



BOARD OF TRUSTEES

Regular Session Minutes

Monday, December 13, 2021

HPLD Administration Building

2650 W. 29th St., Greeley, CO 80631

5:00 p.m.

1.0 OPENING OF MEETING AT 5:09p.m.

1.1 Roll Call and Pledge of Allegiance

All were Present unless noted:

Chair Ken Poncelow

Vice-Chair Mary Heberlee

Secretary/Treasurer Mary Roberts

Trustee Teresa Curtis

Trustee Gerri Holton

Trustee Joyce Smock

Trustee Jana Caldwell

Legal Counsel William Garcia

Staff: Dr. Matthew Hortt, Natalie Wertz, Niamh Mercer, Rick Medrano, Rosa Granado, Tony Brewer, Brooky Parks, and Kim Parker

Guests: Dr. Laura Baumgartner

1.2 Approval of Agenda

MOTION to approve the agenda: Vice-Chair Mary Heberlee

SECOND: Trustee Joyce Smock

DISCUSSION: None

VOTE: Unanimously approved, 7:0

1.3 Approval of Consent Agenda

a. November 15, 2021 Regular Session Meeting Minutes

MOTION to approve the consent agenda: Trustee Gerri Holton

SECOND: Vice-Chair Mary Heberlee

DISCUSSION: None

VOTE: Unanimously approved, 7:0

1.4 Public Comment

Brooky Parks, HPLD staff, read a letter that was submitted on behalf of two Erie Community members.

“Dear HPLD Board of Trustees, thank you for all that you do make the High Plains Library District such a jewel to our community. We consider the Erie Community Library as a prized resource. Not only is the building functionally attractive, books and services top line, The staff is always helpful in a way that feels like family. Erie Community Library feels like our other home. Home as defined as a place to live is obvious, yet the meaning of home as a place to gather is more apt for our community library. Here everyone can come as they are to transform their lives through life-long learning, literacy, and connections to others. It astonishes us to learn that programming at the Erie Community Library are being canceled or asked to be renamed by the HPLD Administration. Anti-racism Workshop for Teens: cancelled. Resistance through History and You: cancelled. Read Woke Book Club: renamed. Having lived in the Erie community since 1967, our family has seen the evolution of land, housing, services, and people. These programs were quite the positive change that supports our community today and they bring hope to our future community by supporting interconnected learning without censorship. The Erie community expects the HPLD to support our Erie Community Library and its invaluable role as we evolve together through lifelong learning and connection with each other. Thank you. Eleanor and Kathryn Tepoel.”

Dr. Laura Baumgartner, Erie patron and resident, gave the following comment.

“I’m a child librarian and teacher myself. I was raised to value information. One of the first things I do is ask my children to check what they think. I’m curious who else also believes that libraries should offer free access to knowledge and information for all. And who believes that parents should have a say in what their children (inaudible)? I ask that Administration let parents decide if they want to see any program changes, instead of putting Administration in charge of determining what’s appropriate for our children. It seems counter to open access of information. For instance, my own son is a member of the Read Woke Book Club. It’s not the value of a book club for him, it’s about learning about people different than his own: sickness, poverty, other identities. Nothing he’s mentioned to me sounds like persuasion, and in renaming it ‘Woke’ is defined in Oxford as awareness of social injustice. Are libraries not for us to gain awareness? There are other programs that Erie values. There are Neighbors Clubs that are 850 members strong: about 5% of our population. People are in various places in their journey in that group, but many, many people in that group have deplored the education they’ve received and what we understand of the history of the US. The Anti-Racism Program for Teens makes that information available to people at a much younger age. And again, I’ve been personally through several anti-racism trainings and I’ve never been persuaded; I’ve been presented the facts and allowed to deal with the facts as I please. Finally, as a teacher - I teach community college - I deal very regularly with LGBTQ youth, and as a group, the programs for LGBTQ are generally lifesaving. There are more mental health issues with that community because of a lack of information.” (At that point, the two-minute time limit had been reached.)

In response to the comments, Secretary/Treasurer Roberts requested more information on the topics addressed in the Public Comments before moving on to the Budget discussion. Legal Counsel Garcia was consulted, and the decision to do so was left up to Chair Poncelow. He agreed to it and the discussion ensued.

