

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 19th day of May, 2025, by and between Arapahoe Library District, acting through its Board of Trustees, 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 utilize 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. Arapahoe Library District shall provide the Board of County Commissioners notice of any vacancy within two weeks of the occurrence of such vacancy, along with the proposed timeline for recruitment, including the schedule for interviews and final recommendations.
3. Notice of vacancies and solicitation of applications for appointment shall:
 - a. Be 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 Arapahoe County Administration Building.
4. All applications shall be received by the Arapahoe Library District Board of Trustees.
5. The Board of Trustees will form an Interview Committee (which may consist of the entire board) to review and process the applications of candidates 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.
6. The Interview Committee shall provide the written responses to the Board of County Commissioners or the School District upon request.
7. The Board of County Commissioners may provide up to five questions for the Interview Committee to ask during the interviews.
8. The Board of County Commissioners may attend the trustee interviews to observe the interview process in a non-participatory role.
9. Candidates and their applications, 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 may attend this public meeting.
10. The Board of Trustees will recommend the appointee(s) 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(s) being filled as determined by its bylaws under §24-

90-108(3)(a), C.R.S. ("Trustee's Notice of Appointment"); further,

- a. 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(s). 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 or reject the recommendation within 60 days of delivery of the recommendation of the Board of Trustees.
 - c. If either the Board of County Commissioners or the School District does not intend to ratify a recommendation made by the Board of Trustees, the non-ratifying party shall, prior to taking any formal action to reject such recommendation, engage in good faith efforts to consult with the other parties to this Agreement. This consultation shall include a discussion of the reasons for the anticipated rejection and an opportunity for the parties to collaboratively explore potential resolutions or modifications to the recommendation.
 - d. Upon rejection of a candidate by either legislative body, the Board of Trustees will recommend another candidate from those interviewed or seek additional applications, as the Board of Trustees deems appropriate.
 - e. Failure to act within 60 days of delivery of the Trustees' Notice of Appointment will be deemed a ratification of the candidate pursuant to C.R.S. §24-90-108(2)(c).
11. The appointee will begin to serve as a Library Trustee on the 61st day after the Trustee's Notice of Appointment unless notice of rejection of the appointment is received by the Board of Trustees from either the Board of County Commissioners or the School District before that date.
 12. 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).
 13. If the Board of Trustees desires to reappoint an existing Trustee for an additional term not exceeding the applicable term limits, the Board of Trustees may, in lieu of following the process identified in paragraphs 2 through 9 above, request that the Trustee be reappointed for an additional term as follows:

- a. The Board of Trustees shall provide to the Board of County Commissioners and the School District a notice of reappointment that includes a written explanation stating the process, rationale, and reasoning for the reappointment of the candidate(s).
 - b. The Board of County Commissioners and the School District shall each ratify the reappointment or advise the Board of Trustees of its rejection of a candidate within 60 days of delivery of the recommendation of the Board of Trustees. If the Board of County Commissioners or the School District advise the Board of Trustees that it rejects the reappointment, then the Arapahoe Library District shall initiate the process identified in paragraphs 2 through 9 above to identify a new candidate to fill the vacancy.
 - c. Failure to ratify or reject within 60 days of delivery of the Trustees' notice of reappointment will be deemed a ratification of the reappointment pursuant to C.R.S. §24-90-108(2)(c).
14. 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).
15. This Agreement shall terminate on May 19, 2030.

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LIBRARY:

Arapahoe Library District

By: _____
President

Date:

ATTEST:

Secretary

Date:

DEER TRAIL SCHOOL DISTRICT:

Deer Trail School District No. 26-J

By: _____
President, Board of Education

Date:

ATTEST:

Secretary

Date:

ARAPAHOE COUNTY:

Arapahoe County,
Board of County Commissioners

By: _____
Leslie Summey, Chair

Date:

ATTEST:

Secretary

Date: