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Re: Central Kansas Library System ("CKLS")

Dear Chris:

At the time CKLS received your February 9, 2023 email to Mr. Glendenning, Mr. Glendenning had determined he could not continue as the lawyer for CKLS. CKLS has since retained me in this matter and the following is the response to your February 9, 2023 email, which copied Ray Walling, State Librarian, and Tom Taylor, Public Library Representative serving on the State Library of Kansas Advisory Board.

At the outset, the CKLS Executive Board wants to recognize that it has received multiple pieces of communication from the Hays Public Library or you. While each piece of communication was carefully considered by the Executive Board, not all communication required additional action. But to be clear, the CKLS Executive Board has read and discussed every piece of communication received from the Hays Public Library. The Executive Board decided which communications needed a response and which did not, however, no communication was ignored.

To set the stage for the rest of the response, the following was written to you on September 9, 2021, regarding HPL's concerns about funding:

It appears to me that the primary issue is the allotment of system revenue among the cooperating libraries. Your client has requested that 75% of all revenue raised by the system tax levy be automatically 'returned' to the county from which it was raised. This position is contrary to the legislative intent behind the statutes that established libraries, library systems and their financing.

In the words of the Kansas Attorney General, this overlooks the fact that 'one important premise of the entire act, was the recognition that regional cooperation and joint planning and financing of library services on a regional basis was the most effective method of improving library services throughout the state.' Kan. Atty. Gen. Op. 78-268. (Attached). This is not unlike other statutory funding schemes used to pool tax dollars and spend them to provide services in local areas that could not otherwise be economically provided, such as rural electrification and rural water districts. It is also similar to how money is gathered generally on a state, county or city-wide basis and the resulting services are provided where needed without regard to from which specific part of the state, county or city the revenue originated. County lines are irrelevant to the analysis of how system revenues are spent.

With this as background, CKLS provides the following response to each point of your February 9, 2021 email in the order they appear.

(A) Lack of communication and transparency

Claim: "So little information from CKLS' administration regarding the work of the funding committee..."

Counterpoint: The committee made a verbal report each month at the Executive Board meetings. Your claims were made before the committee's last report to the Executive Board and before CKLS held the annual proposed 2024 System Plan discussion on March 24, 2023. The complaints were based on a Freedom of Information request made by you and all current and valid information at that time was promptly provided. The Ellis County Appointee, Becky Rogowski, was a member of the finance redesign committee and received all the communications sent to committee members. The information request, your email, and Ms. Rogowski's subsequent letter were premature as the project was still in discussion, a board decision not yet made. Please note that for several years, CKLS has held proposed System Plan discussion webinars in March before the proposed System Plan has been brought to the Full System Board for an approval vote.

(B) The entire System should be able to consider and present concerns on the System Plan and refinancing structure and mechanism.

Claim: “The entire System should have a chance to consider and present concerns on a decision that will impact the entire library system.”

Counterpoint: The entire System does have a chance to consider and present concerns of a decision that will impact the entire System. Annually, CKLS presents the proposed System Plan to Member Libraries, member school libraries, and county appointees through a Zoom meeting held around the last week in March. In November 2022, this year’s proposed 2024 System Plan discussion was set for the last week of March. That schedule was posted to all CKLS Member Libraries in November 2022. Since 2018, when the new administration has taken over, the System has made such changes to make sure that CKLS is member governed and member driven. Every library, trustee, and county appointee have ample opportunity to present their ideas and concerns. Those are then shared with the Executive Board. The Executive Board might or might not make changes based on the concerns, but historically (in the past five years) the board has made shifts and adjustments based on input received if it proves to be beneficial to all System Members.

(C) The entire System should have a chance to provide input and concerns

Claim: “This formula should not be considered without providing the entire system a chance to consider it, share ideas, and present questions and concerns on a decision that will have a significant impact on the entire library system.”

