

**MOTOR VEHICLE DEALER BOARD
MINUTES**

October 19, 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
Kathleen Chandler
Fletcher Flower
Amanda Gordon
John Linton
Luke Walch

MEMBERS ABSENT:

Kevin Shaughnessy

**SENIOR DIRECTOR
SPECIALIZED BUSINESS GROUP:**

Cory Amend

EXECUTIVE SECRETARY:

Chris Rouze

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

John Opeka
Gloria Breeden
Frank Agos
Joshua Dexter
Cheryl Morrison
Erika Garcia
James Osborn
Timothy Rotter
Lenny Abeyta
Mary Munger
Suzi Karrer
Beth Spellerberg
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Sarah Killeen

VISITORS:

Matthew Groves, CADA
Art Erwin, Christopher's Dodge Ram, Inc.
Kris Eckhardt

President, John Linton, opened the meeting of October 19, 2021 at 9:02 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. Mr. Shaughnessy will not be in attendance today.

Ms. Rouze informed the Board that there will be a Rulemaking Hearing next month in regard to the proposed change to the Pre-Licensing Education Program requirements rule recommended by the Stakeholder Working Group. The information for this proposed change will be included in next month's meeting flash drive.

A second meeting of Stakeholder Working Group 2, Advertising Rule #3, has been scheduled for Tuesday, November 9, 2021 at 2 p.m.

MINUTES

The minutes of the September 21, 2021 meeting were approved unanimously.

COMPLAINT INVESTIGATIONS REPORT

Mr. Dexter presented the following to the Board:

Statistical Reporting - Mr. Dexter informed the Board that we started with 240 cases, 110 new cases were opened and 82 cases were closed for the month, giving the Division a balance of 268 open cases. There were 173 background inquiries performed.

Affidavits of Probable Cause:

- **Auto Pro Buys #44390** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Auto Pro Buys, Dealer License #44390; 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 - approved unanimously.
- **Andrew James Wutke, SL #192540** - Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Andrew James Wutke, Salesperson #192540; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits and that the Colorado Motor Vehicle Dealer Board summarily suspend his motor vehicle salesperson's license in accordance with C.R.S. 24-4-104 as he has engaged in deliberate and willful acts his conduct poses a threat to the public health, safety

and welfare and he has been convicted of a mandatory disqualifying felony, which precludes him from holding a salesperson license - approved unanimously.

ATTORNEY GENERAL'S REPORT

Ms. Killeen suggested the Board enter into Executive Session to discuss an ongoing legal matter regarding the Allison Snyder case. Approved unanimously.

The Board entered into Executive Session at 9:14 a.m. and resumed Open Session at 9:52 a.m.

Ms. Killeen stated that during Executive Session, the Board provided guidance in regard to stipulating the Allison Snyder case.

New Business - None

Public Comment - None

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:53 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