



**BOARD OF TRUSTEES  
Regular Session Minutes  
Monday August 17, 2020  
5:00 p.m.**

**Glenn A. Jones M.D. Memorial Library and GoTo Meeting**

**1.0 OPENING OF MEETING at 5:10 p.m.**

**1.1 Roll Call and Pledge of Allegiance**

Guests: William Garcia, attorney for the High Plains Library District  
Kristi Plumb, Director, Glenn A. Jones M.D. Memorial Library  
Brenda Carns, Director, Eaton Public Library  
Terri Redden, Director, Hudson Public Library  
Laura McFarland, Director, Northern Plains Public Library

Following Board Members Present:

Chairman/ Region 3: Ken Poncelow  
Vice-Chair/ Region 5: Mary Heberlee  
Secretary/ Treasurer/ Region 4: Mary Roberts  
• Region 1: Trustee John Damsma  
Region 2: Trustee Gerri Holton  
Region 6: Trustee Joyce Smock  
At Large: Trustee Jana Caldwell

Staff: Tony Brewer, James Melena, Elena Rosenfeld, Matthew Hortt

Chairman Poncelow read the following statement into the record: *High Plains Library District (HPLD) is dependent on the trust of its community to successfully achieve its mission. Therefore, it is crucial that all Trustees conduct business on behalf of the High Plains Library District with the highest level of integrity, truth and honor, avoiding any impropriety or the appearance of impropriety.*

**1.2 Approval of Agenda**

**MOTION** to approve the agenda as presented: Trustee Damsma

**SECOND:** Trustee Caldwell

**DISCUSSION:** None

**VOTE:** Unanimously approved; 7:0

**1.3 Approval of Consent Agenda**

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**MOTION** to approve the consent agenda as presented: Vice-chair Heberlee

**SECOND:** Trustee Smock

**DISCUSSION:** None

**VOTE:** Unanimously approved; 7:0

**1.4 Public Comment**

There were no comments from the public

**2.0 ITEMS FOR DISCUSSION/ ACTION**

**2.1 Food for Fines (Action)**

Executive Director, Dr. Matthew Hortt asked the Board to approve the District's hosting the annual Food for Fines program. If approved, patrons visiting between October 11<sup>th</sup> through 24<sup>th</sup> can donate one non-perishable food item to remove \$1.00 of fees from their library card. The maximum amount of dollars that



can be waived is \$70. However, people can donate food items whether or not they have outstanding fees on their card. Donated items are sent to the Weld Food Bank, Carbon Valley Help Center, the Erie Community Food Pantry, and other food distribution sites that are near the library's location.

The program is available at both Branch and Member library locations. This year, the Northern Plains Public Library will not be able to host the food drive as they will be closed for a remodeling project.

The program has been running since 2013. In 2019, the District collected 2,178 lbs. of food and waived approximately \$1,274 in fines.

**MOTION** to approve to continue the Food for Fines program: Trustee Holton

**SECOND:** Trustee Damsma

**DISCUSSION:** None

**VOTE:** Unanimously approved; 7:0

## 2.2 Board Selection Process (Information)

Executive Director Dr. Matthew Hortt reported that both Region 1 Trustee, John Damsma, and Region 5 Trustee, Mary Heberlee, will have completed their four-year Board terms as of December 31, 2020. When asked if they were interested in reapplying for their positions, Trustee Damsma stated that he will not pursue the position as he has other work that he would like to pursue and would like to give other people the opportunity to participate on the Library Board. Trustee Heberlee voiced her intention to reapply.

The interview committee is comprised of the District Board's Vice-Chair and Chair of the Membership Committee and one representative from:

- The County Commissioners,
- Each of the six establishing municipalities; and,
- Weld County School District Re-8.

As Vice-Chair Heberlee will be reapplying to serve as a trustee, she will not be able to fulfill the Vice-Chair role in the interview process. Trustee Smock volunteered to replace Vice-Chair Heberlee on the interview committee and serve as the committee's Chair. Executive Director Hortt explained that the Chair's responsibilities focus on welcoming the representatives from the establishing bodies and starting the meeting. As he will be attending the interviews, he will be able to assist as needed.

Materials have been drafted to:

- Request the establishing bodies select a representative to participate on the interview committee. The draft shown in the packet will be customized for each of the establishing bodies; and,
- Promote the open positions to the communities represented by the trustees through a press release and public notice. Notices will be going out Trustee Caldwell suggested that an effort be made to recruit trustees to help make the Board more representative of the diversity seen in the communities served.

