

# State of Colorado



**Jared Polis**  
*Governor*

**Nora Kelly**  
*Board Chair*

**Rick Dindinger**  
*Board Director*

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

## **MEETING MINUTES**

January 19, 2021

The State Personnel Board met on January 19, 2021. Due to the COVID-19 pandemic, the Board held its meeting via a Zoom webinar.

The meeting was called to order at 8:03 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. Kari Rosenbaum v. Department of Corrections, SPB 2020G087(c).**

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Ms. Bangert moved to adopt the recommendation and grant Complainant's petition for hearing. Ms. Kelly 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. Shannon Anglund v. Department of Human Services, Office of Behavioral Health, SPB 2020G046.

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. 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.

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

- A. Ayman Salloum v. Department of Transportation, SPB 2019G031(c).

The Board did not take any action.

**V. REVIEW OF MINUTES FROM THE DECEMBER 15, 2020, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.**

Ms. White moved to approve the minutes as submitted. 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.

**VI. ADMINISTRATIVE MATTERS & COMMENTS.**

A. ADMINISTRATIVE MATTERS.

- Board Counsel Lopez updated the Board on *McCauley v. Department of Revenue* (SPB No. 2014B061; Court of Appeals No. 2020CA1344). Ms. Lopez filed her brief on behalf of the Board. The briefing process is not yet complete.
- Director Dindinger reminded everyone that the Board Meeting on March 16, 2021 would start at 8:00 a.m.

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 6 (Performance) for March 16, 2021 at 9:00 a.m. Ms. Kelly moved to set the joint rulemaking 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.

**VIII. EXECUTIVE SESSION.**

The Board did not enter into executive session.

**IX. JOINT RULEMAKING HEARING.**

The Board conducted a joint rulemaking hearing with Ramona Gomoll (the Statewide Chief Human Resources Officer) regarding proposed changes to the Board Rules in Chapter 8 (Resolution of Appeals and Disputes). The rulemaking hearing started at 9:00 a.m.

Rick Dindinger (Board Director) and Clara Woodmansee (the Director of the statewide Human Resources Consulting Team) made staff presentations regarding the proposed changes to Chapter 8.

The Board and the Statewide Chief Human Resources Officer heard testimony from William Finger, Michelle Brissette Miller, Jeanne Baak, Mark Schwane, Stacy Worthington, Jacob Paul, Casey Leier, and Joi Simpson regarding the proposed changes to Chapter 8. In addition, Molly Moats submitted a chat comment that was read into the record.

The record closed at the conclusion of the public testimony.

The Board deliberated on the proposed changes. The Board voted unanimously to recess its deliberations at 2:42 p.m. The Board will continue its deliberation on February 16, 2021. The Board will start its regular meeting on February 16 at 8:00 a.m.

The Board meeting adjourned by consensus at 2:43 p.m.

**SIGNED THIS 16th DAY OF FEBRUARY, 2021.**

\_\_\_\_\_  
Nora Kelly, Chair

\_\_\_\_\_  
Sarah Wager, Vice Chair

\_\_\_\_\_  
Patricia Bangert, Board Member

\_\_\_\_\_  
Karen Niparko, Board Member

\_\_\_\_\_  
Roxane White, Board Member