

OFFICE OF THE COLORADO'S CHILD PROTECTION BOARD

**PUBLIC MEETING
January 14, 2016**

Record of Proceedings

Notice of this meeting was provided pursuant to the Colorado Open Meetings Law, §24-6-402, C.R.S.

CONVENE

The meeting of the Office of the Colorado's Child Protection Ombudsman Board was convened in the Ralph L. Carr Judicial Center, 1300 Broadway, Conference Room 1F, Denver, Colorado 80203 at 9:05 AM by Chairman Ken Plotz.

A quorum of the Board was present.

Present at the Meeting

Board Members

Chairman Ken Plotz
Vice-Chair Ginny Riley
Pax Moultrie
Victoria Black
Joe Carrica
Jose Mondragon*
Charles Greenacre*
Peg Rudden
Sarie Ates-Patterson
Simone Jones

**Participated by Telephone*

Others Present

Stephanie Villafuerte, Executive Director/Child Protection Ombudsman
Sabrina Byrnes, Deputy Ombudsman
Karen Nielsen, Intake and Administrative Coordinator
Sueanna Johnson, Asst. Atty. General

AGENDA ITEMS

I. Public Comment –

None

II. Approval of Minutes –

Vice-Chair Ginny Riley made a motion to approve the minutes of December 10, 2015. Peg Rudden seconded the motion. The motion passed unanimously.

Comments –

Chairman Ken Plotz indicated that he still needs to send Thank You notes to the Child Protection Ombudsman applicants and the prior Ombudsman. He indicated that he would get those letters completed by the end of business day January 15, 2016.

Chairman Ken Plotz spoke on behalf of himself and Stephanie Villafuerte indicating that they had met briefly about the OCPO Employee Handbook. He reported that he thought that Asst. Atty. General, Sueanna Johnson will appear later in the meeting to discuss the need for the board to engage in the rule making process.

III. Discussion of 2016 Legislative Session and pending legislation –

Chairman Plotz reported that he had received a copy of Senator Newell's proposed legislation – Entitled "Clean Up Bill—Child Protection Ombudsman Office." He stated that a stakeholder meeting was set for January 15, 2016 at 10:30 AM to discuss the bill and that he will be present for the meeting tomorrow. He invited others on the board to attend if they could make it.

Several board members reported that they were contacted by the governor's office about the proposed legislation. They were told that there is a public perception that the board spearheaded/supported the legislation. Board members expressed concerns about these perceptions and wanted it to be known that this board did not propose the bill and is not currently taking a position on it. The board agreed that the minutes will show that they did not engage in any discussions that would have led to the proposed legislation.

Some board members expressed concerns that the proposed legislation may be premature and that they would like time to work as a board before the statute is changed. Executive Director, Ms. Villafuerte reported that neither she nor the Ombudsman office staff will be weighing in on this legislation.

There was additional discussion on the bill as it currently provides that the Ombudsman cannot be subpoenaed in domestic relations cases. Ms. Villafuerte and other board members expressed concern generally about the

Ombudsman staff being subpoenaed and the impact this would have on the office's resources. This discussion was tabled for a future meeting after the legislative stakeholder meeting.

Ms. Ates-Patterson made a motion to approve that a board member should attend the meeting at Senator Newell's office on January 15, 2016 at 10:30 AM and that it be made known that the board did not sponsor the legislation. She also asked that the stakeholder group know that the board does not have a position on the proposed legislation at this time. Pax Moultrie seconded the motion. The motion passed 8 / 1 / 1 (undecided).

Chairman Plotz agreed to attend Senator Linda Newell's proposed legislation meeting tomorrow, January 15, 2016, on the board's behalf.

IV. Executive Director Report -

Executive Director, Ms. Villafuerte introduced herself and talked about her experience working with boards in the past and that she likes to discuss the following general information;

Operations/Administration Update
Financial Report
Public Policy Report
Agency (Day to Day) Update
Next Steps

She reported that she will provide the board with an Executive Director Report five business days in advance of each board meeting so that all members have time to review it.

1. Operations/Administrative Update –

Ms. Villafuerte thanked Sabrina Byrnes and Karen Nielsen for keeping the office going during this transition phase.

Office Space:

Ms. Villafuerte reported that the office will be moving on January 19, 2016, to a temporary location in the Ralph L. Carr building in Suite 420. She indicated that the Ombudsman's Office will be sharing the space with the Respondent Parent Council Office. She provided the board with the new mailing address and talked about the benefits of cost sharing the space.

Technology:

Executive Director, Ms. Villafuerte reported on the office technology and the plan to move into the new space.

Deputy Ombudsman, Ms. Byrnes talked about the capabilities of a new database that is being built and how the office plans to gather data. It is anticipated that the new database will be rolled out in late Spring. Board members expressed an interest in knowing how the database will track trends and issues state-wide and how it will impact recommendations and improving overall systems in the future. Ms. Villafuerte assured the board that she will keep them posted on the progress of the database and on systemic research.

Accounting:

Executive Director, Ms. Villafuerte, reported that she has a procurement card in process and that the office is setting up a process to pay vendors. She further stated that she now has a system in place to provide the board with financial reports.

Personnel:

Ms. Villafuerte stated that all employees are on the state payroll system and receiving benefits. Ms. Villafuerte further reported that she has plans to post for an investigator position sometime in February.

