



HB19-1295

Transitioning the Public Trustee Role to County Treasurers

Consolidating the Public Trustee Function into the County Treasurer's Office Would Save Taxpayer Dollars, Increase Efficiency

Sponsors: Reps. Rich and Becker, Sens. Scott and Story

Currently in 52 of the 64 counties in Colorado, the county treasurer serves as the public trustee – the person responsible for administering the state's foreclosure system and the filing and release of deeds of trust. In Denver and Broomfield, state statute allows the elected boards in those jurisdictions to decide how the public trustee office shall be handled. In the remaining ten largest counties (Adams, Arapahoe, Boulder, Douglas, El Paso, Jefferson, Larimer, Mesa, Pueblo and Weld), the public trustee is appointed by the Governor and serves independently, maintaining a separate office and staff, which is funded out of release and foreclosure fees.

Having a stand-alone office for a public trustee is expensive and in at least one jurisdiction the public trustee office has run out of money and had to be funded by the county to stay open.

HB19-1295 would phase-out the currently-appointed public trustees in the ten largest counties in July of 2020 and move the public trustee function into the county treasurer's office - just like the other 52 counties in the state. By consolidating these offices, the bill will save thousands of dollars and make the system more efficient and accountable to the citizens.

The bill requires the county treasurer to prepare a transition plan for how the work of the public trustee will be folded into his/her office in 2020, including any anticipated staffing and budgetary needs to carry out the public trustee function.

Please Support HB19-1295

Contact:

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COLORADO

BOARD OF COUNTY COMMISSIONERS

District 1 - John Justman 970-244-1605
District 2 - Scott McInnis 970-244-1604
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April 4, 2019

The Honorable Matt Gray, Chair
House Transportation and Local Government Committee
200 E. Colfax Ave.
Denver, CO 80203

Re: Letter of Support for House Bill 19-1295 — County Treasurers to Serve as Public Trustees

Dear Chairman Gray and Members of the Committee:

The Board of Mesa County Commissioners and the Mesa County Treasurer submit this letter in strong support of HB19-1295, which transitions the functions of the public trustee into the county treasurer's office.

Mesa County is one of the 12 counties in Colorado where the county treasurer does not serve as the public trustee. It is time for us to join the other 52 counties for statewide consistency.

HB19-1295 would help rightsize local government, and save taxpayer dollars while increasing efficiencies by eliminating a stand-alone office for the public trustee. Foreclosure work should be administered by a county elected official who is accountable to the citizens in that community.

Many counties across Colorado continue to be monetarily affected by the recession, and HB19-1295 would help reduce costs by consolidating two offices into one, thereby reducing operating expenses.

Mesa County strongly urges you to support HB19-1295 to improve consistency across counties in Colorado while resourcefully using taxpayers' dollars to improve efficiencies and operations.

We truly appreciate the Governor working with us on this very important piece of legislation.

Thank you for the opportunity to comment.

Sincerely,

Rose Pugliese, Chair
Board of Mesa County Commissioners

Sheila Reiner
Mesa County Treasurer

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Pueblo, CO 81005
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719-369-2089

January 8, 2019

Jared Polis, Honorable Governor of Colorado

Re: Colorado's Public Trustee System

Dear Governor Polis:

I read with interest the "call to action" letter that was in the July 11, 2018 edition of the Denver post. While I agree with Jim Martin, the Public Trustee of Boulder County, I also have seen the need for this outdated appointment system to change. Not so much for the monetary value but for other reasons.

While and after serving as the Public Trustee for Pueblo County for eight (8) years under Governor Bill Owen's administration – I came to the conclusion that the partisan practice of appointing the large county Public Trustee's needed to be changed. I also felt it should be part of county government, such as the county administrator.

I have tried on several occasions to get representatives, Governor Hickenlooper and others to listen to the arguments for a change – however- everyone sees the need but does nothing about it. It appears that the political appointments are few of the powers that the Governor actually has and no one wants to fight that battle of getting it taken away. The functions of the office have nothing to do with politics – it's how the appointed public trustee gets the appointment.

From personal experience and from the experience that the Jim Martin, from Boulder County, as shared – my hope is someone will really take Jim and I seriously and address this issue.

Please see the attached letters I sent in 2012 sharing some of the same issues and suggestions. I also went on a similar campaign in or around 2007 to get this changed –people listened and sympathized but that was all.

David Migoya did a series of articles about the Public Trustee system in or around July 2012 that you might be interested in reading.

Sincerely,

Peggy H. Foley
Former Public Trustee – Pueblo County

22 Aberdeen Bluff
Pueblo, CO 81004

July 17, 2012

The Honorable John Hickenlooper
Colorado State Governor
136 Capitol
Denver, CO 80203-1792

Re: Appointed Public Trustees

Dear Governor Hickenlooper:

I have been watching with interest the progression of the Appointed Public Trustees during Governor Ritter's administration and now under your administration.

I applaud you for your quick and decisive decision in asking your appointed trustees to resign; I know that was not an easy thing for you to do. I think it reflects a non-partisan management style that puts what is ethical and right for the citizens of Colorado, first above party loyalty.

I also applaud David Migoya and the Ethics Watch group for bringing this to the public attention.

When Senate Bill 08-042 sustainably increased the wages of the appointed Public Trustees, I saw an opportunity to educate the public and our political leaders on how out dated this "partisan" appointment practice was.

No one seemed to take this as a serious issue and/or thought I was just "sour grapes" at not being reappointed. Yes, I was upset about not getting the appointment but from serving as the Public Trustee for eight (8) years, I saw the area of weakness in the current system and wanted to see it corrected.

The actual function of releasing the deeds of trust and facilitating the foreclosure process works wonderfully – the issue is how the appointed Public Trustees obtains the position, who to and how they are held accountable. I also realized, it is a system that is open for abuse by members of both parties.

I saw and suggested several solutions but everything seemed to be ignored. No one wanted to take a stand because there is an idea out there that no one can "touch" the Governor's appointees. (Please see attached letter I sent to Colorado County Inc.) I spoke to several county commissioners, as well as the Pueblo Chieftain – but like I said, was mostly tolerated, but ignored. This could have been addressed and a solution found years ago.

My hope is our legislators will see the need to change this outdated practice and make the office part of county administration and hiring processes, where there will be accountability and dispel the believe that this is "strictly a patronage" position, as I was told by my replacement.

After all, the Public Trustee is currently paid to \$72,500 facilitate the release of and the foreclosure of deeds of trust for the constituents in the county they serve.

Thank you for taking time to read this correspondence. I can be reached at the email or phone number listed below or at the address at the top of this correspondence, if you have any questions or comments regarding this correspondence.

Sincerely,

Peggy H. Foley
Pueblo County Former Public Trustee
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