

FORT LUPTON PUBLIC AND SCHOOL LIBRARY  
LIBRARY BOARD MINUTES  
Thursday, May 20, 2021

**I. Call to Order** Ms. Inge Called the meeting to order at 6:36 pm.

**II. Roll Call** Ms. Hayes called roll.

Present at the hybrid meeting in the library were Lia Inge, Gerri Holton, Chantel Hayes, and Sharon Day. Sharon Ceretto and Teri Kopfman attended virtually.

Also present were Matt Adame the Vice-President of the Weld Re-8 school board, Sarah Frank the FLP&S Library Director, and Thomas Samblanet the FLP&S Library Assistant Director, Ryann Money assisting with technology, Mary Hoffman Edens the library Administration Assistant.

**III. Approval of Agenda** Lia Inge announced that there were some changes to the agenda. Lia said that the Short Take Training Video connectivity was lost, and she mentioned that there were two committees to add to the agenda: The Budget and Art Committees. **Sharon Ceretto made a motion to approve the amended the agenda. Chantel Hayes seconded the motion. The motion carried unanimously.**

**IV. Approval of Minutes** Gerri Holton asked for two corrections on the minutes. She stated that the last paragraph on page 5 needs to change the wording and replace “and” with “with”, and oversight is misspelled. **Sharon Day made a motion to approve the amended April 15, 2021 minutes. Gerri Holton seconded the motion. The motion carried unanimously.**

**V. Public Comments** There was no public comment, but the a member of the public attending virtually asked who was present at the board meeting and was told the members present.

**VI. Reports -**

i. City Report No one was present from the city hence there was no report.

ii. Weld Re-8 Report Matt Adame had no update from the school.

iii. Director’s Report (written) Sarah Frank added to her written report stating that at the last library board meeting there was a different document that Gerri had brought with different wording relating to open sessions that Sarah was asked to share with the attorney. Sarah didn’t get the document from Gerri, but Thomas sent the same document to her and Sarah found that it said the same thing as the Sunshine Law.

Sarah clarified the hiring process for the director’s position stating that the City will be posting the director position after May 25th. Sarah reminded the board that she will be retiring July 9<sup>th</sup> and she told the board that there may be an interim director while they are looking. Sarah shared the process that starts with advertising the position and she listed the places the it will be posted. Once they have applicants there will be a committee formed with Chris Cross who will be inviting Lia Inge to be on the committee as she is the president of the library board and is appointed by the board members as a joint representative from the city and the school district. Sarah said that Alan Kaylor or someone with the school district will also be on the committee, but she wasn’t sure about other people on the committee. Lia asked the board to let her know if any board member has any general questions or comments about what they are looking for in a director, but she will not be able to talk about specific people as it would be in violation of HR laws.

There was a discussion on the past hiring process for the director. Previously the library board interviewed applicants and then made a recommendation on who to hire as the library director. Sharon Day asked if that will be the same process and she was told by Sarah that this time it will be changed to which Sharon Day asked why it is different this time. Sarah continued to explain that it’s been determined that the board is an advisory board. Sarah continued that the supervisor of the director is the town administrator. Lia explained that Chis Cross and Alan Kaylor or a representative from the school board will be on the interview group. Gerri mentioned

that the proposed library bylaws have not been changed and ratified, yet which would affirm that the library board is engaged in the interviewing and then would make a recommendation on hiring the director. Lia said that the bylaws govern the library board but not the city or the school. Gerri said that the proposed bylaws have information that has not been ratified. Lia said the board manages operations not personnel and previously no one ever bothered to take the bylaws to the appropriate authorities to get them certified. The bylaws were worked on by the board in 2018, 2019 and 2020. Sarah Frank said at the time of the previous director posting the city let the board go ahead and do the interviewing. At this time the city will do the interviewing. Sharon Ceretto commented that there was a different mayor and different town administrator at that time and Sarah added that they may have not wanted to be as involved with the hiring process. Gerri said bylaws are the bylaws and they govern until the board makes changes and they are ratified, regardless of the mayor or city administrator. Lia said that the state library law declares that the bylaws need certification. Lia said that the 2013 IGA states all library staff are employees of the city.

