

OFFICE OF THE COLORADO'S CHILD PROTECTION BOARD

PUBLIC MEETING October 20, 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 ID, Denver, Colorado 80203 at 9:00 AM by Chairman, Judge Ken Plotz.

Present at the Meeting Board Members

Chairman Ken Plotz
Charles Greenacre
Peg Rudden
Simone Jones
Sarie Ates-Patterson
Dee Martinez
Karen Beye
Ginny Riley

Staff

Sabrina Burbidge, Deputy Ombudsman

From the Public

N/A

Absent

Pax Moultrie
Victoria Shuler
Constance Linn

AGENDA ITEMS

I. Public Comment

None

II. Setting of the salary range for the Executive Director of the Office of Colorado's Child Protection Ombudsman

- Chairman Plotz opened the meeting by discussing the two reasons for setting an Emergency Board Meeting.
 - The Joint Budget Committee requires that a salary range be set for the position of Child Protection Ombudsman.
 - New information has been provided to the Board to make a thorough assessment of the job and set a range commensurate with the job duties. Chairman Plotz drew the Board's attention to the memo drafted by the State Court Administrator's Office (SCAO) dated September 11, 2015.
- Summary of Discussion:
 - Chairmain Plotz opened the discussion, recommending that the Board accept the recommendations as outlined in the SCAO memo dated September 11, 2015 for the following reasons:
 - The position is difficult and calls for systemic and individual case review of a variety of systems.
 - The position requires supervision of special investigators that must possess a high level of specific and specialized expertise, therefore requiring the Ombudsman to hold the same level of specialized expertise and knowledge.
 - The position requires that the Ombudsman, along with other above duties, must also run an independent state office and manage staff.
 - Judge Charles Greenacre, Vice-Chair Ginny Riley, Ms. Peg Rudden, Ms. Simone Jones and Ms. Karen Beye continued the conversation stating they agreed with the recommendations outlined in the SCAO memo. Ms. Beye added that it was important to consider the critical nature of this position and its charge to impact and change the system. Ms. Jones discussed that the salary range was in line with other comparable executive director positions within state government.
 - Ms. Sarie Ates-Patterson and Ms. Dee Martinez voiced concern in the delay in receiving the September 2015 SCAO memo, as well as concern that the range listed in the memo would change the salary for the Child Protection Ombudsman which had previously

been discussed and voted on at an earlier meeting.

- Vice-Chair Riley made a motion that the Board adopt a salary range for the Child Protection Ombudsman of \$120,996 to \$159,320 and expressed the importance of remaining consistent with the recommendations of the SCAO. Ms. Jones seconded the motion. The vote went as follows:
 - Aye (6): Ms. Simone Jones, Vice-Chair Ginny Riley, Ms. Peg Rudden, Chairman Ken Plotz, Judge Charles Greenacre, Ms. Karen Beye
 - Nay (2): Ms. Dee Martinez and Ms. Sarie Ates-Patterson

The motion did not carry.

- Ms. Ates-Patterson and Ms. Martinez voiced concern again for changing the recommendation made at a prior meeting. Ms. Ates-Patterson further discussed concern for the delay in receiving materials and frustration that the Board is seemingly continually working on an emergency basis. The remainder of the Board shared this concern. Ms. Ates-Patterson voiced concern that this meeting was set to discuss a salary range and the range that has been proposed is higher than the previously discussed salary, therefore making the meeting about increasing the salary for the Child Protection Ombudsman.
- Chairman Plotz recognized and validated the concerns, however, he also explained to the Board that they were facing a deadline based on when budget requests were due to be submitted to the Joint Budget Committee.
- Vice-Chair Riley agreed with the frustrations of the timing, but stated her main concern was that the Board may recommend a different salary range than that of the SCAO who had researched the position and set a range which they report to be comparable to the position. A question was raised if both recommendations would go before the JBC. The Deputy Ombudsman explained that all documents that were provided to the Board relevant to the setting of the salary would be provided as an appendix to the budget request being submitted before the JBC.
- Ms. Martinez shared that she believed the range should start at \$115,000 and go through \$155,250. A motion was made and seconded by Ms. Ates-Patterson to set the salary range at \$115,000 to \$155,250. The vote went as follows:
 - Aye (2): Ms. Dee Martinez and Ms. Sarie Ates-Patterson
 - Nay (6): Ms. Simone Jones, Vice-Chair Ginny Riley, Ms. Peg Rudden, Chairman Ken Plotz, Judge Charles Greenacre, Ms. Karen Beye

The motion did not carry.

