

State of Colorado



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MEETING MINUTES

October 15, 2019

The State Personnel Board met in public session on Tuesday, October 15, 2019, at 1525 Sherman Street, First Floor Conference Room 104, Denver, Colorado 80203.

The meeting was called to order at 9:00 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. Sue Kim, Special Assistant Attorney General, appeared via telephone for a portion of the meeting.

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. Dustin Chalker v. Department of Public Health & Environment, Air Pollution Control Division, SPB 2018S064.

Ms. Palmquist moved to adopt the preliminary recommendation of the Administrative Law Judge and grant 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.

- B. Tana Rosenberg v. Department of Regulatory Agencies, Division of Insurance, SPB 2019G072.

Ms. Bangert moved to adopt the preliminary recommendation of the Administrative Law Judge and deny the petition for hearing. Ms. Palmquist 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. Linda Stanley v. Department of Revenue, SPB 2019G053.

Ms. Lopez recused herself and left the meeting room during the discussion on this case. Ms. Kim joined the meeting via telephone during the discussion of this case.

Ms. Palmquist moved to adopt the preliminary recommendation of the Administrative Law Judge and deny 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, Ms. Palmquist and Ms. Wager.

Ms. Lopez rejoined the meeting after the vote. Ms. Kim left 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 SEPTEMBER 17, 2019, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

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

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. OTHER BOARD BUSINESS.

- Mr. Dindinger asked the Board Members to review and sign affirmation statements relating to the training held on September 17, 2019.
- Mr. Dindinger informed the Board about the University of Colorado Law School Civil Practice Clinic entering its appearance in five Board matters.

- Mr. Dindinger discussed Board Member requests for additional information and a guidance he prepared related to those requests.

C. 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 9:42 a.m.

SIGNED THIS 19th DAY OF NOVEMBER, 2019.

Michelle Palmquist, Chair

Maurie Knaizer, Vice Chair

Patricia Bangert, Board Member

Nora Kelly, Board Member

Sarah Wager, Board Member