



BOARD OF TRUSTEES

Regular Session Minutes

Monday, July 19, 2021

5:00 PM

Online and at the Fort Lupton Public and School Library

425 S. Denver Ave., Fort Lupton, CO 80621

1.0 OPENING OF MEETING

- 1.1** Roll Call and Pledge of Allegiance
Vice-Chair Heberlee arrived at 5:21
Secretary/ Treasurer Roberts
Trustee Holton
Trustee Smock

Absent: Chairman Poncelow, Trustee Curtis
Excused: Trustee Caldwell

Legal Counsel William Garcia

Staff: Niamh Mercer, Mallory Pillard, Ian Ruge, Tony Brewer, Dr. Matthew Hortt, Elena Rosenfeld, Marjorie Elwood

Guests: Dr. Melanie Pepper, Writer in Residence
Thomas Samblanet, Interim Director of the Fort Lupton Public and School Library
Former Trustee Rosalie Martinez
Melia Inge, President/Chair, Fort Lupton Public and School Library Board

Vice-Chair read the following statement into 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

Dr. Hortt asked that item 5.0 be pulled from the agenda as the issue was resolved. Details will be shared during the Director's report.

MOTION to approve the agenda as amended: Trustee Smock

SECOND: Secretary/Treasurer Roberts

VOTE: Unanimously approved, 4:0

1.3 Approval of Consent Agenda

A. June 21, 2021 Regular Session Meeting Minutes

MOTION to approve the agenda: Trustee Smock

SECOND: Trustee Holton

VOTE: Unanimously approved, 4:0

- 1.4** Public Comment
No public comment

2.0 ITEMS FOR INFORMATION/ACTION

- 2.1** Introduction of 2021 Writer in Residence Dr. Melanie Peffer (Information) -NiamhMercer
HPLD Foundation Director

Foundation Director Niamh Mercer introduced Dr. Melanie Peffer, High Plains 2021 Writer in Residence. Dr. Peffer is a researcher, speaker, and author of the book *Biology Everywhere: How the science of life matters to everyday life*. Her speaking experiences includes presenting a TEDx Talk and two TED-Ed sessions. More information about Dr. Peffer and links to her presentations can be found at: <https://www.mylibrary.us/writer-in-residence/>

As a Writer in Residence, she is working on a children's book series following a brother and sister determining whether the Poudre River is healthy, based on the insects and birds living in the area. She hopes that by focusing on exploring biology in Weld County, the story will be very real to those living in the area. The book will be geared towards 5th graders as that is a critical age for establishing a scientist identity. Both an editor and illustrator have been found to support putting the book together and Dr. Peffer is excited to see it all come together.

Programming tied to her writing includes posting science mysteries on the District's social media outlets, an August event to be held at the Carbon Valley Regional Library, and a September signature event which will include the Poudre Learning Center and the Rocky Mountain Raptor Program.

The Board expressed their interest and enthusiasm for Dr. Peffer's work and encouraged programming to be shared at libraries throughout the District.

- 2.2** Misinformation and Fake News Presentation (Information) - Mallory Pillard, HPLD Centennial Park Library Manager; Ian Ruge, HPLD Centennial Teen Librarian

Centennial Library Manager Pillard and Teen Librarian Ruge shared a shortened version of the presentation they have shared with Colorado library staff and will continue sharing in partnership with the Colorado State Library. Ruge starts the presentation by defining misinformation, disinformation and deepfake videos before introducing examples of how information has been massaged to create an inaccurate interpretation. Pillard then concludes the presentation by highlighting how library staff can help people look at what is presented with some skepticism and critical consideration.

The Board voiced their support of the importance of the topic and strongly encouraged sharing the presentation with all HPLD staff and Boards through an All Staff Day presentation and bringing the presentation to District library locations. It was also noted that this presentation could be offered to schools and town boards.

Suggestions for strengthening the presentation included adding interactive aspects for audience participation and customizing examples to focus on topics that are of high priority in the area where the presentation is being made.

Upon recognition from the Board, attendee Rosalie Martinez suggested that the content shared during the meeting be shared with community members through an article. Dr. Hortt suggested that CRM Manager James Melena could create an opinion editorial or press release.