Sarah said the previous director was hired while the library was under the fiscal agency of the school district and that in 2014 the library's fiscal agency and employees moved to city and that's when things changed. The school district allowed the library board to govern more freely and to hire the director. But in 2014 when a new IGA was signed, the library became fiscally under the city and the library staff became employees of the city. Lia said the school board was responsible to make decisions but decided to allow the library board to operate as they had previously. Chantel voiced her concerns that the city says they want to be more involved but never have someone attend the library board meetings. Sarah stated that the city is involved as Chris is her direct supervisor. Sarah continued to say that library law specifically says an advisory board does not hire people. Gerri suggested to draft bylaws regarding the board's responsibilities and powers and submit to city and school district what the library board resolves is the best practice for the library. Gerri said that this would include how to operate like a library board should.

#### iv. Committee Reports

1. Sunshine Fund (Ms. Holton) There are no funds, but Gerri asked for donations for a parting gift for Sarah. Gerri also asked for ideas about what would be an appropriate gift for Sarah.

### VII. New Business

- i. Budget Committee-Lia Inge led the conversation about needing two people for the budget committee. Sarah Frank mentioned that our budget deadline is coming up soon so the budget committee would have to meet sometime next week. Sharon Ceretto volunteered and so did Gerri Holton. **Chantel Hayes made a motion that Sharon Ceretto and Gerri Holton serve as this year's Budget committee. Sharon Day seconded the motion. The motion passed unanimously.**
- ii. Art committee-Lia Inge asked for two volunteers for the Art Committee. Sarah Frank explained what the Art Committee's duties are including making plans for the art show that is usually in early November. Their duties would include creating an application process, producing cards to put on items at the art show, and a timeline to drop off and pick up the artwork. Teri and Chantel volunteered with the exception that Chantel doesn't have to hang pictures. **Gerri Holton made a motion that Teri Kopfman and Chantel Hayes serve as the Art Committee. Sharon Ceretto seconded that motion. The motion passed unanimously.**

### VIII. Continuing Business

- i. **Land update**-Sarah gave the land update report. Sarah said that the LOI extension is signed and that Kristal Acre, our realtor, created a purchasing agreement (PSA)

but there were questions about who will sign that document. The city and school district decided to hold a joint meeting on May 25<sup>th</sup>, and they wanted to discuss this with their attorneys' present. The delay required an extension of the current LOI that was successfully extended until June 4<sup>th</sup> and at that time we must have a signed contract. The school district has a regular meeting scheduled immediately after the 25<sup>th</sup> meeting where they may conduct a vote related to signing the purchase agreement. City Council has a meeting on June 1<sup>st</sup> when they will discuss and probably vote on signing the PSA if everyone agrees at the May 25<sup>th</sup> meeting. The discussion between the city and the school district began with the title but that conversation led to other things they found that they want to discuss.

Thomas and Sarah will attend the May 25<sup>th</sup> meeting to make a presentation and inform the groups why we are separating the facilities from one location and highlight the advantages for the students and public. They will also inform city council and the school board about what will happen after we move from the current space which includes a remodel. The meeting on May 25<sup>th</sup> is at city hall at 6:30 pm for about an hour and then the school board will go to the district administration building to hold their meeting and the city council will continue with the rest of their town hall meeting. Sarah said there has not been an agenda sent out, but she thinks they will be discussing why we need a second building, why the location was chosen, and who will sign the title. They may ask other questions perhaps about member libraries vs. branch libraries. Lia said that she will be there with Sarah and having the possibility of 3 or more trustees present, we have posted the meeting. Lia said both the city's and school's attorneys are supposed to be present. Gerri asked if the library's attorney will be there and Sarah answered that she has asked him to be there.

Gerri said that she had a letter from John from September 12, 2019 about working out issues with the city, the school board, and library board and then she read the letter. Gerri stated that these questions need to be worked out with the city, school board, and the library board and that's why we keep going back and forth. Gerri feels it is necessary to clear up the conflicts and that the lawsuit happened because a decision was made without notifying the library board. Gerri expressed that the bottom line is that all three entities agree on the duties and the responsibilities of the library board. Lia replied that as an advisory board she does not agree with what Gerri said. Lia continued to say that she thinks that the city would not agree to a three-way agreement and this is no time to go through that process.

