

MOTOR VEHICLE DEALER BOARD MINUTES

December 15, 2020

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

BOARD MEMBERS:

Charla Berens
Ramona Graves Bode
Fletcher Flower
John Linton
Matthew Porter
Kevin Shaughnessy
Luke Walch
Michael Widhalm

MEMBERS ABSENT:

Carrie Ann Baumgart

**SENIOR DIRECTOR, SPECIALIZED
BUSINESS GROUP:**

Cory Amend

EXECUTIVE SECRETARY:

Chris Rouze

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

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

ATTORNEY GENERAL'S OFFICE:

Brad Jones
Torrey Samson

VISITORS:

David Cardella, CIADA
Art Irwin, Christopher's Dodge Ram
Chris Soles
Jessica Colletti
David Anthony
Forrest Middleton

President, John Linton, opened the meeting of December 15, 2020 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. Ms. Baumgart will not be in attendance today. Ms. Rouze informed the Board that Chris Hartman has been promoted to Deputy Director of the Division. She further informed all that the Division has begun their move to a digital platform. Currently, application renewals, transfers and off premise permits are in the testing phase. Ms. Rouze will keep the Board informed as updates occur.

MINUTES

The minutes of the November 17, 2020 meeting were approved 5-2 (Messrs. Porter and Walch abstained).

BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

Salesperson Application:

Mr. Shaughnessy recused himself and left the meeting.

- **Colletti, Jessica #206870** – Motion to grant the license – passed unanimously.

Ms. Shaughnessy returned to the meeting.

COMPLAINT INVESTIGATIONS REPORT

Mr. Agos presented the following to the Board:

Statistical Reporting – Mr. Agos informed the Board that we started with 202 cases, 106 new cases were opened and 68 cases were closed for the month, giving the Division a balance of 240 open cases. There were 353 background inquiries performed.

Affidavits of Probable Cause:

- **RNB Cars, Inc., DL #41110** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to RNB Cars, Inc., Dealer #41110; 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.
- **Stapleton Motors, DL #41843** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Stapleton Motors, Dealer #41843; 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.

- **WWVA, DL #42737** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to WWVA, Dealer #42737; 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.
- **Michael Adeboyin Oyewo, SL #198004** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Michael Adeboyin Oyewo, Salesperson #198004; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits – passed unanimously.

ATTORNEY GENERAL’S REPORT

Mr. Jones suggested the Board go into executive session to discuss pending case no. BD18-0652, Affordable Auto, Inc., Motor Vehicle Dealer License #43586.

A motion was made to enter into executive session in order to seek legal advice pursuant to section 24-6-402(3)(a)(II), C.R.S. specifically regarding the pending legal action in the matter of Affordable Auto, Inc. – passed unanimously.

The Board entered into Executive Session at 9:19 a.m. and Resumed Open Session at 10:06 a.m.

Mr. Jones stated that the Board did not take any action at this time regarding the Affordable Auto, Inc. matter.

Mr. Jones presented the following to the Board:

- **Proposed Stipulation and Final Agency Order – Sosoon Mavashev #181991** – Motion to accept the Proposed Stipulation and Final Agency Order – passed unanimously.

New Business – None

Public Comment – None

The meeting of the Motor Vehicle Dealer Board was adjourned at 10:13 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