Ms. Villafuerte also reported that the temporary employee handbook and rules need to be finalized by mid-April. The board was asked by Chairman Plotz to forward any suggestions they have to change or amend the "temporary" rules to the executive director.

2. Financial Report –

CDHS Contract:

Executive Director, Ms. Villafuerte, reported the CDHS and NACC are wrapping up the final invoices and reconciling a few bills. She stated that the final close date for the contract is March 2016. Ms. Villafuerte indicated that there was \$15-20k dollars and remaining and that those dollars will go back into the account.

Agency year-to-date Expenses:

Executive Director, Ms. Villafuerte reported that the balance after the December of 2015 billing is \$207,274.00.

Legal Fees:

Ms. Villafuerte stated that the legal fees year to date are at \$23,674.12. She reported that legal expenses were not budgeted for when creating the office and there is no money for ongoing legal services. Ms. Villafuerte stated that a request for additional money was made to the Joint Budget Committee. The Committee approved an increase of \$21,000. This request must now be voted upon by the general assembly.

Ms. Villafuerte, further reported that there are remaining legal issues that need to be addressed including finalizing the personnel rules, CORA compliance, subpoena requests and board requests. The board discussed the need to find a balance when utilizing legal services.

Board Expenses:

Ms. Villafuerte stated that board expenses were not budgeted for in the 2015 legislation. She discussed her concerns around paying for the board's ongoing expenses. She reported that the year to date expenses were \$1500.00 (for October/November 2015). She also reported that the office will be using the Judicial Reimbursement policies to pay those expenses. Ms. Villafuerte and the board talked about different ways to reduce costs for the board including reducing the frequency of meetings. The board agreed that once they have developed a better relationship with Ms. Villafuerte and the office that they would consider fewer meetings in the future.

Additional expenses to build out permanent office space:

Executive Director, Ms. Villafuerte stated that there will be additional expenses to build out the permanent office space. She reported that she is working with architects and judicial management to get these issues resolved.

Chairman Plotz reported that he needed the advice of legal counsel for discussion of and adopting the personnel rules and policies.

At 10:28 AM the request of Chairman Plotz, Mr. Carrica made a motion to enter into executive session for the purpose of receiving legal advice concerning the discussion and adoption of the personnel rules and policies. Peg Rudden seconded the motion. The motion passed unanimously.

****Break mid-report: Executive Session was held for the Board to receive legal advice pursuant to § 24-6-402(3)(a)(II), C.R.S. The issue was whether the Ombudsman office is required to engage in the administrative rule making process.**

The Executive Session was recorded in compliance with §24-6-402(2)(d.5)(I)(A), C.R.S

Return to Open Meeting

At 10:43 AM Chairman Plotz returned the meeting to open session.

3. Public Policy Report –

Executive Director, Ms. Villafuerte reported how she has developed a working spreadsheet that will track 2016 legislation and the office position on each piece of legislation.

She further reported that she believes in using research and data to inform public policy decisions. Ms. Villafuerte reported that she plans to post information on the office website and provide the board with regular legislative updates on all proposed legislation impacting child welfare. She stated that she plans to report on the offices participation in ongoing legislative, rule and public policy discussions. The board members agreed that they would like to be kept apprised and informed of the legislation and "hot topics" in the event that they are contacted by the public.

4. Agency Update –

Deputy Ombudsman, Sabrina Byrnes provided the board with an update on the agency's work. She discussed the call volume (up 325% since year one), contacts, cases, investigations, outreach and training that the office has done, and some of the public policy trends the office has seen.

Ms. Byrnes also talked about with the move to the new location, how the public and stakeholders will be able to continue to contact this office

during the transition. The board raised some questions about outreach and how the office plans to promote the office to foster youth and the long term strategic plan. Executive Director, Ms. Villafuerte also talked about the plan to utilize social media, the counties, and different community agencies to get the word out there that the office exists and how to access the offices resources.

Ms. Byrnes talked about the low response from the counties on educating their employees about the office and providing their clients with the office information. Board members had suggestions on where to reach out to the public and agreed to have ongoing discussions on addressing this issue about educating the public about the office.

5. Next Steps –

Executive Director Agency Assessment:

Executive Director, Ms. Villafuerte talked about continuing to review the agency policies, practice, and procedures and develop a "state of the agency" report for the board in written and verbal form mid-April 2016. She also wants to make outreach to the community to see how the office is perceived by others in the community.

Ms. Villafuerte talked about developing a strategic plan and agency profile for fiscal year 2016-2017. She reported that she plans to implement this strategic plan on July 1, 2016. The board was in support of Ms. Villafuerte building a strategic plan and offered suggestions. They also voiced their concerns about the limited budget and financial constraints that may impact the office moving forward.

ADJOURN

Chairman Plotz thanked Mrs. Villafuerte and her staff for having a seamless transition and appreciated the thorough report.


Ms. Ates-Patterson moved to adjourn. Ms. Riley seconded the motion. The board unanimously approved the motion.

Next meeting scheduled for February 11, 2016 at 9:00 AM.

The board formally adjourned the meeting at 11:27 AM.

ATTESTATION

As Board Chair and Board Vice Chair, I attest that these minutes of the open public meeting held on January, 14, 2016 of the Office of the Colorado's Child Protection Ombudsman Board substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Board and in compliance with the Open Meetings Law, § 24-6-402, C.R.S.



Board Chair



Board Vice Chair

2-11-16

Date

6/19/16

Date