

# Colorado Limited Gaming Control Commission

Minutes of Public Session  
Special Meeting  
June 25, 2019

## **Public Session**

### **I. Call to Order**

The June 25, 2019 meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Jannine Mohr, by telephone, at approximately 9:40 a.m. Commissioners Shirley, Carlson and Blessman also appeared by telephone, and a quorum existed. The public meeting was held at the Division of Gaming office, 17301 W. Colfax Avenue, Golden, Colorado.

#### **Officials & Administrators in Attendance**

Jannine Mohr, Chair (via phone)  
Ryan Shirley, Commissioner (via phone)  
Tim Carlson, Commissioner (via phone)  
Kristen Blessman, Commissioner (via phone)  
John Lizza, First Assistant Attorney General (via phone)  
Ceri Williams, Senior Assistant Attorney General  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Wendy Spaulding, Secretary to the Commission

#### **Executive Session**

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(II) and (III), and 44-30-526(1) of the Colorado Revised Statutes to receive legal advice on measures and metrics for the Interagency Governmental Agreements for the Colorado Department of Public Safety Divisions and regarding the requested response from the Office of the State Auditor.

#### **Public Session** (Reconvened)

### **II. Consideration of Budget Requests and Performance Measures**

Chair Mohr opened the meeting by explaining that the Commissioners will discuss the proposed amendments to the Performance Measures and Budget Requests, and will then take a vote.

#### **Colorado Bureau of Investigation (CBI):**

##### **Performance Measures and Metrics:**

Chair Mohr stated that many discussions have been had in the past year regarding metrics and measurements with all of the Department of Public Safety (DPS) agencies. She stated she feels the working group held last week with DPS and other stakeholders was very productive. Chair Mohr went on to say she believes the Commission is going to have to be very diligent in monitoring CBI's reports as the audit was clear that the Commission has not been diligent. Chair Mohr stated she will vote in favor of approving the performance measures and metrics.

Commissioner Blessman stated that she is not comfortable approving the metrics as presented and will vote in opposition.

Commissioner Carlson stated that he will vote in favor of approving the measures and metrics and believes that active monitoring of the measures in the future is the Commission's obligation. Should CBI not satisfactorily provide what is being approved, the Commission will need to reevaluate.

Commission Shirley stated that these issues have been difficult and he appreciates everyone coming to table. He believes that ongoing monitoring, at least on a quarterly basis, to scrutinize and evaluate the significant amount of funding that is provided to the agencies is crucial. He will vote in favor of the measures and metrics as presented with the caveat that CBI is actively is monitored and evaluated going forward.

The Commission voted to approve the Colorado Bureau of Investigation performance measures and metrics as presented.

#### Budget Request:

Chair Mohr began by thanking everybody who has been a part of this process and stated that a significant amount of time has been put into the process. She will vote in favor of the motion.

Commissioner Carlson echoed what he said in the last motion regarding the performance measures of CBI and is voting in favor of approving the remaining 20% of the budget request.

Commissioner Blessman, stated that she is struggling to approve the release of funding with the information she has received thus far. She stated that she has great sympathy for the struggles CBI has in trying to track its hours, but stated it is hard to be satisfied with what she has seen so far. Commissioner Blessman went on to say that she believes there is a solution, but that they are just not there yet. She will vote in opposition.

Commissioner Shirley stated that he feels the same as what he stated in the above motion regarding the performance measures. He will vote in favor of approving the remaining 20% of the budget request with the hope that the new Commission will challenge the DPS Divisions to provide the information agreed to for future funding to occur.

The Commission voted to approve the remaining 20% of the budget request for the Colorado Bureau of Investigation the amount of \$ 232,073, for Fiscal Year 2020.