Timelines:

- The establishing bodies need to inform the District of their selected representative by Friday, September 18, 2020.
- Those interested in applying for the trustee positions need to apply by Friday, September 25, 2020.
- The interview date that was in the original draft will be changed to Friday, October 16, 2020. Friday, October 23<sup>rd</sup> will be held as a back-up date if the establish body representatives cannot accommodate the October 16<sup>th</sup> date.
- After the Interview Committee makes their selections, the establishing bodies have 45-days to ratify the selected candidates.

**MOTION** to start the selection process and appoint Trustee Smock to the Committee: Trustee Damsma

**SECOND:** Trustee Holton

**DISCUSSION:** None

**VOTE:** Unanimously approved; 7:0

### **2.3 Downtown Library Update (Information)**

Executive Director Dr. Matthew Hорт reported that the data-gathering work with the project's architects, Barker Rinker Seacat Architecture, and Construction Company, GH Phipps, continues to move forward. The District is receiving a good number of survey responses. The survey, which was released on August 10<sup>th</sup>, has received 1,700 responses as of August 17<sup>th</sup>. The first 1,000 responses were received the day after it was posted. The architects are impressed by the amount of feedback as most projects only receive about 500 responses.

Trustee Smock asked for clarification on how the survey process would include all communities served by the District. Executive Director Hорт outlined the process being used to get the survey to as many people as possible:

- The deadline for response was extended to August 26<sup>th</sup>.
- Executive Director Hорт is working with United Way to further distribute the surveys.
- Printed versions of the surveys are available in both English and Spanish at all library locations.
- The online version of the survey is in English and Google Translate is able to provide fairly accurate translations of the questions.
- Community Relations & Marketing Manager James Melena is working with Jeannine Caskey to finalize a radio promotion of the opportunity to comment on the new library's design. The District has not heard back from 1310 KFKA.
- Survey response demographics will be assessed after the survey response deadline.

Executive Director Hорт highlighted the survey link in the Board packet. Trustee Caldwell noted that she already completed the survey and found it to be a quick and easy process.

Due to the impact of COVID-19, no large public meetings will be held. In its place there will be a video recording of the architects explaining the project and the goals of the survey posted on the District website. Staff connected with the project will visit library locations to answer questions about the new library and support the survey response process.

### **2.4 Intergovernmental Agreement Approval with Member Libraries (Action)**

Executive Director Dr. Matthew Hорт updated the Board on the IGA approval process and asked the Board to approve and sign IGAs with the towns of Hudson and Platteville.

#### **Status of IGAs approved by establishing bodies:**

- Town of Eaton – IGA approved by the Town on July 16<sup>th</sup> and approved by the District on July 20<sup>th</sup>.
- Town of Platteville – IGA approved by the Town on July 21<sup>st</sup>; ready for District Board review.
- Town of Hudson – IGA approved by the Town on August 5<sup>th</sup>; ready for District Board review.

#### **Status of IGAs not yet approved by establishing bodies:**

The Town of Johnstown plans to pull the IGA decision from their August 17<sup>th</sup> meeting due to questions about whether areas annexed by the Town would be double-taxed. Executive Director Hорт shared that the IGA can be adjusted to clarify that areas within District boundaries which are acquired by the Town will no longer have library taxes collected by the District. Those taxes will be collected and distributed by the Town of Johnstown.

If the District Board meeting ends in time, Executive Director Dr. Hорт and Glenn A. Jones M.D. Memorial Library Director Kristi Plumb will attend the Town's meeting. **Updated information:** The Town did vote to approve the IGA at their August 17<sup>th</sup> meeting and the IGA will be brought to the September 21<sup>st</sup> District Board meeting.



The Library District continues to work with the Town of Ault to resolve their concerns about the IGA. The City of Fort Lupton is awaiting the agreed-upon wording of Ault's IGA before taking action.

**MOTION** to approve and have the Chair to sign the Platteville and Hudson IGAs: Vice-Chair Heberlee

**SECOND:** Trustee Caldwell

**DISCUSSION:** Trustee Damsma asked legal counsel whether there were any substantive changes to the IGAs. William Garcia stated that there were no such changes.

