

# MOTOR VEHICLE DEALER BOARD MINUTES

**October 20, 2020**

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  
Ramona Graves Bode  
Fletcher Flower  
John Linton  
Kevin Shaughnessy  
Michael Widhalm

**MEMBERS ABSENT:**

Matthew Porter  
Luke Walch

**SENIOR DIRECTOR, SPECIALIZED  
BUSINESS GROUP:**

Cory Amend

**EXECUTIVE SECRETARY:**

Chris Rouze

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

Chris Hartman  
Gloria Breedon  
Cheryl Morrison  
Erika Garcia  
John Opeka  
Frank Agos  
Josh Dexter  
Tim Rotter  
Beth Spellerberg  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:**

Brad Jones  
Keenan Lorenz  
Sue Kim

**VISITORS:**

David Cardella, CIADA  
Matthew Groves, CADA  
Art Irwin, Christopher's Dodge Ram  
Suzanne Karrer, SDO  
T.J. Willard, Esq.

President, John Linton, opened the meeting of October 20, 2020 at 9:00 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. The Exceptions hearing will be held today at 1:00 p.m. The Colorado Office of Policy Research and Regulatory Reform, which is part of the Department of Regulatory Agencies, completed their sunrise review and recommended that automobile recyclers not be licensed. Mr. Porter will not be in attendance today.

## MINUTES

The minutes of the September 15, 2020 meeting were approved unanimously.

## BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

### Salesperson Applications:

- **Rogers, Caleb Anthony #191306** – Motion made to grant the license – passed 5-1 (Ms. Berens opposed).

## COMPLAINT INVESTIGATIONS REPORT

Ms. Hartman presented the following to the Board:

**Statistical Reporting** – Ms. Hartman informed the Board that we started with 213 cases, 119 new cases were opened and 128 cases were closed for the month, giving the Division a balance of 204 open cases. There were 333 background inquiries performed.

### Affidavits of Probable Cause:

- **AG Wheels, DL #41336** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to AG Wheels, Dealer #41336; 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. Baumgart recused herself and left the meeting.

- **Markley Motors, Inc., DL #17** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Markley Motors, Inc., Dealer #17; 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. Baumgart returned to the meeting.

## ATTORNEY GENERAL'S REPORT

Mr. Jones thanked the Board for returning their training affirmations.

**New Business** – Mr. Widhalm asked if there has been any license surrenders or notice of dealers who have gone out of business due to the pandemic. Ms. Breeden advised that three dealers have surrendered their licenses and one chose not to renew.

**Public Comment** – None

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:15 a.m.

## REVIEW OF INITIAL DECISION UPON FILING OF EXCEPTIONS

*Case # SD 19-1519*

*Calan Edward Reichstein*

*T. J. Willard, Esq., appearing on behalf of Calan Edward Reichstein*

*Bradford C. Jones, Assistant Attorney General, appearing on behalf of the State*

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

A motion was made to deny the license and have Conflicts Counsel draft the final order – passed unanimously.

*(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