Sarah stated that the main focus should be that the land contract is signed for as soon as possible. Sarah continued to say that there is other interest in that parcel of land, it will be gone if we take too long and there will not be other property available except out by AIMS. Teri said that there is not much available land unless people have to drive to the library. Lia said the land needs to be the focus of the board and she feels that the city is not going to agree to three-way IGA at this point. Lia continued that if the city or the school wanted a change they've had the opportunity for seven years. Sarah added that the library board knew at the time as they were notified in April of 2013 of the changes and the IGA wasn't signed until November of 2013. At the time President Joyce Acre signed a letter acknowledging the notification of the changes. Lia stated that our focus needs to be on the land and helping the city and school district understand why we are separating the public and high school facilities and securing the land for the public

library. Lia said that the attorney has said that things up to this point have been working well it and should be left alone.

- ii. **Complaint Form & process** Lia Inge asked everyone if they have time to read it and asked for questions. The course was discussed, and no motion was needed to adopt this form and the process.
- iii. **Policies Changes - Personnel page 12-13** Lia Inge expressed that she hoped everyone had an opportunity to look at the proposed personnel policy. The city and staff recommendations have been submitted and they recommend altering the personnel section by replacing it with one sentence that states that all library staff are city employees and will be following the city's policies in the city employee handbook. Gerri read section 101 of the employee handbook which mentions different departments having more detailed policies of their own but if there is any conflict the city policy prevails. Gerri stated that she would highly recommend keeping the first paragraph.

Gerri said that in the past the library board would bring recommendations for hire to a collection of people including someone from the school, someone from the city, someone from the library board and in the past a person from High Plains and she affirmed that she likes that process rather than just stating the city's policies and city's employee handbook. Gerri shared that the city handbook says in selection 307 that selection for hiring the director is done by the city and Gerri is very concerned that the library board will be excluded or limited on the hiring and supervision of the director. Lia expressed her feeling that the school board is capable to speak for themselves. Gerri said that we have a school library and the school district should have input about the direction of the school library.

Gerri mentioned an article in ALA titled 10 Problems Facing Libraries Today that included a story from Florida that said the commissioners declined requests for funds for a subscription and made decisions about the collection in the library. Lia said that we are an advisory board, we do not have HR background to hire or make offers to personnel and she thinks that we are over stepping. Gerri strongly stated that she thinks the library board should be part of the process. Sharon Ceretto agreed with Gerri and Sharon Ceretto continued to say that there are many entities involved with this library, not just library board or the city or the school district or High Plains, everyone in the community has skin in the game and need to be represented.

Sharon Ceretto continued to say that Lia keeps mentioning that the library board is an advisory board, and she continued to say but when library board was considered a governing board the members were involved in important decisions and the library benefited it. The board members interact with the public patrons personally, they are patrons themselves, and the board members know what's going on in the library and the community. Sharon Ceretto questioned if any city staff participate with the library and in the library events because she has not seen anyone from the city at library functions. Sharon Ceretto also said that the board needs to be involved as the voice of the community, the board members need to be considered, the library board voices need to be heard as an inclusive board on discussions and decisions.

Lia read paragraph one of the proposed policies. Gerri said that she doesn't like the first sentence and that she would prefer to have a committee craft this and make suggestions. A discussion about the wording of the policy followed. Sarah stated that even governing boards do not have anything to do with hiring personnel other than the director. The current personnel policy has five

paragraphs and the proposed sentence to replace the paragraphs says, "All library staff are city employees and follow the city's personnel policies and follow the city's handbook except for the director that is covered in section 29 of the bylaws". **Gerri Holton made a motion to add the recommended sentences. Chantel seconded that motion. The vote was passed unanimously.**

- iv. Bylaw Changes - Library Director & Staff Section 29 & 30 on page 7 of the bylaws. Lia read the current bylaw and the proposed bylaw which is as follows; *The director is hired via the city's hiring process and supervised by city administrator. The board shall offer to participate in the hiring and evaluation process.* Chantel said that she thought that it's stated well, and she continued that it would be good for the board to participate but she is not sure if the city wants the board's participation. Sharon Day expressed that she thinks the library board could have more input and be more involved, but she doesn't want to personally come to the library to monitor personnel. Gerri stated that she would prefer to keep it as written. Gerri continued to say that under the original IGA we operated under the title of the library board for a reason as it has a potential of being a conflict of interest especially because the funding does not come from city. Gerri continued to say that she is concerned that there may a possibility for a conflict of interest that could put the library board in a precarious position. Gerri stated that the library board directs the director, conducts surveys, engages contractors, requests information from the attorney, creates budgets, creates strategic plans, and all the things that are board directed.

