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## PRESS RELEASE

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Re: County Passes Resolution Removing High Plains Library District Board

### **WELD COUNTY COMMISSIONERS PASS RESOLUTION TO REMOVE HIGH PLAINS LIBRARY DISTRICT BOARD OF TRUSTEES**

WELD COUNTY, CO – The Weld County Board of Commissioners passed two resolutions Monday, April 14, removing the current High Plains Library District (HPLD) Board of Trustees and appointing new members to the Board for the interim.

In a three to one vote, with Commissioner Chair Doug Rademacher abstaining, Commissioners Mike Freeman, Barbara Kirkmeyer and Sean Conway voted to pass a resolution removing Karen Rademacher, Lucile Arnusch, Jacqueline Maslow, Brian Larson, Claud Hanes and Stan Sameshima from the HPLD Board of Trustees. Commissioner Bill Garcia voted against the resolution.

Commissioner Conway said the resolution was not a knee-jerk reaction.

“This has been something happening for more than a year and a half. I’m really sad we’ve reached this point,” said Commissioner Conway. “This is a very serious action we are undertaking today. It’s everybody’s library district. It’s not Greeley’s district, not Ault’s district, not Hudson’s district, not the Board of County Commissioners district. It is everybody’s district.”

Addressing claims that library users outside of Greeley represent only 11 percent of all users, Commissioner Conway cited facts from Don Warden, Weld County Interim Director of Finance, which show surrounding communities outside of Greeley actually represent 30 percent of users and provide 74 percent of the revenue that supports the library district.

Commissioner Kirkmeyer outlined the steps leading up to the resolution, which included more than a year of complaints from outside communities and the opportunity for the High Plains Library District board of trustees to address them.

“We’ve tried to facilitate meetings to resolve this. We’ve been going through this for a full year,” said Commissioner Kirkmeyer. “I respect and appreciate Greeley’s position. They feel they’ve received great service and I’m sure they have. But we have at least five of our seven member bodies, six including us, who have had issues. I think this is drastic and don’t take it lightly. I don’t see any other way to mediate or resolve this issue. We need a way that best serves all of the residents in Weld County.”

Receiving threats to take legal action from an attorney for the HPLD for lack of “good cause” for removal of the board, County Attorney Bruce Barker said HPLD is bound by the provisions of the Weld Library District’s ‘founding documents,’ which established participating/member library relationships and set in place permanent

2/3-1/3 allocation of HPLD's mill levy in certain areas. The Commissioners cited a lack of confidence in the HPLD board as it has attempted to take away local control of libraries and threatened to change the property tax allocation due the local libraries, as good cause for removal.

The only member of the public to address the Board during public comment on the issue was Troy Mellon, Johnstown council member, who described Johnstown's struggle with the HPLD over the last couple of years. During the time he was mayor, Mellon discovered some Johnstown residents were being taxed twice for the library; by both the town and the district. This started a discussion and agreement to redraw the lines to ensure residents weren't double taxed. After altering the lines, Johnstown was sued in 2011 by the HPLD who said the town had acted illegally by redrawing the lines for lands that had been annexed into Johnstown since 1985. Johnstown filed for summary judgment and was awarded summary judgment against the library board. In the court's findings, Mellon said the court denounced the HPLD's lawsuit as frivolous, not based on truth, disrespectful and not supported by credible evidence. The HPLD filed a motion to the court of appeals, where the court of appeals found the lower court had made no error in its summary judgment. The HPLD has made a motion to appeal again and the case is currently in litigation.

"I'm at a loss for how we've been treated by the district. There have been other issues with the board we've cleaned up over the years. They decided not to renew patron's library cards, which has been a huge disservice," said Mellon. "I asked the town clerk for an estimate of costs incurred on the case. As of the last fiscal year, we've spent \$55,503 defending ourselves against something that was frivolous and salacious. We haven't punished our library; we've taken this out of our general funds."

In voicing his opposition to the resolution, Commissioner Garcia addressed the importance of libraries and their services in communities.

"There are a lot of great things going on in our libraries, but these are serious concerns from our outside communities," said Commissioner Garcia. "This is a difficult vote because we're talking about removing a set of volunteers. I haven't heard from the trustees why they have made decisions this way. At this time I just can't support the motion."

A second resolution passed by all County Commissioners included the ratification of appointment of nominees to the Board of Trustees of the High Plains Library District to fill vacant positions. Nominated to fill the vacant positions are Tommy Holton, Mike Simone, Scott Moser, Butch White, Mike Freeman, Ray Patch and Tom Norton.

"These resolutions are really at the heart of mutual respect and cooperation. It's important for somebody out there reading about this for the first time to know that nothing is going to change," said Commissioner Conway. "Library services will not be interrupted. Hopefully a lawsuit will be dropped and taxpayer's money saved. Hopefully a new era of cooperation can begin to develop. For more than 35 years this model worked very well. I'm hoping that with new leadership it will continue to get back on track."

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