

MOTOR VEHICLE DEALER BOARD MINUTES

May 18, 2021

The regular meeting of the Dealer Board was held via video conference with Cisco Webex. The following persons were virtually present:

BOARD MEMBERS:

Carrie Ann Baumgart
Charla Berens
Fletcher Flower
John Linton
Matthew Porter
Kevin Shaughnessy
Luke Walch
Michael Widhalm

MEMBERS ABSENT:

Ramona Graves Bode

**SENIOR DIRECTOR, SPECIALIZED
BUSINESS GROUP:**

Cory Amend

EXECUTIVE SECRETARY:

Chris Rouze

**DEPT OF REVENUE,
AID, ENFORCEMENT
DIVISION STAFF:**

Chris Hartman
John Opeka
Frank Agos
Josh Dexter
Gloria Breeden
Erika Garcia
Cheryl Morrison
Suzi Karrer
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Brad Jones
Sarah Killeen
Torrey Samson
Sue Kim
Robert Dodd
Keenan Lorenz
Emely Garcia

VISITORS:

Mr. Daniel Buffington, TerraCraft Outdoors, LLC
David Cardella, CIADA
Matthew Groves, CADA
Peter Barrett

President, John Linton, opened the meeting of May 18, 2021 at 10:01 a.m. Mr. Linton turned the floor over to Executive Secretary, Chris Rouze.

AGENDA REVIEW AND ANNOUNCEMENTS

Ms. Rouze informed the Board that there are no changes to the agenda as posted. Ms. Bode will not be in attendance today.

Ms. Rouze informed the Board that Executive Director, Mark Ferrandino, has accepted the Board's recommendation for a 35% fee reduction. The fee reduction does not pertain to the off-premise permit, late or reprint fees, which will remain the same. The new fees are effective July 1, 2021 and will be posted to the Division's website.

Ms. Rouze also informed the Board that the online application for salesperson renewal will be tested at the end of May with the assistance of the Phil Long dealership. Ms. Sue Kim and Mr. Keenan Lorenz are in attendance for the Exceptions hearing in regard to the Peter Barrett matter.

MINUTES

The minutes of the April 20, 2021 meeting were approved 6-0-1 (Mr. Walch abstained).

BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

Dealer Application:

- **TerraCraft Outdoors LLC #44959** – Motion to grant the license – passed unanimously.

EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Initial Decision – Songsu Kim, Motor Vehicle Salesperson License #206742** – Motion was made to accept the Findings of Fact, Conclusions of Law and to uphold the hearing officer's recommendation and deny the license – passed unanimously.

COMPLAINT INVESTIGATIONS REPORT

Ms. Hartman presented the following to the Board:

Statistical Reporting – Ms. Hartman informed the Board that we started with 227 cases, 140 new cases were opened and 75 cases were closed for the month, giving the Division a balance of 256 open cases. There were 277 background inquiries performed.

New Business – None

Public Comment – None

Board took a break until 10:30 a.m. for review of the initial decision.

At 10:33 a.m. the Board reconvened for the review of the Initial Decision in case #BD 19-0888.

A motion was made to enter into executive session at this time in order to seek legal advice pursuant to section 24-6-402(3)(a)(II), C.R.S.; specifically, in regard to the Peter Barrett matter – approved unanimously.

Board entered into Executive Session at 10:41 a.m. and Resumed Open Session at 11:19 a.m.

REVIEW OF INITIAL DECISION UPON FILING OF EXCEPTIONS

Case #BD 19-0888

Peter J. Barrett appearing Pro se

Torrey Samson, Assistant Attorney General, appearing on behalf of the State

Oral arguments, board deliberation and final ruling were heard pursuant to the exceptions process.

A motion was made to send the matter back to a hearing officer for further review – passed 5-2 (Berens, Porter opposed).

A motion was made to delegate authority to the Executive Secretary to sign the final order on behalf of the Board – passed unanimously.

The meeting of the Motor Vehicle Dealer Board was adjourned at 12:11 p.m.

(Note: The Minutes of the Motor Vehicle Dealer Board summarize the contents of the meeting. They are not verbatim transcripts and are based principally upon the digital recording of the meeting and upon the later collaboration of staff attendees to ensure that the summary faithfully captures the matters before the Board and the actions the Board took. The digital recording of the meeting is a permanent record of the Board, retained in the electronic filing system of the Auto Industry Division, and is available as a resource for review, as needed.)

Chris J. Rouze
Executive Secretary