

DOUGLAS COUNTY LIBRARIES
Board of Trustees Regular Meeting
March 22, 2017
Lone Tree, CO

President Murphy called the regular meeting to order at 7:00 pm.

The following were present:

TRUSTEES: John Beckwith, Eleanor Brown, Ron Cole, Sean Duffy, John Howe and Janiece Murphy

Trustee Bob Morris was absent. The absence was excused.

STAFF: Bob Pasicznyuk, Susan, Byrnes, Amber DeBerry, Amy Fischer, Karen Gargan (attended by phone), Sheila Kerber, Jeff Konishi, Teresa LeFevre, Rick O'Dell, Patti Owen-DeLay, Sharon Nemechek and Aspen Walker

PUBLIC COMMENT: None.

CONSENT AGENDA

MOTION 17-03-01: Duffy moved and the motion carried with John Howe abstaining to approve the consent agenda consisting of the minutes of the meeting February 22, 2017.

STRATEGIC UPDATE

Pasicznyuk did an exercise with the Board looking at the key services the library currently provides, slicing the items up as segments of a pie and then discussing what is envisioned with those slices in ten years.

The Board would like to get staff-generated ideas and executive summaries on trending including the following information:

1. General population trends
2. Douglas County population trends
3. What's happening in libraries in general

DISTRICT BUSINESS

No conflicts of interest were declared.

Standing Committee Reports.

Executive Committee (Janiece Murphy)

Items discussed at the last Executive Committee meeting are on the agenda under other reports.

Capital Planning Committee (John Beckwith)

Beckwith reported that the big issue at present is purchase of the property for the expansion of the Philip S. Miller Library.

- Property Management Agreement
MOTION 17-03-02: Beckwith moved and the motion carried unanimously to authorize the Library Director, Bob Pasicznyuk to execute the Property Management contract with Kornfeld Companies, LLC. for management of the newly acquired Castle Rock property upon successful acquisition of the property.
- Capital project expenditure for computer replacements
MOTION 17-03-03: Beckwith moved and the motion carried unanimously to approve the budgeted capital expenditure for the purchase of laptops and desktops to upgrade both the public and staff computers in the total amount of \$429,073 as recommended by the Capital Planning Committee.
- Capital project expenditure for Philip S. Miller Library carpet and shelving
MOTION 17-03-04: Beckwith moved and the motion carried unanimously to approve the capital expenditure budgeted for the upgrade and refresh of the Philip S. Miller Library beginning on May 10, 2017 for the total amount of \$476,660 as recommended by the Capital Planning Committee.
- Capital project expenditure for Roxborough Library refresh
MOTION 17-03-05: Beckwith moved and the motion carried unanimously to approve the capital expenditure budgeted for the upgrade and refresh of the Roxborough Library beginning on July 10, 2017 for the total amount of \$271,020 as recommended by the Capital Planning Committee.
- Closure of Roxborough Library for refresh
MOTION 17-03-06: Beckwith moved and the motion carried with Brown abstaining to approve the three-week Roxborough Library closure for purposes of an update and refresh remodel beginning on July 10, 2017 and reopening on July 29, 2017.
- Covenant release negotiations – to be handled in Executive Session

Human Resources Committee (Eleanor Brown)

No report.

Formation of an ad hoc Bylaws & Policies Committee (Janiece Murphy)

The Bylaws and Policies Committee is formed with the Executive Committee members and trustees Cole and Beckwith.

FOUNDATION REPORT (John Howe)

Howe reported that the next Foundation meeting is April 3, 2017 where goals will be discussed.

EXECUTIVE SESSION

MOTION 17-03-07: Murphy moved and the motion carried unanimously to move into executive session for the discussion of determining position relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators as allowed by Colorado Open Meeting Law C.R.S. 24-6-402(4)(f).

RETURN TO OPEN MEETING

Murphy stated: For the record, if any person who participated in the executive session believe that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of Colorado Open Meeting Law, I ask that you state your concerns for the record.

MOTION 17-03-08: Beckwith moved and the motion carried unanimously authorizing Library Director, Bob Pasicznyuk to execute the agreement between the District, Samuelson Investments, LLC, and KKG-I, Ltd and to make payment of \$10,000 to Samuelson Investments, LLC in exchange for execution of the amendment to the Castle Rock Shopping Center covenants in connection with the purchase of property adjacent to the Phillip S Miller library.

MOTION 17-03-09: Beckwith moved and the motion carried unanimously authorizing Bob Pasicznyuk to execute an easement to Samuelson Investments, LLC for the purpose of maintaining and operating an existing encroachment in connection with the District's purchase of property adjacent to the Phillip S Miller library.