Counterpoint: On March 24, 2023, CKLS held a Zoom proposed System Plan discussion to explain the new funding mechanism as a part of the plan. This meets the requirement in the Bylaws for the System Librarian to present the proposed System Plan to Member Libraries. Additionally, Executive Board members were present at this Zoom discussion and/or watched the archive. The System Librarian solicited input from Member Librarians, and took that input back to the Executive Board meeting on April 12, 2023. At this meeting the Executive Board considered the input before approving the 2024 System Plan.

CKLS Bylaws delegate the running of the System to the Executive Board. The budget is the only item that must be approved by the Full System Board as stated in the CKLS Bylaws and State Statute.

(D) HPL demanded 75% of the monies taxed from Ellis County

Claim: “To be clear, HPL has never suggested that every dollar of Ellis County taxpayers should be granted back to libraries in Ellis County.”

Counterpoint: Hays Public Library has demanded 75% of Ellis County CKLS tax dollars be granted back solely to HPL. Brandon Hines emailed discussion notes in anticipation of the February 17, 2021 Executive Board meeting to the System Librarian. HPL demanded 75% of the System tax money coming out of Ellis County and that CKLS would be allowed to retain 25% of the tax funds collected from Ellis County. This was the first option of three. Other options included pursuing establishing a county library, or pursuing establishment of a special district library through legislation. This would cause manifest harm to the other public library in Ellis County, Ellis Public Library, which was not a consideration by HPL.

(E) Proposed funding formula ignores provision of services

Claim: “The purpose of the Regional Library Systems is to provide residents within the geographic footprint of the systems. CKLS’ proposed funding formula seems to largely ignore provision of services within its scheme.”

Counterpoint: The purpose of the Kansas Regional Library Systems is to provide service where none exists and to improve service where it already exists, as laid out by K.S.A. 75-2547. Most Regional Library Systems, including CKLS, do this through services provided and grants-in-aid. The CKLS funding formula is rooted in that important premise. The formula is based on verifiable, State-certified population of the service area and actual services provided to patrons residing outside a library’s taxing district.

(F) Lack of communication, lack of transparency

Claim: “HPL lacks any explanation from CKLS of the finance committee at this point...”

Counterpoint: In June 2021, a published CKLS Study Committee report stated that, after examining a great deal of information and data provided by HPL in official communication, proceeds of the System levy are for use of the Executive Board in providing and enhancing library services throughout the territory of the Regional Library System and not just to enhance service in one library.

The Study Committee recommended “that when CKLS reevaluates the funding mechanism to libraries over the next two years that certain factors come into play. Library funding consideration must include data which can be verified by third-party sources and should include actual service to patrons outside the library’s taxing district, but within the CKLS territory.”

“Actual number of materials loans provided to other libraries should be included and can be verified through KICNET, OCLC, and reports from the library’s integrated library system. The number of patrons residing outside the library service area, but within CKLS

should be included. These two factors make sure libraries are compensated for service provided to all citizens residing in the CKLS territory.”

“The base grant [aka Base System Allotment] amounts should be recalculated and should be provided based strictly on the service area population, which can be verified by the Kansas Division of the Budget. And lastly, we recommend that the amount of local tax support for the library be taken into consideration.”

“Using these measures to calculate funding ensures equity based on measurable factors applicable to all CKLS public libraries.”

In 2022 The Finance Redesign Committee determined that these same factors would come into play for their work. CKLS has been completely open and transparent throughout this entire process. The Finance Redesign Committee has communicated with the Executive Board in open, public meetings every step of the way. Every member of the Finance Redesign Committee received the same information and every member of the Finance Redesign Committee received the same documents, up to the final spreadsheet showing real and true numbers available at that time. This spreadsheet was presented in person to the Executive Board during the open meeting on February 15, 2023 and was discussed at length. The same spreadsheet was sent to all Member Libraries and County Appointees along with the financial redesign white paper prior to the Zoom proposed 2023 System Plan discussion webinar on March 24, 2023. The information was not yet ready, but CKLS was in the process of preparing the presentation to the Executive Board and then publishing to all Member Libraries at the time of the Freedom of Information Act Request. (See also Point A)

HPL has received the same level of transparency and communication that all other Member Libraries and County Appointees received, yet it is only HPL that claims a lack of explanation and communication.