**VOTE:** Unanimously approved; 7:0

## 2.5 Prototype Library Design Rollout (Action)

Executive Director Dr. Matthew Hortt outlined possible uses of the prototype library for facilities in Grover, Mead, and New Raymer. Information on Grover and Mead sites focused on the results of the preliminary fit test assessments conducted by Wember Inc. The conversation for New Raymer is about installing a Public Computer Center in one of the buildings.

**Grover:** While disappointed that the District could not finalize a deal on the former Opera House, the town of Grover is willing to offer one of three lots that they own. The Town also stipulated that the library facility needs to be placed on a slab.

Executive Director Hortt reviewed the lot locations and sizes with the Board. Lot 1B (412 Chatoga Ave) is best suited for the build due to it being 2,700 sq ft which would allow for a 1,000 sq ft facility. While smaller than the designed 1,500 sq ft prototype library, there would be enough space to pull programmatic design aspects of the prototype library into the facility's design.

### **Board Discussion:**

- The small lot sizes were a shared concern. It was noted that a doublewide is about 1,100 sq ft which is a good estimate for the size of a small modular building.
- Building construction: while a doublewide is not acceptable, there are steel constructed buildings as well as ones that are made from containers.
- Parking: it appears that there are no specific parking requirements. However, it would be good to provide some parking spaces in front of the facility. Currently, parking is mostly on the street.
- Trustee Holton asked about the community being served. It was explained that while Grover is the primary community served, the rural location means that it is serving people in a large geographic area including the town of Hereford and communities in southern Wyoming.
- The need for a facility that is designed to serve the expected population growth in the area.
- Trustee Smock asked about the next scheduled Town Council Meeting. Executive Director Hortt responded that he attended the meeting on July 9<sup>th</sup> and will confirm if the next one will be held on the second Thursday of September.

### **Board Direction:** The Board directed Executive Director Hortt to:

- Ask the Town of Grover about purchasing all three lots and changing the platting to allow for a larger facility, off street parking, and a covered outdoor space, such as a pavilion, for public gathering.
- Have varying proposed options based on the lot size and what could be done if multiple lots can be purchased.
- Get input on the building from community members. Possible areas of focus include acceptable building types and questions about how the front of the building should look.

**Mead:** The negotiations with the Town of Mead have slowed. However, Welker The Farms off of Welker St has three acres on the SW corner of the property that they are interested in selling to the District. The space is two acres across and one acre back and would accommodate a 10,000 sq ft facility. The property is zoned for mixed-use and subdivided for both commercial and low-density housing. While both the property owner and builder were involved in the initial conversation, the ongoing conversation is with the property owner. Our realtors are talking with the property owner. However, no price has been set.



Benefits of this space include: The District would own the property. While the estimated cost for the land is \$10k - \$15 per acre, Executive Director Hortt anticipates an asking price of \$250k – 300k.

Potential challenges of this space include: the purchase will not include water shares. Although water will be run to the property, the District can expect to pay at least \$50,000 for water in addition to paying for bringing all utilities to the building.

**Board Discussion:**

- Trustee Damsma asked if the location would serve the Barefoot Lakes subdivision. Executive Director Hortt replied that the proposed location is about 2-miles south of Highway 34 in addition to being on the west side of Interstate 25. As the interstate is often a barrier between communities, it is unlikely that residents would use this facility and would likely use the Carbon Valley Regional Library.

**Board Direction**

- The Board approved Executive Director Hortt's request to continue negotiations.

**New Raymer:** Executive Director Hortt has been working with President of the Friends of New Raymer Board, Trina Kauk to get \$250,000 to begin preservation work on the Turxaw & Kruger Mercantile Building. The Friends would also be interested in having the building serve as a Public Computer Center with two or three Internet accessible computers housed in the bedroom space which is near the kitchen space.

New Raymer has fiber Internet service run by Blue Lightening and it's anticipated that the cost of providing the service will be well within the limits for the Executive Director approve.

**Board Discussion:**

- It was confirmed that, at this time, New Raymer is only interested in computer services and not in having materials housed in the facility. Chairman Poncelow

**Board Direction:**

- The Board approved Executive Director Hortt's request to move forward with the project.
- Trustee Holton asked that the District create a color-coded map of the various facilities in the service area which identifies the types of services provided.
- Chairman Poncelow suggested that the Library District provide and maintain a Little Free Library. He recommended that Executive Director Hortt contact New Raymer resident and former Weld County Commissioner, David Long, to gather more information about the community.

