

**INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE PROCESS FOR
APPOINTMENT OF LIBRARY DISTRICT TRUSTEES**

This Intergovernmental Agreement Establishing the Policy for Appointment of Library District Trustees ("Agreement") is made and entered into effective this ____ day of May, 2020 by and between Arapahoe Library District, Arapahoe County, acting through its Board of County Commissioners, and Deer Trail School District No. 26-J ("School District").

RECITALS

WHEREAS, pursuant to Section 24-90-107, C.R.S. the Board of County Commissioners and the School District have heretofore established the Arapahoe Library District; and

WHEREAS, on November 3, 1981, the Board of County Commissioners adopted Resolution No. 1180-81 that increased the number of individuals on the Board of Trustees from five to seven members, with the concurrence of the School District, as required by law; and

WHEREAS, Section 24-90-108, C.R.S. provides the statutory framework to appoint Library District Trustees; and

WHEREAS, per the statute, the Board of County Commissioners and the School District delegated the authority to recommend Library Trustees to the Arapahoe Library District when a continuing committee was not formed after the original selection of the first Board of Trustees of the Arapahoe Library District; and

WHEREAS, Arapahoe Library District desires to memorialize the appointment process for Library Trustees to clarify the proper procedure provided by statute; and

WHEREAS, the Arapahoe Library District, the Board of County Commissioners, and the School District previously agreed to a procedure for trustee appointments that complies with state statute; and

WHEREAS, the Arapahoe Library District, the Board of County Commissioners, and the School District desire to continue utilizing the following procedure for trustee appointments.

The parties have now entered into this Intergovernmental Agreement Establishing the Process for the Appointment of Library District Trustees.

AGREEMENT

1. Arapahoe Library District shall ensure that all vacancies on the Board shall be filled as soon as practical after such vacancies occur.
2. Notice of vacancies and solicitation of applications for appointment shall be:

- a. Published for a reasonable time in a newspaper of general circulation within Arapahoe County;
- b. Be given to local news media; and
- c. Be posted in a conspicuous location within all libraries of the District and the County Administration Building.

3. All applications shall be received by the Arapahoe Library District Board of Trustees.

4. The Board of Trustees will form an Interview Committee (which may consist of the entire board) to review and process the applications which shall include, but not be limited to:

- a. Interviewing eligible candidates residing in the District boundaries;
- b. Utilizing the same questions for each interviewee;
- c. Memorializing the interviewees' responses in written form. The Interview Committee shall provide the written responses to the Board of County Commissioners or the School District upon request.

5. The Board of County Commissioners may provide five interview questions for the Interview Committee to ask during the interviews.

6. The Board of County Commissioners may attend the trustee interviews to observe the interview process in a non-participatory role.

7. Each candidate and his/her application, interview materials, and the Interview Committee's recommended appointee or appointees shall be presented to the entire Board of Trustees for final approval, if the entire Board did not serve as the committee. The Board of County Commissioners will receive advance notice of the presentation of the candidates to the Board of Trustees. The County Commissioners are welcome to attend this public meeting.

8. The Board of Trustees shall provide candidate resumes and any candidate rankings upon request of the Board of County Commissioners or the School District.

9. The Board of Trustees will recommend the appointee to the Board of County Commissioners and the School District pursuant to C.R.S. §24-90-108(2)(c) advising of the date of expiration of the term being filled as determined by its bylaws under §24-90-108(3)(a), C.R.S. ("Trustee's Notice of Appointment").

- a. Upon recommendation, the Board of Trustees shall provide to the Board of County Commissioners and the School District a written explanation stating the process, rationale, and reasoning for the selection of the recommended candidate. The Board of Trustees

shall provide candidate resumes and any candidate rankings upon request of the Board of County Commissioners and/or the School District.

b. The Board of County Commissioners and the School District shall each ratify the recommendation or advise the Board of Trustees of its refusal to do so within 60 days of the recommendation of the Board of Trustees.

c. Upon refusal of either legislative body to ratify an appointee, the Board of Trustees will recommend another candidate from those interviewed or seek additional applications, as the Board of Trustees deems appropriate.

d. Failure to ratify or give notice of refusal to do so within 60 days of the Trustees' Notice of Appointment will be deemed a ratification of the candidate pursuant to C.R.S. §24-90-108(2)(c).

10. The appointee will begin to serve as a Library Trustee on the 61st day after the Trustee's Notice of Appointment unless notice of refusal to ratify the appointment is received by the Board of Trustees from either the Board of County Commissioners or the School District before that date.

11. Limitations on the number of terms that may be served by the newly appointed Library Trustee shall be governed by the Board of Trustees' bylaws as set forth in C.R.S. 24-90-108(3)(a).

12. Once the ratification process is complete, Trustees shall not be subject to yearly ratifications of their positions by the Board of County Commissioners.

13. Library Trustees may be removed by the Board of County Commissioners only upon a finding of good cause pursuant to C.R.S. 24-90-108(5).

14. This Agreement shall terminate upon the expiration of five (5) years from the date of execution by all parties and shall automatically renew every five (5) years unless notice of a party's intent to terminate this Agreement

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

LIBRARY:

Arapahoe Library District

Steven R. Olson

By: _____

Its: President

Date: 5/19/2020

ATTEST:

[Signature]
Secretary

Date: 6/17/20

DEER TRAIL SCHOOL DISTRICT:

Deer Trail School District No. 26-J

By: Mike Geesen

Its: President Board of Education

Date: _____

ATTEST:

Secretary

Date: _____

ARAPAHOE COUNTY:

Arapahoe County,
Board of County Commissioners

By: Nancy Sharpe

Its: Chair

Date: _____

ATTEST:

Date: _____