(G) Grouping libraries into levels based on population

Claim: “...it appears a primary focus of the committee’s work is based on using population alone to group different sized libraries into matching service levels.”

Counterpoint: This statement is based on information that was still in draft format when it was requested through a Freedom of Information request and used an incorrect term.

It was a recommendation of the Finance Redesign Committee that libraries be placed into their **grant category** based on the library’s true and State-certified population of their service area as defined by the local taxing district. A grant category is not the same as a

service level category, which is derived from the 2020-2024 Kansas Public Library Standards. A grant category sets a basic level at which all libraries will receive grants-in-aid based on the actual population of the local taxing district. The grant category population ranges align with the service level populations for ease of understanding and clarity.

In a White Paper shared with all members of the System, the committee states they embraced several guiding principles.

- The local library tax is given to support local library services to local library patrons.
- CKLS funding is given to support library services to those persons residing outside a local library taxing district.
- All libraries belong in the library service level category [sic] purely based on population alone.
- No favoritism should be shown to any one library over another.
- All financial support to libraries should be addressed through this restructuring, with the exception of the competitive conference grant.
- Difficult decisions must be made and they cannot be made based on past decisions or actions.
- All funding should be distributed through this restructuring plan and all financial memorandums of understanding must be discontinued.
- For simplicity and better optimization, System Allotments will be distributed twice a year. Payments will be made March/April and August/September. At that time, each library will receive one-half of the money they earned the previous year.

These principles were declared after lengthy consideration. Further, the Committee stated in the White Paper,

The committee determined to set all libraries into a library service level [sic] based solely on certified population. In the past, some libraries moved up a service level based on an informal petition to the System Librarian or Executive Board or through other undocumented means. Looking through the historical data, no set and written criteria were established or observed for such a move. Additionally, this opportunity was not made available to all libraries. This inconsistent action saw a number of libraries climbing a service level. Also, in the past, libraries stayed at the higher service level at which they had entered the system (based on true population), no matter their current, local population. This created an imbalance between the number of local patrons and the amount of funding received from CKLS. This also resulted in some libraries receiving more funding from CKLS than they did from their local funding source.

In this point, you seem to ignore the second half of the monies available to grant to eligible System libraries, which is based solely on services provided.

Additionally, libraries are grouped into various levels based on population at the Federal level, at the State level, and by every Regional Library System in Kansas. This is a best practice and an industry standard, not something CKLS invented. (See also Points E & I).

(H) Contrary to Public Library Standards

Claim: “This is contrary to the Standards for Kansas Public Libraries 2020-2024...”

Counterpoint: The libraries were placed into **grant** categories, not service level categories, see proposed 2024 System Plan. Additionally, the Standards for Kansas Public Libraries are created by Regional Library System staff and are intended to be suggestions and guidelines, not law. Some Regional Library Systems do use the standards for accreditation purposes, but CKLS does not and has never done so.

(I) Grants should be based on the services being provided by libraries

Claim: “Grants should be based...on the services being provided by the libraries.”

Counterpoint: Two portions of the proposed 2024 System Plan are based upon services offered by Member Libraries. An Out of District Borrower grant is based on the library offering library services to borrowers residing outside the taxing district. A Resource Sharing grant is based on the number of items loaned to borrowers outside the library’s taxing district. The Base System Allotment is set on the State-certified population of the service area. (See also Points E & G)

(J) The formula ignores digital offerings

Claim: “The formula ignores digital offerings.”

Counterpoint: The Finance Redesign Committee determined that funding would be based on standardized outcomes that could be measured externally. It is important to use key performance measures that provide accountability and that those measures be standardized across all libraries.

The new funding model is based on two separate pots of money. The first pot will be used for Base System Allotment. The second pot of money is for services provided. This second pot was divided in half, with each half supporting a different grant: 1) Out of District Borrowers Allotment and 2) Resource Sharing Allotment.