Dr. Hortt replied that management's request to change the title of the Read Woke Book Club was largely due to the lack of participation from the community, with only two participants after it has been offered for a year. Administration determined that it might be in the District's best interest to increase participation by looking at another title, since certain titles and descriptions may automatically turn people off. He added that the other two programs are not canceled, but are under review.

The HPLD process is for program ideas to be presented to a library manager, and then the manager works with the staff member to see if it will fit within the policy. Erie is without a manager at this time, so the Associate Director had to step in to work through some of these programs. The proposals for the programs that are in question stated that the program would teach someone to be an advocate for something. The role of a library is to provide information, not to be an advocate on one side or another, and programming is to be presented in a way that allows for discussion, not to restrict or censor information. Unfortunately, when that is not accepted, things can be thrown around about censorship.

This same claim was sent to the Colorado Association of Libraries' Intellectual Freedom Committee, and unfortunately, they sent it out without verifying the information. He will meet with the President and In-Coming President of CAL to discuss it because the basis of intellectual freedom is to provide information from all sides rather than to broadly send out one side of the issue.

Trustee Caldwell then asked if the individuals who made comments in both the last and this meeting have received this counter information that was just presented. The answer was that there was an email exchange with Dr. Laura Baumgartner. She also asked for someone to please reach out to the individuals who made the public comments so they aren't left thinking that they were presenting to a wall of blank stares.

Trustee Holton said she had reached out to Dr. Hortt to suggest revisiting the Programming policy, because some of the language is open to interpretation that can cause issues. For instance, the definition of what is controversial and who decides what is controversial should be clarified. She also said she thinks some of the points made online were valid, and she thinks the wording may continue to cause problems.

Chair Poncelow doesn't believe that the District should get involved in controversy, and the bottom line is that Dr. Hortt makes the final decision and the District has a fiduciary responsibility to not incur the expense of doing a program that only draws two people.

Secretary/Treasurer Roberts asked what the next step is, and Dr. Hortt replied that the Board's role is to approve the policy, not to approve every program. Things like this should be handled internally without going to the Board. Secretary/Treasurer Roberts

said she interprets people coming to the Board as a sign they disagree with the answers they are getting from Administration.

Trustee Caldwell asked for examples of programs that are controversial and acceptable within the policy. Dr. Hорт shared a couple: a panel where people can come talk about their experiences, and Rainbow Storytimes, a series of storytimes on people with differences, such as disabilities, gender, etc.

Rosa Granado, HPLD Associate Director of Public Services, said that with this kind of issues, there is always subjectivity and it cannot be 100% objective, and there must be someone who makes the decision. The policy can be reworked, but there will always be a few people who are unhappy. If every program were approved, it could diminish the quality of programming. Staff, supervisors, and Branch managers need to be trained so everyone knows what the standards are and what will and will not be allowed. Trustee Holton agreed about the importance of clear standards and asked if they can be clarified.

Tony Brewer pointed out that the Programming Policy spells these things out by saying, "The Executive Director has ultimate responsibility for program offerings, operating within established policies. The Executive Director delegates the design, development and delivery of programs to the staff, who operate within the essential principles, criteria and objectives outlined in this policy." The essential principles are then outlined.

Secretary/Treasurer Roberts said the wording may have to be reworked a little, because it may be the wording rather than the intent that's causing issues. Trustee Holton agreed.

Rick Medrano, Patron Services Supervisor at the Erie Community Library, said he sees the other side of this, and that it is a fine line to walk, being responsible to all patrons and not sharing specific ideas and perspectives. He thinks the district-wide staff's concerns about this policy are the points about controversy, who is determining that decision, and will it quash any challenge to the baseline status quo? Chair Poncelow replied that there may or may not be problems with the status quo.

Trustee Holton asked if there is anything else the Board can do to be prepared for future things like this. Dr. Hорт proposed having staff write up the procedures and processes and then present them to the Board to explain how these decisions are made. Chair Poncelow recommended that it be done before going any further with this, and then the Board can look at the policy again.

Chair Poncelow introduced the Final Budget Overview discussion.

2.0 ITEMS FOR INFORMATION/ACTION

2.1 Final Budget Overview (Action) – Natalie Wertz, HPLD Finance Manager

Natalie Wertz presented the 2022 budget, which the Finance Committee has reviewed. Budgeted revenues are \$35,505,300 and budgeted expenditures are \$59,566,876. The District will keep the mill levy at 3.177 for operations. The budget includes funds for a Grover facility, LINC, remodeling the Centennial Park Library, and for operations. The significant adjustments that have been made since the preliminary budget in October are that \$5,000,000 has been moved from the 2021 budget back into the 2022 budget, because less work was done in 2021 than previously thought. Again, this is a movement

and not an increase. Also, the capital budget for roof repairs at Carbon Valley Regional Erie Community Libraries by \$820,000. Furthermore, per the discussion at the October Board meeting, \$350,000 has been added to the capital budget for a Grover facility and \$20,000 for its operations.

Chair Poncelow announced that it was now time to hold a public hearing regarding the 2022 HPLD Budget.

MOTION to Open the Public Hearing: Trustee Teresa Curtis

SECOND: Vice-Chair Mary Heberlee

Discussion

VOTE: Unanimously approved, 7:0

Chair Poncelow asked if there were members of the public who wished to comment on the budget.

No comments were made.

MOTION to Close the Public Hearing: Trustee Gerri Holton

SECOND: Trustee Jana Caldwell

Discussion: None

VOTE: Unanimously approved, 7:0

Chair Poncelow announced that the public hearing was now closed.

a. *Resolution 21-2, Adopt the 2022 Budget*

MOTION to adopt the budget: Secretary/Treasurer Mary Roberts

SECOND: Trustee Gerri Holton

DISCUSSION: None

VOTE: Unanimously approved, 7:0

b. *Resolution 21-3, Appropriate Sums of Money*

MOTION to approve the sums of money: Secretary/Treasurer Mary Roberts

SECOND: Trustee Teresa Curtis

DISCUSSION: None

VOTE: Unanimously approved, 7:0

c. *Resolution 21-4, Set Mill Levy, Weld County*

MOTION to approve the mill levy of 3.177 for Weld County: Trustee Joyce Smock

SECOND: Vice-Chair Mary Heberlee

DISCUSSION: None

VOTE: Unanimously approved, 7:0

- d. *Resolution 21-5, Set Mill Levy, Boulder County*
MOTION to approve the mill levy at 3.177 for Boulder County: Trustee Teresa Curtis
SECOND: Vice-Chair Mary Heberlee
DISCUSSION: None
VOTE: Unanimously approved, 7:0

2.2 Recognition of Trustee (Information) – Dr. Matthew Hottt, HPLD Executive Director
Dr. Hottt announced that after a unanimous vote from the establishing bodies, Trustee Joyce Smock will be reappointed and remain on the HPLD Board of Trustees. At this point, the District has received enough ratifications from establishing bodies that it is official. He welcomed Trustee Smock.

2.3 Policy Manual Amendments (Action) – Tony Brewer, Patron Experience Specialist

- a. Retention Policy

This policy addresses the law and how long the District retains records, and is a companion to the Open Records Request policy which addresses how Open Records Requests are handled. The District adopted the State Archives Special Districts Records Management Manual in 2019, and this policy recognizes adoption of that Manual.

MOTION to approve the Retention Policy: Vice-Chair Mary Heberlee

SECOND: Trustee Joyce Smock

DISCUSSION: None

VOTE: Unanimously approved, 7:0

- b. Identity Theft Policy

Revisions are being recommended for several reasons. District practices for reducing identity theft have been updated, the elements of the Federal Trade Commission Red Flags Rule are now identified, the policy and guidelines have been combined, and staff recommends moving a paragraph to the Circulation Policy.

MOTION to approve the Identity Theft Policy: Trustee Gerri Holton

SECOND: Vice-Chair Mary Heberlee

DISCUSSION: None

VOTE: Unanimously approved, 7:0

- c. Circulation Policy

Staff recommends taking the sentence “*A physical address is needed to meet Fair Debt Collection Practices Act secure communication needs.*” and moving it from the Identity Theft Policy to the Circulation Policy. Secretary/Treasurer Roberts asked what the District’s practice is for homeless people. Mr. Brewer said if they

don't have a photo i.d. and a current address, they get a limited card as long as they have a photo id. The background is that a third-party collection agency is used, and the practice is for their benefit.

MOTION to approve the Circulation Policy: Trustee Jana Caldwell

SECOND: Secretary/Treasurer Mary Roberts

DISCUSSION: None

VOTE: Unanimously approved, 7:0

d. Personal Information Protection Policy

Mr. Brewer explained that this is a new policy because it is a state law. The policy has been laid out to identify the Colorado Data Protection Statute's main provisions, which are data disposal, security practices, and security breach notification, and how the District applies them. The details of how staff does that are spelled out in the Policies.