When Teri was asked for her thoughts she said that it's hard for her to hear everything, but she is wondering if the passage could be stronger, but she doesn't know what wording she would use. Sharon Ceretto said that she is not in favor of the new bylaw because if amended with this wording, the library board would lose some degression that the library board has. Sharon Ceretto said she would be more in favor of the original bylaw. Sharon Ceretto was also concerned about the word "shall" and stated that word is a red flag for her, so she is not in favor of that change. Teri suggested that the wording be changed to "in conjunction with" or "in unison with". Sharon Ceretto said the wording has to be stronger and that the library board must be involved, she realizes that the board should not tread heavily, but Sharon is concerned that if the board doesn't make strong statements we will lose the right to participate in decisions that are made and the board won't be in an equal playing field.

Lia suggested that the wording could be "...in conjunction with library board and supervised by the city administrator". Chantel thought that that is a stronger sentence than the first one in black print of #29. Sharon Ceretto was concerned about the wording stating that the director's supervisor being the city administrator. Teri suggested to add "in partnership with the library board".

Gerri said that when school was the fiscal agent the library director was an administrator and as the administrator they would be on the same level which would deal with conflict of interest of the library and library funds. Gerri added that the school district was much clearer and as an administrator the director could operate more independently with focus only on the library. Sharon Ceretto expressed that the board gave up autonomy and she has concerns about changes in 2014 and 2018. Sharon Ceretto said that she doesn't like the supervising part and the word shall. Sharon Ceretto added that this policy is a potential conflict of interest because the library operates out of library funds and the board needs to be cognizant about how things are being handled and spent. Lia asked if the members want to keep original wording or come up with different phrasing.

**Chantel made a motion to keep section 29 as it is. Gerri seconded the motion. All trustees voted yes except Lia Inge who voted no. The motion passed.**

Lia read #30 and commented that there is no contract so that piece is irrelevant. Gerri said she would strike “including the director’s contract” and asked about following the guidelines in the employee handbook. Gerri said that previously the staff was under the director’s supervision and wondered if that should be added. Sarah said that she is a department head and it’s covered in employee handbook. Gerri proposed the wording be “*The library director under supervision and direction of the library board shall preform all duties incident to the position of library director and such other duties as may be prescribed from time to time by the board and will follow the city’s personnel policies and the city’s employee handbook*”. **Sharon Ceretto made motion to approve the new version in the bylaws for the library director. Gerri Holton seconded the motion. All trustees voted yes except Lia Inge who voted no. The motion passed.**

Sarah mentioned that if votes on bylaws are not unanimous there needs to be a second vote at the next month’s meeting. Sharon Day asked why Lia was opposed to the new bylaw and Lia said the main reason is she felt the city will not ratify them and the city doesn’t want the supervision and direction to be under duties of the board. Lia continued to say that Sarah is not under her supervision and that she (Lia) is here as a patron or as board member, but Sarah is not under her supervision. Gerri said that it would be good to ask our attorney and said it is good rational to ask him because of library funding and the separate location. Gerri also had questions about the first part where the director would serve as department head or whether they would be considered as an administrator.

- v. Strategic Planning Committee Lia Inge asked if there are any comments, changes, or questions. **Teri Kopfman made motion to adopt the proposed strategic plan as is. Gerri Holton seconded the motion. The vote passed unanimously.**

**IX. Board comments** Lia Inge reminded the group that this section is for transparency. Lia said that she met with Sarah and Thomas to go over the agenda and briefly talk about the city school meeting on 25<sup>th</sup>.

Sharon Ceretto said she is wondering about the erroneous information in the newspapers and asked if Sarah contacted Bob Grant or Steve Smith. Sarah Frank said that Steve Smith will be at the meeting on May 25<sup>th</sup> and all the information will be clarified at that meeting. Sarah confirmed that the projected site is about a block south of Grease Monkey and is called Lupton Village.

A discussion followed about what is reported during Board Comments and it was clarified that a casual conversation between two board members or a board member and Sarah or Thomas does not have to be reported to the group.

#### **X. Development of next meeting agenda**

- **Bylaws 29 & 30**
- **Budget committee**
- **Art committee**
- **Land update**
- **25<sup>th</sup> meeting**
- **Another bylaw and policy**
- **Short Take Training Video**

**XI. Adjourn** Sharon Ceretto made a motion to adjourn the meeting. Gerri Holton seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:09 pm.

**Next Meeting: June 17, 2021 at 6:30 PM.**

Submitted respectfully by Mary Hoffman Edens