Circulation is not an accurate measure because of the wide variance between CKLS member public libraries as to length of checkout for each item type and number of allowed renewals. Additionally, it is very simple for a library to inflate circulation numbers, as every professional librarian knows.

The CKLS Executive Board refuses to mandate standardized circulation rules to Member Libraries. These libraries are governed by the local library board, not CKLS, and mandating standardized circulation rules would be grossly overstepping local library governance.

(K) \$120,000 on digital circulation

Claim: "HPL spent nearly \$120,000 on digital circulation in 2022. That circulation benefits cardholders that reside outside HPL's own taxing district and within the footprint of CKLS."

Counterpoint: This is a choice the HPL board has made for their own autonomous library. Offering hoopla to library patrons, is of course, a local board decision, and is not required by CKLS.

As stated in J, CKLS will not dictate rules to member library boards, which are the governing body for local libraries.

(L) Services for which HPL has not been compensated

Claim: "These are very real and measurable services being provided to all residents within the CKLS footprint for which HPL has not been compensated."

Counterpoint: CKLS is under no obligation to compensate HPL, or any CKLS Member Library, for services they provide to their own library patrons. However, CKLS does already partially compensate Member Libraries for out of district and rural patrons. Local library board decisions, not dependent upon any "requirements" of CKLS, should be carefully considered as to the impact on local constituents, and as to good stewardship of local tax dollars. All CKLS Member Libraries provide real and measurable services to all residents within the CKLS footprint. HPL is not alone in this effort.

(M) Salina Public Library and hoopla limited to Saline County

Claim: "CKLS' actions have already caused the Salina Public Library to limit its digital offerings outside of its taxing district."

Counterpoint: The Hays Public Library does not represent Salina Public Library. SPL's choice to limit hoopla services to Saline County, 1/16 of the System, and not Salina city

limits, their taxing district, caused CKLS to no longer subsidize SPL's hoopla with an allotment of \$5,300. This issue has been resolved with the SPL Board and CKLS Executive Board.

(N) Services provided, myopic viewpoint

Claim: "HPL typically provides nearly 30% of the services provided to residents within the CKLS footprint. Combined with the Salina Public Library, these two libraries provide more than 60% of the services systemwide."

Counterpoint: Data provided by CKLS Member Libraries to the Public Library Survey and State Report show these percentages claimed by HPL to be false. When measuring resources shared to patrons outside the library's taxing district, HPL provides fewer Interlibrary Loans than Russell Public Library, which has a population of 4,388. Sylvan Grove, a town of 285 provides just less than half the Interlibrary Loans that HPL does.

(O) HPL sought to be engaged with discussions and involved in the formula redesign

Claim: "HPL has repeatedly sought to be engaged with the discussions and process of redeveloping CKLS's funding formula and has been rebuffed."

Counterpoint: Over the past two years, HPL has frequently demonstrated they are not able to set aside the interests of their own library in favor of the whole System. When an organization such as CKLS, which serves many different types and sizes of libraries and a large population, is making a big and potentially difficult decision such as a finance restructuring, everyone involved in the work needs to be working for the whole. Everyone needs to be able to make difficult decisions. And everyone needs to be able to come to a consensus through considered diplomacy and compromise.

HPL director was part of the Bylaws committee in 2022.

The Executive Board Chair appoints committees and selects members that will work toward the good of the whole System. A request to be on the committee, may or may not be approved.

(P) Finance Redesign Committee Composition

Claim: "There was only one librarian serving on the funding committee, and no person from either HPL or the Salina Public Library."

Counterpoint: The appointed Finance Redesign Committee included the past board chair (a school and public librarian), and three County Appointees who directly serve the rural taxpayers. One of whom is a retired librarian, and another was the Ellis County

Appointee. The CKLS Executive Board felt this was a fair composition, especially considering CKLS is funded by rural taxpayers. It would have been self-serving to have the committee composed entirely of librarians, or by more librarians than county appointees. It must be noted, there was no one on the committee representing any other individual library as the committee worked for ALL Member Libraries. Additionally, it must be noted that the librarian (past Executive Board Chair) serving on the committee voted to approve the redesign plan, resulting in an approximately \$3,000 loss to her own library. This change was because the library had been bumped up a population category by previous administration. The librarian did this because she was working toward the good for the whole System, not just what benefited her own library.

Committee composition is set by the Executive Board Chair and may not include library representatives.

(Q) HPL's earnest and reasonable discussions

Claim: "In September 2021, you (Allen Glendenning) sent a letter to me in which you indicated CKLS was reworking its 'standards governing distribution and is certainly willing to include your client in earnest and reasonable discussions about them.' Despite that representation, your client (CKLS) has not engaged HPL in the process at all."

Counterpoint: CKLS did allow HPL free air time during the annual Zoom proposed System Plan discussion. In fact, Mr. Hines spoke for close to one hour, <https://www.youtube.com/watch?v=xXgPLm4Kddg>, which did not allow time for other librarians to ask questions and provide input during that discussion. Other Member Librarians have called his behavior during the discussion, "abusive," "attacking", and "steamrolling." During this meeting, Mr. Hines delivered directives to the System Librarian telling her to do this and do that. Mr. Hines did not engage in reasonable discussion.

(R) Hines not appointed to Finance Redesign Committee

Claim: "...Ms. Santy and the former chairperson of CKLS' Executive Board, Ms. Holmes, sent a letter dated March 18, 2022 that rejected HPL's request that its executive director, Brandon Hines, be appointed to the finance committee..."

Counterpoint: The Finance Redesign Committee was composed of direct representatives of our rural taxpayers, not librarians. Please see the above counterpoints about Mr. Hines serving on the Finance Redesign Committee (Point O). A request to the board may or may not be granted.

(S) Executive Board members elected by a majority vote

Claim: “When Mr. Hines subsequently sought a position on the Executive Board at the CKLS annual meeting, CKLS changed its voting procedures so as to have a referendum vote on each member running for a position, instead of simply following prior voting procedure, so that Mr. Hines’ candidacy was defeated – despite the fact that he was running unopposed for an open position.”

Counterpoint: CKLS has never held a plurality vote, which is described in the claim above. All elections or approvals of items must have a majority vote, with Bylaws amendments having a 2/3 vote. For at least the past 30 years, anyone elected to the Executive Board must win by a majority vote, not just because they are the only candidate on the ballot (plurality vote).

It is true that CKLS has made changes to the voting procedures over the years, but not to manipulate votes and outcomes as is suggested. As staff learn, CKLS makes improvements to how the meeting is run, how ballots are created, and how the votes are recorded. In 2022, CKLS made a change from 2021 Nominations for Executive Board Ballots. In 2021 CKLS had two County Appointee nominees on one paper ballot. There were 2 positions open for these nominees so Voting Representatives were able to vote for up to 2 candidates on the ballot. Each candidate on the one ballot received majority votes. Each was elected to the board. In 2022, we put each separate position on separate paper ballots, to alleviate confusion. To win the election on the ballot, the candidate must win a majority. In 2022 on the Member at Large Position A Ballot, Brandon Hines ran unopposed, but did not win a majority vote. Of the 76 ballots received, 28 were yes, 40 were no, 6 were abstains and 2 were invalid. Consequently, for 68 countable ballots, Mr. Hines would have needed 34 votes to receive a majority. There were only 28 yes votes to elect him to the board. His election bid failed.

Mr. Hines made this exact claim during the Full System Board meeting on May 25, 2022 and, upon approval, CKLS Staff explained the change as written above to the Full System Board. Mr. Hines publicly acknowledged the explanation at that time.

What you, and the letter from Katherine Wolf, HPL Board Chair, fail to state is that Mr. Hines, by his own verbal admission during the public meeting, was not going to nominate himself from the floor for a different vacancy because the voting representatives had made it clear that he would not be voted into office that day.

Because of Mr. Hines’ claim of changing the voting procedure, CKLS has engaged a professionally registered parliamentarian (PRP), to help create meeting guidelines, voting guidelines and procedures, and add clarity to the Bylaws (to be voted on by the Full System Board in May 2023) to make sure that things that have been standard for the past

30 years are now crystal clear to everyone involved in the process. It must also be noted that the standardized voting procedure used for all the years prior, including the several years since Mr. Hines became the HPL director, had never come into question. Additionally, none of the Regional Library System Bylaws describe in full detail how the Full System Board will elect members to the Executive Board. Because of Covid-19 all Regional Library Systems had to change their meeting and voting procedures and did not alter their bylaws to note this change.

(T) Third-party mediator

Claim: "...HPL has repeatedly suggested using a third-party mediator to try to facilitate discussions between CKLS and HPL, which have been denied by CKLS."

Counterpoint: The CKLS Executive Board repeatedly offered to meet with the HPL board to discuss the situation board to board. The Executive Board has heard extensively from Mr. Hines and wishes to engage the HPL Board in discussion. The HPL Director and Board has repeatedly declined to do so. When HPL escalated the situation by engaging legal counsel, CKLS had no option but to do the same. Communication has been ongoing through legal counsel with the lawyers serving as third-party mediators.

The CKLS Executive Board is still willing to meet with the HPL Board and a third-party mediator to discuss the situation board to board without the System Librarian or HPL librarian being involved in the discussion. Such a mediator would need to have a thorough knowledge of Kansas library law regarding public libraries and Regional Library Systems, public library boards, and regional library system boards. Such mediators are few and far between. The cost of another 3rd party mediator is not budgeted for CKLS. This cost would need to be shared by all parties. The CKLS Executive Board does not feel this is the best use of rural taxpayer dollars to pay another mediator to rehash the same information from the past 2 years.

(U) Funds provided for years to partially compensate for extreme difference in costs

Claim: "...these funds have been provided to not only HPL, but also the Salina Public Library for years and are intended to partially compensate these libraries for the extreme difference in costs it takes to process, organize, and maintain their extensive collections."

Counterpoint: The Memorandums of Understanding have been in place since 2018. Within a span of five years, CKLS had a new System Librarian and HPL and SPL each had two new directors. With nothing in writing, the System Librarian and the Executive Board sought to codify and document additional monies received to protect all parties. HPL has taken the MOUs as an opportunity to lobby for increased funding year after year, despite a 325% increase in funding received from CKLS since 2015.

The Data Link Grants were first provided to HPL and SPL in the 1980s as they were the first public libraries in CKLS to be automated. HPL shared a catalog with the Forsyth Library at Fort Hays State University. Now, all tax-funded libraries in CKLS are automated. Being automated is now the norm and not the exception. No library should be compensated for being automated.

CKLS changed the name of the Data Link Grant in the MOUs to the "Processing Grant," because a grant based on a library being automated was outdated. This Processing Grant was to partially compensate for the large number of physical materials they process each year.

In 2022, HPL reported on the Public Library Survey and State Report that they added 16,026 books to the collection. They received \$40,000 from CKLS through the MOU for the Processing Grant. In 2022 CKLS had processed (through Ingram) 16,475 physical items at a total cost of \$19,371.

This comparison shows it is no longer cost effective for CKLS to provide a grant to HPL to process physical materials in house when they can be done at a much lower cost through a library jobber like Ingram. When the System Director pointed this out to Mr. Hines at the March 24, 2023 proposed System Plan Zoom discussion, Mr. Hines retracted and said that those items need to be cataloged and then he retracted once more and said that is for the integrated library system (checkout and library catalog).

There are a number of CKLS libraries who process and catalog their own items and receive no compensation from CKLS for doing so. The Finance Redesign Committee determined that one library should not receive favorable funding over any other and that grants-in-aid from CKLS are not intended to duplicate or replace local funding. Granting aid to HPL for processing and not granting aid to other libraries for processing is demonstrating favorable funding to one library over any other.

(V) Pathfinder Central is open to all libraries

Claim: ...is CKLS planning to ultimately force all libraries within the system to utilize CKLS' shared catalog and processing?