Trustee Holton asked if this information should this be presented to the Member Libraries to consider, since it involves law compliance. Mr. Brewer answered that the day after policies are approved by the Board, an announcement is made on the MyHighPlains intranet for all staff, including Members. Trustee Holton suggested at least flagging the policies that pertain to the law. Various options were proposed by the Trustees, and Vice-Chair Heberlee mentioned the Member Libraries Directors' meeting. Dr. Hortt said he would be happy to talk about it at that time or during the IGA discussion in the Special Session Meeting later in the evening. Chair Poncelow added that not only does the District have no control over whether the Members adopt a policy, but it also has no responsibility.

MOTION to approve the Personal Information Protection Policy: Vice-Chair Mary Heberlee

SECOND: Trustee Gerri Holton

DISCUSSION: None

VOTE: Unanimously approved, 7:0

e. Meeting Rooms Policy

This policy proposes adding a sentence that spells out that patrons need a library account and must present a library card or photo i.d. to use a meeting room.

Trustee Caldwell asked how that works with an online reservation. A card is not needed make the reservation, but must be presented when that person goes in to use the room.

MOTION to approve the meeting rooms policy: Trustee Joyce Smock

SECOND: Trustee Gerri Holton

DISCUSSION: None

VOTE: Unanimously approved, 7:0

Mr. Brewer closed by pointing out the Policy Manual Table of Contents with the dates of Board approval for each update. All but two have been updated in the last three and a half years, with the exceptions of the *Values and Principles Statement* and *Operating Principles for Staff*. The last two will take time to develop, and this is his last board meeting because he will retire at the end of the year.

Chair Poncelow thanked Mr. Brewer for all he has done for the District, including stepping in as Interim Executive Director and all the work on the policies. Dr. Hortt also recognized Tony Brewer for all that he has done for the District. The Trustees agreed.

- 2.4 2022 Board Meeting Calendar (Action) – Dr. Matthew Hortt, HPLD Executive Director
Dr. Hortt presented the proposed 2022 Board Schedule and suggested that per Trustee Holton’s question during a previous meeting, the Board schedule a work session to discuss reconsiderations and challenges. He will look at times when that can happen and see who he can bring in to talk with the Board about them.

Trustee Holton asked if the Board will meet again before MLK Day to get more information about the day. Dr. Hortt was not able to get the information together and schedule a meeting in time for this year, so staff will attend the January board meeting on MLK Day to report on the activities and programs they participated in on that day. Trustee Holton asked if the information can be still pulled together and if there’s time to hold a special session before MLK Day, and Dr. Hortt replied that it can be done with a Special Session if that’s the direction the Board wants to go.

Chair Poncelow asked for a motion to approve the 2022 Board Meeting Calendar.

MOTION to approve the 2022 Board Meeting Calendar: Trustee Jana Caldwell

SECOND: Trustee Joyce Smock

DISCUSSION: None

VOTE: Unanimously approved, 7:0

3.0 DIRECTORS REPORT

- 3.1 Review Draft Agenda – Dr. Matthew Hortt, HPLD Executive Director

a. January 17, 2022

A discussion on the Programming Policy and Procedures will be added to the agenda as well.

Trustee Caldwell said the Governance Committee will present a slate of officers at the meeting, as they did last year.

- 3.2 District Updates – Dr. Matthew Hortt, HPLD Executive Director

No additional district updates were presented, due to lack of time.

- 3.3 Chairman’s Report – Ken Poncelow, Chair of the Board

Due to a lack of time, the Chair Report and Board Comments were not made.

4.0 ADJOURNMENT at 6:16p.m.

There being no further business,

MOTION to adjourn the meeting at 6:16 p.m.: Secretary/Treasurer Mary Roberts

SECOND: Vice-Chair Mary Heberlee

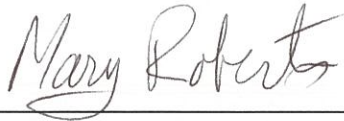
DISCUSSION: None

VOTE: Unanimously approved, 7:0

Upcoming meetings:

January 17, 2022, 5:00p.m. HPLD Board of Directors Meeting - Regular Session

HPLD Administration Building, 2650 W. 29th Street, Greeley, CO 80631



HPLD Board Secretary/Treasurer

Mary Roberts



Recording Secretary

Kim Parker