#### Department of Fire Prevention and Control (DFPC)

##### Performance Measures and Metrics:

Chair Mohr stated her disappointment in DFPC on the lack of performing any inspections last year. She stated that measures were provided and agreed to in the past, but the Commission has not done the best job monitoring the measures and metrics and needs to strive to do better. If next year DFPC reports that no inspections have been performed and other metrics have not been met, the Commission will have to make decisions at that time. She stated she saw progress with the working group held last week and will vote to approve the performance measures and metrics presented.

Commissioner Carlson stated that he agrees with Chair Mohr's comments and believes the Commission will need to have a better monitoring system in the future. He also stated that if funding is being provided for other services vital to the other agencies as stated, then that needs to be reflected in their metrics. He will be voting in favor.

Commissioner Blessman, stated that she does not feel like enough information has been provided and will vote in opposition.

Commissioner Shirley stated that he has the same comments as he did for CBI and added that moving forward, inspections need to be monitored on a monthly or quarterly basis. He will vote in favor.

The Commission voted to approve the Department of Fire Prevention and Control's performance measures and metrics as presented.

Budget Request:

Chair Mohr stated, as she stated previously during the CBI discussion, that as imperfect as this process has been the past year, she sees some progress, and having community partners at the table was helpful. She will vote to approve the remaining 20% of the budget request.

Commissioner Carlson stated that he echoes the Chair's comment and will vote to approve.

Neither Commissioner Shirley nor Commissioner Blessman had further comment.

The Commission voted to approve the release of the remaining 20% of the budget request for the Department of Fire Prevention and Control in the amount of \$ 42,986, for Fiscal Year 2020.

Colorado State Patrol (CSP)

Performance Measures and Metrics:

Chair Mohr began by questioning the changes needed on the performance measures that were presented. Director Amick explained that the issue of geographical boundaries was discussed at the working group held on June 20, and that Colorado State Patrol would be providing the boundaries to add to the performance measures. CSP provided those boundaries as of last night.

Chair Mohr stated that the boundary issue may have to be tabled for the new Commission members to decide upon. She stated that she brought up the boundary issue and felt it needs further review but does not want to leave this issue open to the new commission right now. She stated she will vote in favor of the measures and metrics, but is not satisfied with the current boundaries and believes the new commission will need to take a close look when evaluating in the future.

Commissioner Carlson stated that the obligation CSP has with their work product is to ensure it is directly impacting Gaming communities, and he feels comfortable that is the case. He will vote in favor.

Director Amick reported that Commissioner Blessman had to leave phone call at this time.

Commissioner Shirley stated that he has nothing different to offer than what he previously stated and that the Commission going forward will need to challenge whether the performance measures are adequate and effective for funding next year, but stated he will vote in favor.

The Chair called for a motion to approve the Colorado State Patrol performance measures and metrics as amended with the boundaries that CSP provided to the Commission on June 24.

Budget Request:

Chair Mohr stated that feels strongly that the boundary issue needs to be reevaluated and that the Commission will need to carefully monitor the measures going forward. She will vote to approve the remaining 20% of the budget request.

Commissioner Carlson stated that he agrees that accountability and holding CSP to the measures provided is extremely important; he will vote in favor to approve.

Commissioner Shirley stated he has nothing further to add and will vote in favor of the motion.

The Commission voted to approve the remaining 20% of the budget request for the Colorado State Patrol in the amount of \$ 723,178, for Fiscal Year 2020.

Chair Mohr, thanked everyone for participating in this process which has been an incredibly difficult exercise. Literally 100s of hours have gone into trying to address the issues raised in the audit. Although she is not entirely satisfied, Chair Mohr stated she did not want to leave without the new Commission having an understanding of what has transpired the past 11 months. She thanked Commissioner Shirley and stated it was a pleasure serving with him and is disappointed that he will not be reappointed. Commissioner Shirley responded that he very much appreciated working with Chair Mohr for the past 4 years and Commissioner Carlson for the time they served together.

Adjournment – The meeting was adjourned at approximately 11:07 a.m.

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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission