

# State of Colorado



Jared Polis  
*Governor*

Sarah Wager  
*Board Chair*

Rick Dindinger  
*Board Director*

**State Personnel Board**  
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## **MEETING MINUTES**

September 17, 2024

The State Personnel Board met on September 17, 2024. The Board held its meeting via webinar using Zoom. Members of the public attended the meeting. In advance of the meeting, the Board posted information on its website about the agenda and webinar.

The meeting was called to order at 9:01 a.m. Board Members Kimberley Dempster, F. Robert Lee, David Ruchman, Euell Thomas, and Sarah Wager were present for the roll call. Rick Dindinger (Board Director) and Jenna Anderson, Esq. (Board Counsel) were also present for the meeting.

### **I. REPORT OF THE DEPARTMENT OF PERSONNEL & 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 BY THE PARTIES TO THE STATE PERSONNEL BOARD.**

#### **A. Mercedes Mayes v. Department of Human Services, SPB 2024S008.**

Following discussion of the Administrative Law Judge's Initial Decision and the parties' briefs, the Board acted as follows: Lee moved to affirm the Initial Decision. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Lee, Ruchman, Thomas, and Wager.

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

There were no Preliminary Reviews for review.

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

There were no Initial Decisions or other final orders for review under C.R.S. § 24-4-105(14)(a)(II).

**V. REVIEW OF MINUTES FROM THE AUGUST 20, 2024, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.**

Dempster moved to approve the minutes as submitted. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Ruchman, and Wager. Lee and Thomas abstained.

**VI. ADMINISTRATIVE MATTERS & COMMENTS.**

**A. ADMINISTRATIVE MATTERS.**

- Dindinger reported on various trends with respect to the Board's appeals, preliminary recommendations, hearings, initial decisions, and settlement program.

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

- Charles Nocera made a public comment.

**VII. RULEMAKING HEARING.**

None.

**VIII. EXECUTIVE SESSION.**

At 9:30 a.m., Wager moved to enter an executive session for the following purposes:

- For the purpose of discussing personnel matters pursuant to C.R.S. § 24-6-402(3) regarding a potential spot award.
- For the purpose of receiving legal advice and legal training pursuant to C.R.S. § 24-6-402(3), specifically as to Board Member Ethics, Board Member Conflicts of Interest, and the matters set forth in C.R.S. § 24-3.7-102.

Ruchman seconded the motion. Dindinger requested that the discussion relating to the personnel matter take place during an executive session. The motion carried on the

affirmative vote of the following Board members: Dempster, Lee, Ruchman, Thomas, and Wager.

The Board entered into executive session at 9:33 a.m. The executive session ended at 9:52 a.m. The Board returned to public session.

Wager announced that the Board completed its annual training.

Wager moved to award a spot award as discussed during the executive session. Thomas seconded the motion. The motion carried on the affirmative vote of the following Board Members: Dempster, Lee, Ruchman, Thomas, and Wager.

The Board meeting adjourned by consensus at 9:55 a.m.

**SIGNED THIS 15th DAY OF OCTOBER 2024.**

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Sarah Wager, Chair

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David Ruchman, Vice Chair

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Kimberley Dempster, Board Member

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F. Robert Lee, Board Member

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Euell Thomas, Board Member