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

The Board considered seven proposed policy updates. All of the updates were reviewed by the Policy Review Committee, which includes Vice-Chair Heberlee and Trustee Caldwell. The Board determined that each policy would be considered individually before being adopted.

A. Circulation Policy

The reason for not giving non-resident academic instructors the same level of access as instructors in K-12 schools was discussed. The Board supported the reasoning that academic institutions are better able to provide the material support.

Clarifications:

- It was clarified that fines and fees are identified in a separate document.
- It was clarified that a Limited Card can borrow most items and use computers in the library but cannot checkout a laptop as that is part of the specialty collection.
- The MOVE Department, the renamed Outreach Department, has different loan periods. MOVE stands for “Mobile, Outreach, Virtual, Experiences.”

Points of concern:

- Trustee Holton expressed concern that the requirement for photo identification with a current address would be a barrier to full services for undocumented residents. The Board discussed whether the current Limited Access card provided reasonable access to resources.

Dr. Hortt expressed concern about not having any photo identification as that enables people to abuse the system by gathering multiple cards and stealing materials in a way that leaves the library with no legal recourse.

Additional considerations brought forward in the discussion included:

- Clarification that there was no concern about requesting an item received by mail to confirm the current address.
 - Recognition that the District accepts non-U.S. photo identification in the current policy. It is possible for an undocumented person to receive a State photo identification. However, it does not resolve the question for those who do not have any form of photo identification.
 - It was suggested that Tony Brewer contact the Immigrant and Refugee Center of Northern Colorado to learn what identification they require from undocumented residents.
 - There was a question about how to determine how many people are using limited cards. It was suggested that a future survey ask respondents about whether they have photo identification to use for receiving services.
- Concern was raised that the electronic materials available to card holders was not listed in the policy. Tony Brewer acknowledged this was a challenge as each eMaterial company has their own policies. This information is in the Circulation Manual and he can provide access to that information.

The Board discussed options available in lieu of adopting the updated policy. Tony Brewer, with support of Legal Counsel William Garcia, asked that the policy be adopted with the condition that it be revised to address the issue of photo identification in September due to the policy being needed to support current practices.

MOTION to approve the Circulation Policy as written on the condition that a revised version addressing the requirements for photo identification is brought back to the September 2021 Meeting for review: Secretary/Treasurer Roberts

SECOND: Trustee Holton

VOTE: Unanimously approved, 4:0

B. Weapons Policy

The policy was expanded to better explain, to the public and staff, acceptable practices for open and concealed carry under Federal, State, and Local laws. Tony Brewer noted that while concealed carry is protected by law, an institution can make their own decision about open carry. He also clarified that, as presented, the policy complies with all local laws. Legal Counsel William Garcia confirmed that the policy complies with all Federal and State laws. Tony Brewer expressed appreciation for William Garcia's work on finding the specific codes.

Trustee Holton expressed concern about the onus being on staff if the police aren't called and something goes wrong.

- Trustee Holton recommended that the wording "not routinely" as it pertains to contacting the police be removed from point #3. Tony Brewer confirmed he would make that change.

There was discussion on situations that would violate appropriate behavior.

MOTION to adopt the Weapons Policy as amended: Secretary/Treasurer Roberts

SECOND: Trustee Holton

VOTE: Unanimously approved, 4:0

C. Smoking Policy

The only change to this policy was adding a citation of the Meeting Room Procedure. Tony Brewer confirmed that the current language covers different forms of smoking such as vaping.

MOTION to adopt the Smoking Policy: Trustee Holton

SECOND: Secretary/Treasurer Roberts

VOTE: Unanimously approved, 4:0

D. Meeting Rooms

At the recommendation of Legal Counsel William Garcia, the policy was updated by removing the paragraph on denying meeting room use to groups who "have as their purpose to advance any doctrine or theory subversive to the Constitution; laws of the United States, or State of Colorado; or that advocate social or political change by force or violence."

- As an example of why "subversive to the laws of the United States" doesn't work is: a

group that disagrees with current probate laws and wants to change them. Another example would be a meeting about hemp or marijuana as, while Colorado has legalized marijuana, it is still illegal by U.S. Code.