DISCUSSION ITEMS

Concerns regarding Trustee Beckwith

Murphy stated that she gave Beckwith four opportunities to discuss these matters privately and he failed to respond. Murphy also offered to have this conversation in executive session as a personnel matter to keep it private, which Beckwith declined.

Murphy stated concerns being:

1. A pattern of behavior ignoring bylaws, code of ethics and manual guidelines which two previous board presidents (Morris and Weston) and Murphy had spoken to Beckwith about in the past.

Beckwith asked for a specific example of this behavior.

Murphy cited documentation in the board packet regarding Beckwith approaching Art Encounters on behalf of the board after a discussion of the program at the January board meeting without any board authorization and stating via email that "interest has been expressed" to add the new libraries to the program.

Beckwith responded that he was speaking "about" the library, and not "for" the library.

- Making a statement to an outside contractor that "you could not trust" the Library Director in violation of Trustee Manual Ethics stating that you will not "undermine the Library Director's authority."

Beckwith replied that being told the contractor was unavailable for the scheduled meeting proved to be false because he called the contractor and was able to talk to him. [The contractor was on vacation, but answered the phone stating that he was in Florida, but would be in town the coming Monday to meet if required.]

Beckwith replied that he always wants to hear directly from people with firsthand knowledge.

- The Board is a single entity. Beckwith has expressed that the rest of the Board is not as conscientious as he is in doing their duty stating things such as, "our job is not to smile and vote yes."

Beckwith stated that Murphy's interpretation of his statement is wrong. The Board must get as much information as possible. Murphy asked for an example of the Board "smiling and voting yes." Beckwith stated that voting for \$20 million in debt was evidence of going along with staff.

Duffy offered that Beckwith could seek information but that it should follow the chain of command and go through Library Director Pasicznyuk.

Howe stated that Beckwith put him in an awkward position by phoning him to express negative opinions about the Library Director and other board members in an effort to gain support for his actions.

Solutions discussed though not formally agreed upon in moving forward to alleviate these concerns:

- Trustees will coordinate scheduled meetings in the community on library matters and seek Board charge to act or speak on behalf of the library.
- Trustees will seek information they need in compliance and with the Douglas County Libraries Bylaws and ethics and keeping the Library Director in the loop
- Trustees will involve the Library Director when wanting to get information or discuss specific items with staff
- If there are issues with any individual Board member or the Library Director those will be brought to the Board through the Board Human Resources Committee

Beckwith did not agree that any of his behavior was wrong or against the Board Bylaws or ethics.

Concerns from Trustee Beckwith

1. Wants to ensure Trustees have all the information
2. Wants to ensure Trustees hear directly from experts and not second-hand through staff, though Beckwith understands that not all instances would require outside expertise

TRUSTEE COMMENTS

None

UPCOMING BOARD MEETINGS

1. **Board Meeting**: May 24, 2017, Philip S. Miller Library, Castle Rock Bank Meeting Room, 7:00 p.m. (Dinner at 6:30 p.m.)
2. **Executive Committee Meeting**: May 10, 2017, Parker Library, 2nd Floor Conference Room, 12:00 p.m. – 1:30 p.m.
3. **Capital Planning Committee Meeting**: April 20, 2017, Lone Tree Library, The Studio, 10:30 a.m. – 11:30 a.m.
4. **Board Study Session**: May 18, 2017, Lone Tree Library, The Studio, 11:30 a.m. – 1:00 p.m.
5. **Human Resources Committee Meeting**: No meeting in April or May
6. **Annual Board Retreat**:
 - a. Friday, July 7, 2017, 6 p.m. Dinner and Pre-session, Castle Pines Library
 - b. Saturday, July 8, 2017, 8 a.m. – 5 p.m. Retreat, Parker Library

OTHER BOARD CALENDAR ITEMS

1. **DCL Staff Recognition Awards**: April 27, 2017, CU South Denver, 6-8 p.m.
2. **DCL Foundation Meeting**: April 3, 2017, Castle Pines Library, 1st Floor Conference Room, Noon – 1:00 p.m.

3. **Partnership of Douglas County Governments Meeting**: May 17, 2017, City of Castle Pines, 7:00 a.m. – 9:30 a.m.
4. **Douglas County Youth Initiative Meeting**: June 12, 2017, Douglas County Human Services Offices, 1st Floor Conference Room, 8:30 a.m. – 11:30 a.m.
5. **Douglas County Youth Initiative**: April 24, 2017, Outstanding Youth Awards
6. **Colorado Association of Libraries Legislative Committee Meeting**: May 5, 2017, Denver Public Library Main Branch, 10:00 a.m.

President Murphy adjourned the meeting at 9:48 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rondle L. Cole".

Rondle L. Cole, Board Secretary

Minutes prepared by Patti Owen-DeLay