

**FORT LUPTON PUBLIC AND SCHOOL LIBRARY**  
**Board of Trustees Meeting**  
**January 17, 2018**  
**Minutes**

The regular meeting of the Fort Lupton Public and School Library Board of Trustees was called to order at 6:30 PM on Thursday, December 20, 2018, with Board President Beth McWilliams presiding.

- I. **Call to Order**  
Ms. McWilliams called the meeting to order.
- II. **Resignation**  
Ms. LeMay sent letter of resignation to Ms. Frank late last week, Ms. McWilliams accepted the resignation on Monday. Her position was appointed by the city so the city will need to fill the position for the remainder of her term. Mr. Hanes acknowledged they would fill the position.
- III. **Roll Call** Ms. Mai took roll  
Trustees present: Beth McWilliams, Sharon Powell-Ceretto, Teri Kopfman, Melia Inge, Gerri Holton, William Victor. The January 17, 2019 meeting, therefore, had a quorum.  
Also attending were Claud Hanes, City of Fort Lupton Administrator; Sarah Frank, Fort Lupton Public and School Library Director; Matthew Adame, Re-8 Board of Education liaison; and Resa Mai, Fort Lupton Public and School Library representative taking minutes.
- IV. **Approval of Agenda:**  
Ms. McWilliams requested to approve the January 17, 2019 board meeting agenda. Ms. Kopfman moved to approve the agenda and Ms. Powell-Ceretto seconded. The motion to approve the agenda carried.
- V. **Approval of Minutes**  
Ms. McWilliams requested to approve the December 20, 2019 board meeting minutes. Ms. Frank moved to correct that Ms. LeMay did the roll call in December. Ms. Holton motioned to approve the December 20, 2018 minutes. Ms. Powell-Ceretto seconded. The motion to approve the minutes carried.
- VI. **Public Comments.** No public comment
- VII. **Election of Officers**
  - a. President - Beth McWilliams
  - b. Vice President - Gerri Holton
  - c. Secretary - Melia IngeMs. Kopfman recommended that Ms. McWilliams stay on as President, Ms. Holton as Vice President and Ms. Inge stay on as Secretary. Ms. Holton moved to approve the slate of officers as recommended. Mr. Victor seconded the recommendation. The motion was approved unanimously. It was stated that Ms. Inge would take roll going forward.
- VIII. **Reports –**
  - i. **City Report** - Mr. Hanes reported for the city. At the last council approved SIA (Special Improvement Agreement) for Fulton Village. Document is approved after more than a year.

Passed a dog owners ordinance to be effective in 90 days goes to remove the breed only against Pit Bulls and makes it an aggressive animals vs just a breed.

Sold property south of the Salud admin building. They plan in putting age restrictive patio homes on the property have come in for a pre-auth. already.

Next Tuesday meeting they will have a proclamation for Arbor day.

AM to adopt a 3 mile plan, it is done every year, 2019 planning based on annexation for based on were the limits are going to.

Bruce Fitzgerald is being ratified to the Planning commission.

Submitted for a CLG grant for historic preservation for addition homes to be entered into the registry.

Hearings for:

City wide trash

Future land use map for comp plan (change)

Annex for Coal Ridge and Kerr-McGee

Buying a new IT server for about \$35,000.

Windy Gap assessment for \$19,000 (Windy gap is one of the water sources out of Carter lake) Renewing agreement with Water engineer.

Action for Brighton IGA

Road maintenance agreement NCC (Northern Colorado Constructors)

Accepting an annexation petition for 14.5 just west of the river.

Questions:

Ms. McWilliams - Is Dales going up across from Safeway? Mr. Hanes - should happen by 2<sup>nd</sup> quarter

There was discussion of a rumor that King Soopers would be going in across from Safeway, there was not validation of the rumor.

- ii. **Weld Re-8 Report:** Mr. Adame asked Ms. Frank if the handicapped access had been fixed on the door and the paging system. Ms. Frank said that the handicapped doors have not been fixed, the paging system is still down, the lights were not done during the closure and there is not a way to lock the outer doors during a lock down. Ms. Powell- Ceretto noted that there is cement left on the sidewalks that is hazardous.