William Garcia explained this recommendation based on case law examples which highlighted the facts that use cannot be denied based on potential risk of violence or damage nor on concern about the message being shared. The U.S. Supreme Court has determined that if a room is made available to the public, then there is no control of the message being said by the groups using the room. Any limits would be a violation of Constitutional rights.

Garcia then led the Board through a brief exercise that he uses with students at Aims Community College to demonstrate freedom of speech using the Ku Klux Klan's Grand Dragon as the example. In the scenario, he highlighted how both speaking about white superiority and demonstrating how to make a noose are both protected. However, encouraging people to attack another person is not protected.

- The Board considered whether there should be a statement against groups with a history of violence during meetings. Legal Counsel William Garcia responded that anything written would have to be very specific and that trying to define the reasons could lead to a slippery slope. Dr. Hortt noted that it would be challenging to identify which staff members should make the decision.

Discussion:

- Trustee Smock expressed concern about children or teens being invited to a meeting that staff might consider inappropriate for people that age. Legal Counsel Garcia noted that the staff don't have authority to deny access to the meeting. Vice-Chair Heberlee noted that the library has books on topics and internet sites on such topics. Staff, however, have the authority to enforce expectations such as legal activities and non-disruptive behaviors.
- Trustee Holton asked whether it was appropriate to identify the Executive Director as the person to determine when to cancel or refuse use of the room. Dr. Hortt commented that situations, such as an emergency building closure would not need higher authority than the Library Manager. Associate Director Marjorie Elwood noted that if there was a problem with the group, staff would alert Leadership. After considering whether to stipulate that the right of refusal is a role of the "Executive Director or designee," the Board decided that the additional wording was not necessary.
- It was clarified that, while minors can reserve a room, there must be someone at least 18 years of age in the room.

MOTION to remove the paragraph on denying Meeting Room Access from certain groups from the Meeting Room Policy: Trustee Smock

SECOND: Trustee Holton

VOTE: Unanimously approved, 4:0

E. Facilities Master Plan

It is recommended to remove the Facilities Master Plan from the Manual to be a separate document. The Policy Manual will provide a link to the new document.

MOTION to remove the Facilities Master Plan as written: Secretary/Treasurer Roberts
SECOND: Trustee Holton
VOTE: Unanimously approved, 4:0

F. Finance Policy

It is recommended to remove Financial Policies from the Manual to be a separate document. The Policy Manual will provide a link to the new document. This removal includes removing the Contracted Services policy, Expenditure policy, and Financial Assets policy.

MOTION to accept the recommendation to move Finance Policies: Trustee Holton
SECOND: Secretary/Treasurer Roberts
VOTE: Unanimously approved, 4:0

G. Sustainability

The policy is not needed as it no longer matches practices. Any sustainability initiatives can be included in the Facilities Master Plan.

MOTION to remove the Sustainability Policy from the Policy Manual: Secretary/Treasurer Roberts
SECOND: Trustee Holton
VOTE: Unanimously approved, 4:0

2.4 Grover Project Update (Information) – Dr. Matthew Hорт, HPLD Executive Director

Dr. Hорт presented the concerns about the increasing costs of installing a library in Grover. The estimated cost has increased from the budgeted \$350,000 to at least \$1 million to do it right. Staff proposes that the District put a hold on the project and increase the budget for 2022.

Trustee Holton expressed concern about pausing this project which is small when compared to other projects being completed by the District. She requested clarification about:

- The reason for the increased costs – Dr. Hорт responded that the costs are connected to increased costs for materials and finding contractors. This is a changing situation as lumber costs are beginning to decrease.
- The differences in cost for the modular versus the other two options.
Dr. Hорт clarified that the modular requires a foundation to be poured while the other two have a built-in foundation.
- Whether there are available savings due to the COVID-19 closure, and
Dr. Hорт responded that there may be some savings, but not enough to match the \$1 million required. It would be required to make a budget amendment if the Board decides to shift funds to the project. It can be done but needs to be ready for the August meeting as an amendment needs to be presented to the state.
- Possible actions that can be taken now to avoid higher costs later.

Secretary/Treasurer Roberts noted that another consideration is the cost of staffing and other ongoing expenses in consideration of the facility's hours and how the facility will be used. She is advocating the facility is a nice facility that has the approval of the Grover City Council. It is better to delay and do it right as the population in northern Colorado is increasing and this facility will be used even if we can't project use levels at this time. Indicative of this growth is the large development being planned for Briggsdale. Trustee Smock concurred noting that there

are no empty houses in Grover.

- Trustee Holton noted that growth in communities need to be considered for other projects such as the work in New Raymer. She wondered if staffing needs are being considered for the project.

Dr. Hortt clarified that the Grover Project will include current HPLD staff and the possible hiring of a Grover community member. There are also options to provide virtual services model.

Trustee Smock questioned the significant increase from last month's estimate of \$460,000. Dr. Hortt responded the challenge is increasing costs of materials and the challenge of getting a company to bid on the project. While the numbers proposed are not accurate, they should be close to the actual cost.

Trustee Smock shared that the Mayor felt that the original estimated cost of \$350,00 for the library facility exceeded the reasonable cost for a building in Grover. Vice-Chair Heberlee asked if the Mayor knew of any subcontractors who would be willing to do the work. Trustee Smock responded that she does not know but it would be something to pursue. When the possibility of revisiting the building that was the home of the Grover Regional Library was mentioned, Trustee Smock clarified that it is no longer an option.

Next steps:

- District Staff will look at revising practices for hiring contractors and sub-contractors. Due to Grover's location, it may be appropriate to look to companies based in Wyoming in addition to local contractors based in the Grover area.
- Trustee Smock will meet with Grover's Mayor to discuss local resource options.
- Dr. Hortt will be available to meet with the full Town Council if that would be helpful.

2.5 Friends of Raymer Mercantile Building Project (Action) - Dr. Matthew Hortt, HPLD Executive Director

The Friends of Raymer succeeded in having the Mercantile Building added to the State Register and have secured a grant to work on the design of the building. As they move forward, they requested that the District look at providing some computers, a MondoPad and, perhaps a small collection to house in the building which would also house a history museum. Dr. Hortt is comfortable in supporting this request which is similar to the services provided to the Briggsdale Community Library. He will work on drafting an MOU that is similar to the one for Briggsdale.

The Friends of Raymer are also hoping that the District will provide up to \$65,000 in matching funds to support their receiving \$250,000 in grant funds. This request is concerning as the dollars are not directly supporting library service efforts.

Secretary/Treasurer Roberts noted that the District is already providing a letter of support and that giving money for a general project is not a good use of taxpayer funds.

Vice-Chair Heberlee asked about the amount of tax revenue the District receives from the school district and whether the Bookmobile visits. Dr. Hortt responded that we would need to gather that information. He confirmed that the Bookmobile visits the area twice a month.

Trustee Holton asked about how well Public Computer Centers work. Dr. Hortt responded that

the model works best when the host site provides staff or a volunteer. Town halls don't work as well as they don't provide the same experience as other locations.

Mr. Tony Brewer asked, on behalf of Legal Counsel William Garcia, whether it would be appropriate for the Foundation to provide matching funds. Dr. Hortt responded that, it would not be a good fit as the Foundation is specifically tied to supporting library service efforts. It is a stretch for them to support a capital bond rather than a project that is not specifically connected to the District.

Dr. Hortt suggested that support could be through sponsoring their fund-raising car show although justifying the dollars is still questionable. Vice-Chair Heberlee asked about the cost of sponsoring the car show. Secretary-Treasurer Roberts suggested that if the District sponsors the car show, it is an opportunity to fundraise for the library and inform the community of library services.

Trustee Holton and Secretary/Treasurer Roberts voiced interest in donating some amount of money in support of the effort. Trustee Holton speculated on the type of library service the community wants and wondered if it was meeting space. Trustee Smock replied that the community already has a meeting space and that is not a need. Dr. Hortt confirmed that the interest is in access to computers. The details can be negotiated while developing the MOU.

Dr. Hortt confirmed that the MOU would be with the Friends of Raymer which is a registered non-profit organization.

Trustee Smock suggested that the funding conversation needs more information before a decision can be made.

MOTION to approve a letter of support for the project: TABLED until more information is received.

2.6 Board Selection Process (Action) - Dr. Matthew Hortt, HPLD Executive Director

The Board Selection Packet has been compiled. This year, Trustee Smock's term of service will conclude. She is planning to apply for a second term. Vice-Chair Heberlee will serve as Chair and Trustee Caldwell will Vice-Chair the selection committee.

The timeline for the selection process is:

- Sept 18th is the deadline for establishing bodies to confirm their participation
- Sept 24th = candidate applications are due to the District
- Oct 4th = copies of candidate applications will be sent to participating establishing bodies
- October 22nd = trustee interviews will be held

MOTION to approve the release of recruitment materials: Secretary/Treasurer Roberts

SECOND: Trustee Smock

VOTE: Unanimously approved, 4:0

Mr. Brewer reported that the bylaws were reviewed with the Executive Director and the Governance Committee. Legal Counsel William Garcia recommends that, if approved, the changes should be ratified by the establishing bodies.

Recommended changes include:

1. Regions Represented by Trustees: Trustee Regions as represented by geographic areas were further defined by identifying the school district, road boundaries, and libraries serving that area. Of communities served, only Hereford was missing.

Board comments on this section:

- Vice-Chair requested that regions 2, 3 and 5 which are served by Member Libraries be identified by using an asterisk and a note below the chart.
 - Trustee Holton suggested adding the population totals for each region.
 - Trustee Holton noticed that School District Weld RE-1 Gilcrest is listed in both region 2 and region 3. Mr. Brewer will confirm the correct placement for the school district and make the necessary corrections.
2. Using Electronic Media for Recruitment: The recruitment process now includes using electronic media.
 3. Managing Large Candidate Pools: The recruitment process now outlines how to handle large pools of candidates. The Governance Committee will pre-screen candidates through set criteria. The Committee will then inform the representatives from the establishing bodies of who will be interviewed and include the full list of candidates.

MOTION to approve the amendments to the Board Bylaws with the condition that the chart is reviewed for accuracy: Secretary/Treasurer Roberts

SECOND: Trustee Smock

VOTE: Unanimously approved, 4:0

2.7 Wes Sam Bruce Contract Amendment (Action) - Dr. Matthew Hортt, HPLD Executive Director

The work that Wes Sam Bruce is completing is still being paid by the funds provided by the Weld Community Foundation. As the District is the contract holder, the funds need to go through our organization.

The first phase has been completed and this next phase includes gathering materials from the area and preparing for fabrication. The Community Foundation has viewed and provided written approval of the amendment and will continue to reimburse the District for the project. District Board approval is needed to continue moving forward.

The total cost for Mr. Bruce's services is not to exceed \$250,000 which is covered by the Community Foundation. The Community Foundation plans to continue fund raising to help cover the construction costs of the project, which is estimated to be \$750,000 bringing the total cost of the project to \$1 million. The High Plains Library Foundation is also fundraising to help offset the construction costs.

MOTION to approve the amendment to the contract and direct the Executive Director to sign the amendment: Trustee Holton

SECOND: Secretary/Treasurer Roberts

VOTE: Unanimously approved, 4:0

3.0 DIRECTORS REPORT

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

The August 16th, 2021 Agenda will start at 5:00 p.m. at DSS. Action and information items to be presented include:

- Moved from the July 19th agenda: The City of Greeley, UNC, and iNet Global will provide more information about the innovation ecosystem and the proposal of an agricultural training program. They will be attending the meeting in-person.
- Tony Brewer will present more Policy Manual updates
- Dr. Hortt will share construction updates and anticipates having renderings for the Kersey project. The MOU for the Raymer Project will be presented for review.

Two additional topics that were added to the agenda but were not listed in the Board Packet:

- Rocky Mountain Performance Excellence will be presenting the District's certification of achievement for passing the first step in the Baldrige framework.
- Natalie Wertz will present Financial polices to approve.

The Board did not request additional items for the agenda.