## 2.6 Policy Manual Amendments (Action)

Patron Experience Specialist Tony Brewer presented three policies for Board approval. He noted that each item is significant as they impact the core tenets of library services. Brewer reviewed the discussions held with Policy Manual Committee members Vice-Chair Heberlee and Trustee Caldwell, highlighting the concerns brought forward and the answers to those concerns.

- **Privacy of User Records** Brewer worked with the Associate Director of Public Services, Library Managers, Patron Services Supervisors and the District's attorney to update this policy. Concerns addressed during the update process included:
  - Clarifying that threats of violence and illegal behaviors are not protected through Colorado Library Law's statements on confidentiality.
  - Clarifying that levels of confidentiality are consistent for all library users, whether or not they have a library card.
  - Highlighting that parents have more access to their child's card than a peer would have to another peer's library card.

**Board Discussion:** Concern was raised about whether the privacy statement protects illegal behaviors and threats. The District's Attorney William Garcia clarified that a person making a statement in a public space is not protected speech. Brewer noted that while patrons may not protect each other's privacy, the law does require library staff to do so.

- **Social Media** Brewer worked with Executive Director Hott, Community Relations & Marketing (CRM) Manager James Melena, eMarketing Specialist Peter Derk, and the District's attorney to update this policy. Issues addressed with this policy include:
  - Administering the location-specific Facebook pages to maintain alignment with the District Facebook page. While procedures are in place, the policy document outlines the staff responsibilities while representing the District. CRM staff will approach corrective actions as training opportunities.
  - Confirming that employees have the right to post their personal opinions is limited to posting on their own personal time, using their personal account.
  - Determining that the District's social media account is a public forum. As a public forum, staff does not delete comments made by the public. Inappropriate comments can be managed mostly through the user agreements that the platform has in place.
  - Considering whether the District should assess a job candidate's suitability based on their social media presence. While it was determined that this is not a usual practice it would be situational upon the type of position being filled – such as a CRM staff position –which fits the legal provision of “rationally related to employment activities.”

#### **Board Discussion:**

- Prospective employee's personal Internet use: The Board discussed whether the District should revise its stance on not checking the sites visited and posts before hiring a new employee. Concern was raised about the risk of a personal bias of the hiring staff might lead towards the risk of discrimination. The counterpoint was that it would be more of a risk to hire a pedophile. There was discussion about whether there is a policy that states that no child will be alone with a staff person.

It was noted that if a citizen puts something into the public forum, it is then public information.

Chairman Poncelow strongly supported checking social media posts as part of the hiring process. Trustee Holton noted that diligence is needed as there have been times when a person has posted something under another person's name.

- Moderating content on District Social Media: Trustee Caldwell asked for a review of the difference between a “public forum” and a “mediated discussion” and why the District determined that the social media presence is a public forum.

The District's attorney Garcia explained that there is not much in Colorado law about whether the Library can censor, delete, or amend public comment. However, there is a Federal Court case focused on President Trump blocking people who have made negative comments about his decisions from his Twitter account. The Court decided that by putting one's self into the public forum to disseminate information, then that individual is also open to public critique or ridicule. The determination of the District's presence as a public forum is based on this ruling. Garcia did reach out to an attorney that determined that their library's presence was a moderated discussion and learned that the determination was made before the decision about the President's Twitter account.

- **Public Statements Made by the Board** Brewer asked for Board direction on which of four options best reflected their preference on a formal statement about how the Board responds to requests for public statements. The four options considered included:
  1. **No New Statement Needed:** No additional statements are needed. The Board Ethics policy is sufficient.
  2. **Ethics Policy Explicit:** A single paragraph statement outlining the Board stance on making public statements as guided by the Ethics Policy.
  3. **Board – Areas of Public Concern:** A statement which outlines specific areas where the Board might take a formal stance on issues.
  4. **Board and Staff:** A statement which outlines the specific areas (1) where the Board might take a formal stance on issues and (2) how staff may be involved in initiating action. Brewer noted



that if the Board preferred this model, there should be work done to help staff understand the role of the Board and Executive Director in setting the Library District's direction.

Brewer worked with Executive Director Hорт and the District's Attorney William Garcia in developing the four options. Some comments about the four options from the Policy Committee members included:

- They appreciated the concept that while others may have freedom of speech, the role of libraries is in protecting the freedom of speech of others, which means refraining from siding with one viewpoint.
- Option 3 might be better written as considerations rather than as a policy.
- Options 3 and 4 might need a statement about whether the Board will take a stance on bond issues, support other organizations, or only make statements about the Library District. Brewer noted that he would need Board Members to help develop a statement to include these elements.