- Ms. Jones had to leave the call due to a previously scheduled conflict.
- Judge Greenacre asked Ms. Martinez and Ms. Ates-Patterson for their basis for desiring to set the range beginning at \$115,000.
- Discussion continued around concerns that the Board was rushed in making a decision and feeling that information was not provided to the Board by CPO staff in a timely fashion. Chairman Plotz interjected and pointed the Board to the salary ranges for all staff at the CPO, particularly that of the Deputy Ombudsman. Vice-Chair Riley voiced, that in her experience as a county director, tiered salaries were typically separated by 10% to 15%.
- Ms. Ates-Patterson stated she would change her vote, but requested it be noted that she feels this situation was handled poorly and that information was being presented to the Board in an untimely fashion and too much pressure was placed on the Board to make decisions in unreasonable timeframes. Many members of the Board agreed with Ms. Ates-Patterson's statements regarding the Board being continuously rushed to make decisions.
- Ms. Sueanna Johnson, the CPO's Attorney General, advised the Board that the CPO had requested this information in advance and had difficulty in acquiring the 2010 IOA survey. Ms. Johnson stated she was uncertain why the 2015 memo was not provided. Chairman Plotz interjected that it appeared to be a mistake and that mistakes are going to happen. Ms. Johnson went on to say that the CPO staff was also trying to do the best job they could under the time constraints they are dealing with. Ms. Johnson reminded the Board that part of their responsibilities as members of the Board is to bring their experiences and expertise, as well as independent research, to the meetings, and to not solely rely on CPO staff to provide all of the information they find necessary to fulfill their duties.
- Ms. Martinez voiced concerns that by setting this salary range, the Child Protection Ombudsman would be receiving a 9% salary increase, which she found to be unfair to the county departments and the remainder of state employees as she stated that no other state employee will be receiving that sizable of an increase. The Deputy Ombudsman clarified that this discussion and process was not about providing a salary increase to the current ombudsman, but more about coming into compliance with the statutory mandate which states that the Legislature is to set the salary of the Child Protection Ombudsman. The Deputy Ombudsman advised that this has not occurred in five years and that the Board needed to consider a range that would set the Office up for success in years to come, should the need arise to recruit and appoint another Child Protection Ombudsman and ensuring that the salary range was competitive and in line with the education and experience required to hold the position.


- Ms. Beye agreed that timely distribution of documents to the Board does need to be addressed. She added that had a range been set several years ago the salary would have been higher and the need for an emergency meeting would not have existed.
- Vice-Chair Riley proposed a motion to set the salary range for the Child Protection Ombudsman at \$120,996 to \$159,320. The motion was seconded by Ms. Beye. A vote was held and motion carried with a vote of 7-0.
 - Aye (7): Vice-Chair Ginny Riley, Ms. Karen Beye, Chairman Ken Plotz, Judge Charles Greenacre, Ms. Dee Martinez, Ms. Sarie Ates-Patterson, Ms. Peg Rudden.
 - Nay (0): None

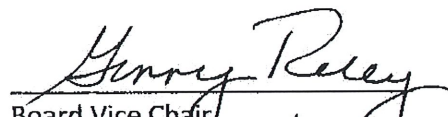
The Child Protection Ombudsman Salary was set with a range from \$120,996 to \$159,320 and Chairman Plotz adjourned the meeting.

The meeting was concluded at 10:30 a.m.

ATTESTATION

As Board Chair and Board Vice Chair, I attest that these minutes of the open public meeting held on June 9, 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
 1/10/17
 Date


 Board Vice Chair
 12/12/16
 Date