

State of Colorado



Jared Polis
Governor

Nora Kelly
Board Chair

Rick Dindinger
Board Director

State Personnel Board
1525 Sherman Street 4th Floor
Denver, Colorado 80203
Phone (303) 866-3300
Fax (303) 866-5038

MEETING MINUTES

December 15, 2020

The State Personnel Board met on December 15, 2020. Due to the COVID-19 pandemic, the Board held its meeting via a Zoom webinar.

The meeting was called to order at 9:01 a.m. Board Members Patricia Bangert, Nora Kelly, Karen Niparko, Sarah Wager, and Roxane White were present for the roll call via webinar. Rick Dindinger, Board Director, and Assistant Attorney General Amy Lopez, Board Counsel, were also present via webinar.

Members of the public also attended the meeting via webinar. In advance of the meeting, the Board posted information about the agenda and the webinar on its website.

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 reviewed this month.

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

A. Christina Heltzel v. Department of Natural Resources, Colorado Water Conservation Board, SPB 2021G013.

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

- B. Peter Kodjo v. Department of Human Services, Division of Financial Services, SPB 2021G008.

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

- C. Kehinde Samson Ogunlowo v. Department of Corrections, Sterling Correctional Facility, SPB 2021G015.

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

IV. INITIAL DECISIONS OF THE ADMINISTRATIVE LAW JUDGES FOR POTENTIAL REVIEW UNDER § 24-4-105(14)(a)(II), C.R.S.

- A. Holly Cappello v. Department of Human Services, Office of Behavioral Health, Colorado Mental Health Institute at Fort Logan, SPB 2020B046(c).

The Board did not take any action.

V. REVIEW OF MINUTES FROM THE NOVEMBER 17, 2020, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

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

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Director Dindinger reported that the Board's website included a webinar link to today's Board meeting and will do so in the future.
- Director Dindinger updated the Board on the process for collecting signatures for the meeting minutes.
- Director Dindinger updated the Board regarding the status of Chapter 7. The State Attorney General approved the proposed changes. The Statewide Chief Human Resources Officer, Ramona Gomoll, thanked the Board for its feedback on Chapter 7. We are on track for the revised Chapter 7 to become effective February 2, 2021.
- By consensus, the Board meetings on January 19, 2021 and March 16, 2021 will start at 8:00 a.m.

- By consensus, Director Dindinger will explore recording of Board meetings.

B. GENERAL COMMENTS.

- In advance of the meeting, the Board did not receive any written comments for the Board's consideration or any requests to share a general public comment.

VII. PROPOSED LEGISLATION OR RULEMAKING.

The Board voted to set a joint rulemaking hearing with the Statewide Chief Human Resources Officer regarding Chapter 8 (Resolutions of Appeals and Disputes) for January 19, 2021 at 9:00 a.m. Ms. Kelly moved to set the joint rulemaking hearing. Ms. Bangert seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Ms. Niparko, Ms. Wager and Ms. White.

VIII. EXECUTIVE SESSION.

The Board did not enter into executive session.

The Board meeting adjourned by consensus at 10:05 a.m.

SIGNED THIS 19th DAY OF JANUARY, 2021.

Nora Kelly, Chair

Sarah Wager, Vice Chair

Patricia Bangert, Board Member

Karen Niparko, Board Member

Roxane White, Board Member