE SESSION.

The Board did not enter into executive session.

The Board meeting adjourned by consensus at 9:59 a.m.

SIGNED THIS 17th DAY OF DECEMBER, 2019.

Michelle Palmquist, Chair

Maurie Knaizer, Vice Chair

Patricia Bangert, Board Member

Nora Kelly, Board Member

Sarah Wager, Board Member