Counterpoint: Never once did CKLS state any intention to "force" libraries within the system to utilize CKLS's shared catalog and processing. Every public library has been offered the opportunity to join or opt out of the consortia catalog Koha Pathfinder Central.

About two decades ago, CKLS held a series of meetings to which all libraries were

invited, to discuss a shared catalog. At the end of the discussions, Member Librarians voted to adopt Koha, the platform for the current shared catalog. Over time, more and more libraries **opted** to join the shared catalog consortium, Pathfinder Central. All Member Public Libraries including HPL were invited to join Pathfinder Central. HPL opted not to join the consortium. When Eric Norris was the HPL director, CKLS System Librarian, Harry Willems, met with Mr. Norris and again extended an invitation for HPL to join Pathfinder. The invitation was declined.

At the March 24, 2023 Proposed System Plan discussion, Mr. Hines asked if CKLS could add HPL to the catalog by next year. If truly interested, HPL would need to get in line and wait their turn and wait for budgeting cycles. CKLS is already committed to bringing up two libraries to the shared catalog over the next five years. CKLS simply does not have the staffing required to work at a faster pace. So yes, HPL could choose to join Pathfinder Central, but would not be forced to do so.

(W) Obvious dissatisfaction with System Membership

Claim: HPL is aware that CKLS has previously advised the Salina Public Library that CKLS will not oppose its withdrawal from CKLS...

Counterpoint: You took this sentence out of context, which drastically changes the original intent. The study committee report to the Executive Board, delivered in 2021, stated, "We understand that this recommendation will not be received favorably by the Hays and Salina boards of trustees. We thereby recommend that if either library chooses to petition the State Library Advisory Board for withdrawal from CKLS, the Executive Board should not oppose that petition."

The Executive Board will be asked if it opposes a library leaving the System, should that library petition the State Library of Kansas. Taking this out of context makes it appear that CKLS does not value the contribution of its two largest libraries. CKLS does value the contribution of these libraries, and thus the Executive Board voted to approve a financial redesign that significantly increases the Base System Allotment to the two largest libraries and rewards them based on services provided.

(X) CKLS funding redesign is based on actual library services provided by all Member Libraries

Claim: ...demonstrating the lack of value CKLS's leadership places on actual library services provided to constituents in the region provided by these two libraries.

Counterpoint: CKLS values the contributions of ALL System members and the services they provide. Each library can work to improve their services and thus improve their CKLS grants-in-aid. See also point W.

(Y) HPL laid out measured options, to include “alternative arrangements” in February 2021

Claim: CKLS’ entire approach to the legitimate concerns raised by its two largest providers of service has led HPL to begin to explore alternative arrangements, a result HPL never wanted to reach.

Counterpoint: As stated under point D, in early 2021, Brandon Hines emailed the CKLS System Librarian a list of talking points regarding a request for increased funding to HPL and SPL. These talking points included three options.

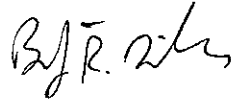
1. Contract with CKLS to “give” HPL 75% of the taxes levied in Ellis County
2. To form a county library
3. To form a special district library through legislation

From the onset of this situation, Mr. Hines made it very clear that he had consulted with legal counsel in Topeka regarding possible alternative arrangements and that if CKLS would not concede to the requests/demands, he would escalate. When the System Librarian asked if there was any room for negotiation from these three options, Mr. Hines said, unequivocally, no. The System Librarian took him at his word.

Hopefully this letter will provide better clarity to the positions of CKLS and help facilitate the work of the State Library Board as they examine this issue.

Thank you for your consideration.

Very Truly Yours
STEVENS & BRAND, LLP



Bradley R. Finkeldei
BradFink@stevensbrand.com

cc: CKLS
State Library of Kansas Advisory Board Chair, Randy Roberts (reroberts@pittstate.edu)
State Librarian, Ray Walling (Ray.Walling@ks.gov)
State Library of Kansas Advisory Subcommittee Chair, Tom Taylor
(tomtaylor@andoverlibrary.org)