News – the middle school, with state testing they tested poorly, and has been identified as a “Turn Around School” which means the CDE is coming in. They have a certain amount of time to bring up their test scores. All parents of middle school students should be getting a letter, and it is on the school webpage. The district will have between 18 months and 2 years to bring the scores up. The school must have a plan in place within 180 days.

Someone from CDE is working with the principal now, after they have shown improvement they have to maintain the improvements. It was shared in November of this year.

Collective impact, is there a community group, something with the library and Boys and Girls club. He said there is a District Accountability Committee that is looking into that. Mr. Adame will look into who is in charge. Would like to have Ms. Frank and Ms. Lowe to help support the plan. The high school was on Turn Around a few years ago, the elementary schools are doing well.

iii. **Directors report**

Ms. Frank stated that the conversation regarding the bylaws and policy updates have been moved to next month to make room for more conversation. Also, it is important to make sure when an email is sent out, to reply just to Ms. Frank not to the whole group. Replying to all creates a meeting and violates the Sunshine Law.

iv. **Committee Reports:**

1. **Sunshine Fund:** Ms. Holton said there is \$28.00 and some cents in the fund and asked if a card should be sent to Ms. LeMay. It was identified that sending a card is not something normally done when they resign, only when they are termed out or their term has expired.

IX. **Continuing Business**

i. **Governance** – Ms. Frank introduced John Chmil – he reviewed the governance and how it works with the city being the Fiscal agent. John provided a handout to all in attendance, noted that the handout is more of a reference guide. Representing the library on library issues. Under library law and Colorado law is a joint library because created by two governmental entities, the City and School district. The IGA between the school and the city is the overreaching entity, bound by the library law. The city has retained the approval to act as the fiscal agent for the library. The library board is a separate functioning board subject to the open meeting laws with the ability to vote and take action regarding the operation of the library. Communication and coordination with the City and the School District are key. This board is not a separate political entity and do not have an independent ability to tax, slightly less power than a full library district board, like a water board. Taxing authority would have to be either the city, school district or High Plains Library District. As a member of the High Plains district we cannot raise taxes, High Plains has the taxing authority for the entire district, not just FLPSL. From the School side, space and maintenance, while the library board can discuss what should be done, it is up to the school to make the final decision. Setting policy; the board has more power and input. Letter provided is a very high-level view of the authority of the library. The library board is not a committee, but the city still maintains authority as the fiscal agent. Per Ms. Holton, up until 3-4 years ago the school was the fiscal authority it is now the city, the Superintendent sat on the board. The library was separate from the school. Ms. McWilliams said understands that the library board is the governing board, but the city as the fiscal agent has to be who signs contracts. Mr. Hanes verified that the city signs for contracts. When a building is built who will be signing the contracts for all of the building? Per Mr. Chmil, the city, as the fiscal agent would oversee the contracts, he is still working with Andy to clarify the process. There are still options being looked as for signing contracts. It is between the library board and the city, construction has its own concerns. The construction is going through Wember, they are the owner's rep, and help with RFPs. Someone from the city approves the RFP and adds parts to it. That person is on the building team with Wember and Ms. Frank. The building team recommends who they want to hire to the library board. The library board approves it and then it goes to the city to approve. After all the approvals either Claud or Leanne signed the contracts. The library has to approve everything first. Does the school and the city have to approve everything? The city is the fiscal agent not the school, the school district and school board are regularly apprised of the progress, based on the IGA language. Before the decision to

build a new building was moved upon it was presented to the school board and the city board, after their approval, the rest was acted upon.

Having the school representative on the library board is helpful, and according to the IGA the actions and steps have to be laid out. The current IGA is from 2013 between the school district and the city. That is the one that currently holds all the fiscal authority with the city. The IGA from High Plains has not been signed and is still being worked on. The 2013 IGA will be provided to all trustees. It would make sense that if a library board is established that it would be a three-way IGA between the city, the school district and the board. As the establishing entities the school and city would still have fiscal responsibilities for the library. Until the library is separate and independent the city will control and have oversight.

The 1985 taxing resolution established the mil levy tax for the High Plains District which established the taxing district for all the member libraries. This provides library funding with taxes from our service area with 2/3 of the funds going to the member library and 1/3 to High Plains, the school provides the space and maintenance, and the city provides services to the library.

Everything needs to be spelled out in the IGA. The city and the school are the political parties and the IGA should be between these two specify for all three what their roles are in the operation of the library. The library could be a signatory on that IGA too. An IGA could be created that works off the 2013 as a high-level draft. The new IGA could be more specific in light of the board turn over, an IGA with a higher level of detail could be beneficial. Mr. Hanes stated that Mr. Ausmus was going to work with the Re-8 attorney on the IGA.

In the past the goal was for the High Plains IGA to be complete first. Or the other IGA should be complete first. Because we are a joint library the expectations are different under library law. A clear cut IGA between the city, school and library needs to be signed by all three parties. If the attorneys could talk and work this out, it will be helpful to have all three entities onboard with clear expectations. Dealing with owner's reps and contractors having to establish what the processes should be and having a clear IGA is key.

Tax id number – before there were endowments under the tax id number, what is the tax id number used for? Currently the CD's are being moved under the tax id number, but when they cashed out and are moved to ColoTrust they will not be under the tax id. When they are moved they are under the city. The funds were under Re-8's tax id number Leanne is moving them to the library tax id number.

Date expected for IGA, would like to have it done in the next 6-8 weeks. That does not seem realistic but will need to hear back from the school and the city on the time frame with legal terms and representative defining the processes. The attorneys can create an outline it is going to be up to the members to create the specifics. Andy and Mike are working on it and will work with John, then will bring in the board. It will be created working off the current IGA. It will be on the agenda for next month.

The library board has control over what the asks, and processes want to be, with those prepared they will be ready to be plugged into an IGA to help move things forward. The existing IGAs are a base line. What authorities would the library board want singular governance over, dollar limits and library law statutes. Is the library law on the internet a good place to start? John will provide a link to a good library law and information for board of trustees.

No additional questions.

- ii. **Owner Representative update –**  
Owners rep will be in February, almost done with the feasibility study. It will be a fairly extensive discussion. The hopes are that they will have more information and will be able to answer any questions then.
  
- iii. **Realtor Update-**  
It was originally understood that the seller paid the commission, it is negotiated. We do want them to pay it. But since it may be that we have to pay it, we need to do an RFP. Wember is writing the RFP then it will go to the city and will be published. RFP is Request for Proposal. Roy will review after Wember is done with it then Roy posts it.
  
- iv. **Summer 2018 Construction Update –**  
No updates – all covered earlier

**X. New Business**

**i. Building & Design Committee –**

Ms. LeMay was on the committee, with her resignation there needs to be a new appointee. Ms. Kopfman is interested and will be on the committee. Other committee members are: Ms. Frank, Roy Vestal, Dan Spykstra from Wember and Pamela Lowe.

**ii. Financials**

In the past an employee of the library reviewed the financials and kept a ledger. She kept a separate ledger to track the funds, when the library was not getting copies of the financials. Leanne is now providing an accounting of the financials with a check ledger. It was a board direction to have an employee do this, it cannot be rescinded without board approval. No one on the board looks at the ledger. If they continue to do it then it needs to be audited. The city is audited, and the library get copies of all audits and all bank statements. It is not the best use of someone's time.

The information on CDs are provided via the bank statement. The check registry is sent to Ms. Frank monthly. Rather than having an employee keep the ledger, a board member can review the bank statement.

Ms. Inge made a motion to change the review of financials. Mr. Victor seconded. Mr. Hanes shared that the city has a system with software inclusions, Ms. Frank said she is on a different network and does not have access to the software. There has not been a time when there was an erroneous inclusion on a bank statement. Leann will provide monthly report on CDs. Board would like to review the account, but the ledger keeping should stop.

Call for a vote – all approved

XI. **Upcoming meeting agenda:**

IGA

Owners Rep will be in attendance

Realtor RFP update

Summer 2018 Construction update

Review of CD and spending of the CD

Policy review (will be sent 2 weeks in advance)

XII. **Adjourn:** Ms. McWilliams adjourned the meeting at 7:45 PM.

- a. **Next Meeting: February 21, at 6:30**
- b. Respectfully Submitted,
  - i. Resa Mai