**Board Discussion:**

The Board confirmed their understanding of the options and that Option number one does not have a write-up as there is no action to take.

**Board Decision:** The Board asked that the three policy items be brought back at the September 21<sup>st</sup> Regular Session for further discussion.

**2.7 City of Greeley/ Centennial Park Lease (Information)**

Due to upcoming proposed changes to the lease agreement, Executive Director Dr. Matthew Hорт changed the agenda item from action to informational.

The District leases the Centennial Park Library as a 20-year lease at the rate of \$1.00 per year.

This year, the construction work on the fire station south of the Centennial Park Library will make 10 to 15 parking spots available for library use. The City initially planned to lease these spots to the District for nine-years. The District requested that the lease's length of time align with the facility 20-year lease. Conversations on this item led to discussing other potential lease amendments being introduced by the City.

A revised lease agreement will be brought to the Board for consideration at a future meeting.

**3.0 DIRECTOR'S REPORT**

**3.1 Review of Draft Agendas:**

- **September 17, 2020** – topics covered will include: the introduction of Centennial Park Library's new manager, approval of IGAs and updates on pending IGAs, Policy Manual updates, and an update on the Kersey project.

**3.2 District Updates – Executive Director Dr. Matthew Hорт updated the Boar on the following items:**

- The plaque honoring the Weld County Finance Corporation members is now ready.
- The District is continuing to provide programs online due to COVID-19 regulations.
- The Erie Community Library construction project might be completed in the next month. There will be a ribbon cutting. A decision as to whether it will be done in-person or online is pending.
- The District received the Government Finance Officers Association (GFOA) Budget Planning Award thanks to Finance Officer Natalie Wertz's work on aligning budget planning with the District's strategic plan last year.
- The District now owns the Town of Kersey's former town hall. The Town plans to open their new location on Thursday, August 27, 2020.

**4.0 BOARD REPORTS/ COMMENTS**

- A. Chairman Poncelow noted his appreciation for the new YMCA in Johnstown. He shared that he had a conversation with the aquatics instructor who was interested in possible programs done in partnership



with the Library District. Chairman Poncelow suggested the possibility of a pizza party at the pool as an event that could be replicated throughout the District.

- B. Vice Chair Heberlee supported that expanding services to the hinterlands of the District as a wonderful effort. She also appreciated the hard work Patron Experience Specialist Brewer has put into updating the policy documents.
- C. Secretary/ Treasurer Roberts shared that she looks forward to attending the next meeting in person and seeing everyone.
- D. Committees: there were no committee reports
- E. Other Board Members
  - a. Trustee Caldwell had no comments to add
  - b. Trustee Smock is excited about what the District is doing in Erie and the work at the fire station near the Centennial Park Library. She appreciated the work of the Executive Director and staff in developing services in outlying areas and noted that this is one of the positive things that can be highlighted.
  - c. Trustee Holton extended her thanks to staff for all that they are doing. She also highlighted the September online training program: Budget 101 which will be presented by Crystal Schimpf, the Colorado State Library's Public Library Specialist. Executive Director Hortt can add interested Trustees to the list of attendees.
  - d. Trustee Damsma asked the Board to confirm what needed to be done to keep the Foundation Board stable after his term on the Board of Trustees ends. The Board determined that no significant actions will be needed as three Trustees will still be sitting on the Foundation Board and identifying the Foundation Board Chair will be a process done in January 2021.
- F. The Board thanked Glenn A. Jones M.D. Memorial Library Director Kristi Plumb for making her library available for the meeting and asked her to highlight some of the work done on the building. Director Plumb highlighted some of the building design elements and noted her appreciation for Fransen Pittman General Contractors' work on the facility. The next large project for the facility is construction of a large pergola for community events and shared her vision for an outdoor music series.

The Board shared their appreciation for the building, highlighting how much they enjoy visiting the Library locations.

5.0 **ADJOURNMENT**

There being no further business before the Board:

**MOTION:** Trustee Holton

**SECOND:** Trustee Smock

**DISCUSSION:** None

**VOTE:** Unanimously approved; 7:0

MEETING ADJOURNED: 7:14 p.m.

A handwritten signature in blue ink that reads "Mary Roberts".

HPLD Board Secretary/ Treasurer  
Mary Roberts

A handwritten signature in blue ink that reads "Elena Rosenfeld".

Recording Secretary  
Elena Rosenfeld