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

LINC: The City of Greeley approached the District about a sewer main that runs under the LINC building. Initially, it sounded as if the City was asking the District to take responsibility for either repairing the main if there were any failures or taking the financial burden of moving the main. Upon follow-up, it was clarified that the City was asking the District to be responsible for any repairs that might be caused due to the construction process. The City will also help with the costs of installing a resin membrane in the main in a process called 'curing in place' which will help make the sewer pipe stronger. The City is writing an agreement to bring to the District. This was a major concern which has been resolved.

FOOD FOR FINES: Around this time in past years, the Board has approved a request from staff to waive up to \$70 in fines per card based on the food items donated. Since removing fines for most items, both donations and requests to waive fines have decreased, dropping from \$5,500 to \$1,200 collected in 2019.

As a result, this year, the staff are not asking to waive fines and the food drive will not be promoted as a "Food for Fines" effort. Any fine waiver requests will be handled at a local level and staff have been empowered to take action.

EMAIL RECEIVED ABOUT CAL-IFC MEETING: The Board received an email from former Trustee John Damsma about the Colorado Association of Libraries Intellectual Freedom Committee's (CAL-IFC's) interpretation of economic barriers. While Mr. Damsma was concerned this was a Colorado initiative, the CAL-IFC is actually discussing an interpretation that the American Library Association (ALA) released on interpreting the Library Bill of Rights as it pertains to equity of access and economic barriers. Some of the barriers are similar to the requirement for photo identification which was just discussed by the Board.

Dr. Hortt reviewed the CAL-IFC agenda and ALA's statement and the original document. He determined that it outlines much of what the District already does such as removing fines and addressing homelessness. There might be items for follow-up, such as how to handle the luggage that people can bring into the library buildings.

Dr. Hortt will draft a response to Mr. Damsma and track the results of the CAL-IFC's discussion.

HIGH PLAINS BOOK AWARD EVENT: Dr. Hortt asked whether any trustees were interested in attending an awards ceremony in Billings, MT on September 25, 2021. Last year, the High Plains Library District became a sponsor of the High Plains Book Award program which is based in Montana. A benefit of sponsorship is having a table with space for six people along with one

of the honored authors. There are no funds allocated towards attending the event. Once the Board decides how many will be attending, the invitation will be shared with staff. Both Vice-Chair Heberlee and Trustee Holton expressed interest in the event. Dr. Hortt will send more information about the program and the event to the Board members.

4.0 BOARD COMMENTS

Vice-Chair Heberlee acknowledged that the meeting was a long one, that we are making a lot of progress, and that it is a team effort. She noted that the policy of regularly updating the Policy and Procedure Manual is one to continue after Mr. Brewer leaves the organization.

Secretary/ Treasurer Roberts noted that the District, unlike many other organizations, is making progress on challenging items such as reviewing and updating policies and procedures. She commended the Executive Director, the staff, and the Board for getting them done.

Trustee Smock appreciated how much easier it is to access and manage emails and informational content. She shared how much she appreciated the bookmobile article in the District newsletter.

Trustee Holton commended Tony Brewer and William Garcia for their thorough and thoughtful process on updating policies. She extended thanks to the Fort Lupton Public and School Library for sharing their space, food, and time hosting the meeting. She invited Thomas Samblanet to introduce himself.

Mr. Samblanet introduced himself as the current Interim Director for the Fort Lupton Public and School Library.

5.0 ~~EXECUTIVE SESSION PURSUANT TO C.R.S. § 24-6-402(4)(e) A. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.~~

The Board removed Item 5.0 from the agenda.

6.0 ADJOURNMENT – TIME 8:32 p.m.

There being no further business before the Board of Trustees...

Motion to adjourn: Secretary/Treasurer Roberts

SECOND: Trustee Holton

VOTE: Unanimously approved, 4:0

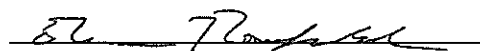
Upcoming meetings:

August 16th, 2021 5:00 p.m., HPLD Administration Building, 2650 W. 29th St, Greeley, CO 80631



HPLD Board Secretary/Treasurer

Mary Roberts



Recording Secretary

Elena Rosenfeld

