

**MOTOR VEHICLE DEALER BOARD
MINUTES
September 19, 2023**

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

BOARD MEMBERS:

Fletcher Flower
Matthew Gebhardt
Amanda Gordon
David Guttenberg
Kevin Shaughnessy

MEMBERS ABSENT:

Charla Berens
Kathleen Chandler
Seth Wong

ACTING EXECUTIVE SECRETARY:

John Opeka

DEPT. OF REVENUE SBG/AID STAFF:

Frank Agos
Gloria Breeden
Joshua Dexter
Billy Maestas
Tim Rotter
San Trieu
Kevin Paquette
Lisa Garcia
Cheryl Morrison
Jason Stern
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Sarah Killeen

VISITORS:

Michael Groves, CADA
Art Erwin
Harlan Norby

President, Amanda Gordon, opened the meeting of September 19, 2023, at 9:03 a.m. Ms. Gordon turned the floor over to Acting Executive Secretary, John Opeka.

AGENDA REVIEW AND ANNOUNCEMENTS

Mr. Opeka stated that meetings of the Colorado Motor Vehicle Dealer Board are opened to the public and are recorded. Members of the press may be in attendance and all comments, contributions, videos, images, and documents presented during the public session of the Colorado Motor Vehicle Dealer Board are considered public open records. Members of the media should direct any inquiries about this meeting and or open records to the Division's public information officer, Shannon Gray.

Mr. Opeka informed the Board that Ms. Rouze, Ms. Berens, Ms. Chandler and Mr. Wong will not be in attendance today.

Mr. Opeka turned the floor over to Senior Assistant Attorney General, Sarah Killeen, for the Board's required annual training.

In accordance with C.R.S. 24-3.7-102 Best Practices for State Boards and Commissions, the Board entered their required annual training.

The Board took a break.

The regular meeting of the Motor Vehicle Dealer Board resumed at 11:01 a.m.

MINUTES

The minutes of the August 15, 2023, meeting was tabled until next month because only 4 members were in attendance from the previous board meeting which did not constitute a quorum.

COMPLAINT INVESTIGATIONS REPORT

Mr. Dexter presented the following to the Board:

Statistical Reporting - Mr. Dexter informed the Board that we started with 421 cases, 124 new cases were opened, and 126 cases were closed, giving the Division a balance of 419 open cases. There were 473 background inquiries performed.

Affidavits of Probable Cause:

- **Red Rock Hyundai, DL #44101** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Red Rock Hyundai, Dealer License #44101; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be

permitted to engage in settlement negotiations pursuant to C.R.S. 44-20-104 - passed unanimously (Ms. Gordon as Chair voted).

- **COIMPORTS, DL #42955** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to COIMPORTS, Dealer License #42955; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be permitted to engage in settlement negotiations pursuant to C.R.S. 44-20-104 - passed unanimously (Ms. Gordon as Chair voted).
- **Columbine Ford, DL #42433** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Columbine Ford, Dealer License #42433; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be permitted to engage in settlement negotiations pursuant to C.R.S. 44-20-104 - passed unanimously (Ms. Gordon as Chair voted).
- **Kaete McKinnon, SL #206981** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Kaete McKinnon, Salesperson License #206981; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously (Ms. Gordon as Chair voted).
- **Anthony Calvillo, SL #197082** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Anthony Calvillo, Salesperson License #197082; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously (Ms. Gordon as Chair voted).

New Business - None

Public Comment - None

The meeting of the Motor Vehicle Dealer Board was adjourned at 11:14 a.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