

AMENDED
Community Library Network
Board of Trustees Regular Meeting Minutes
Thursday, November 16, 2023
Post Falls Library

2:00pm – 5:30pm

We Empower Discovery

Agenda

Call to Order Meeting was called to order at 2:00 pm

Roll Call Trustees: Katie Blank, Tom Hanley, Rachele Ottosen, Tim Plass, Vanessa Robinson (left at 5:30 pm)
Treasurer: Julie Saad (arrived at 3:35 pm and left at 5:30 pm)
Staff: Alexa Eccles, Lindsey Miller-Escarfuller, Janelle Sells
General Counsel: Colton Boyles

Pledge of Allegiance

Public Comment (*30 minutes*)

Speakers must state name and community and speak for no more than 3 minutes. Persons addressing the Board are expected to observe a level of civility and decorum appropriate for a public meeting. No personal attacks or disruptions from audience members will be tolerated.

- Wendy S, Coeur d'Alene – She is a regular library user. She is supportive of disassociating with ALA. She is also supportive of the amended materials selection policy to protect minors.
- Suzanne Kearney, Post Falls – She commented about former trustees. She is supportive of amending the materials selection policy. She questioned McCrea's motive with her letter to the current Board.
- Marianna Cochran, Rathdrum – She commented about sexually explicit books available to minors. She discussed a book by the author Dr. Wolf. She is supportive of the current Board and amending the materials selection policy.
- Kim Bugler, Coeur d'Alene – She displayed a book that has words discussing sexual acts. She wants a library with appropriate materials for minors. She wants clean books for children.
- Becky T, Hayden – She is appreciative of the board making efforts to protect children from inappropriate materials. Inappropriate materials should not be in the children's section. Labels should be placed on materials for content. Parents assume materials in the children's section do not have pornographic and explicit sexual content.
- Dan Schuck, Hayden – He thanked the Board for serving the Community Library Network. The voters in the last election voted for change. He is in favor of prohibiting inappropriate materials being made available to minors.
- Amy Lee, Post Falls – She is a homeschool mom and is an avid library user. She is disappointed in the content of children's materials available at Post Falls. She only gets material by request. She is supportive of the current board and amending the materials selection policy.
- Jeff Lewis, Post Falls – He discussed a handout he made available to the Board and Director about Book Looks summaries. He is in favor of content warning labels on materials. He noted the new legislative session will include the re-introduction of a bill to remove the exemptions for libraries. He is supportive of the Board.

- Deborah Rose, Kootenai County – She addressed the amendment of the materials selection policy. She talked about the book, *Identical*. She stated there is justified value to this book. She presented a petition to the Board.
- Joshia Mannion, Hayden – The Hayden library is his home library. He is shocked at the ineptitude of the current board. Removing materials is robbing individuals from finding materials to help with experiences that happened at church or at home.

Consent Agenda: Action Item (*10 minutes*)

Minutes of the Regular meeting of October 19

CIN October 2023 financial statements

- Hanley moved to approve the consent agenda as amended.

M, C - Hanley

Minutes of the Special meeting of September 27: Action Item (*5 minutes*)

- Robinson noted that the minutes reflected the Director would be available via telecommunications. Eccles provided a transcript of the minutes. Blank moved to accept the minutes of September 27, 2023, as amended with the transcripts attached.

M, C – Blank; Plass opposed.

Minutes of the Special meeting of September 29: Action Item (*5 minutes*)

- Plass objects to the summary as presented in the minutes. Eccles provided transcripts of the meeting section. She believes the original minutes are an accurate summary. Blank moved to accept the minutes of September 29, 2023, with the transcripts attached. Eccles stated minutes are a summary of discussions.

M, C - Blank

Community Library Network October 2023 financial statements: Action item (*5 minutes*)

- Plass asked about expense lines 61 through 65. Blank noted an analysis of expenses is also provided. Blank asked about the Insurance expenditures. If the balance of the ICRMP policy is paid, the line will be over expended. Eccles noted that the ICRMP policy was committed to for the year. Plass noted the ICS account balance. Eccles stated she could resend the carryforward summary for the new fiscal year and that ICS and carryforward are not the same thing. Ottosen moved to accept the October 2023 financial statements.

M, C - Ottosen

Discussion: FY2024 Legal and Insurance expenditures covered by (fund source): Action Item (*5 minutes*)

- Ottosen suggested several budget lines to cut in order to cover the overage. Eccles stated she was asking about using carryforward funds to cover the expenditure overages in the Legal and Professional and Insurance expenditures. Blank asked for further discussion at the December meeting. Hanley noted the overages do not seem wildly out of line. Robinson and Plass are in favor of more discussion at the December meeting.

Circulation Statistics: October 2023 (*5 minutes*)

- Plass asked again for statistics on expiring cards versus new cards. He also asked if videos games are being used in the library and how they are tracked. Eccles noted staff do not monitor what patrons use the internet for. Robinson noted how virtual reality is used for workforce training. Ottosen noted Freegal usage is very low.

Director's Report (10 minutes)

Employment legal advice hotline

Engaging employment and financial lawyer

Resolution to reserve forgone funds up to \$269,335.00 before 12/31/2023

- Eccles noted eight principal duties a director provides to the Board. She stated policy changes being proposed may pose some financial risk. She is concerned about employment related liability coverage. She would like to explore, with legal counsel, specialized legal counsel for employment and financial liability. She reviewed staff are exploring themes for showcasing library services. Plass asked about the Collections report. He requested a list of all new materials purchased by month. Eccles noted that CIN provides the Koha software, a shared software for all libraries in the consortium. Hanley asked about when books are added to the catalogue and suggested staff could use the internal database to create the list of new books. Eccles pointed out the circulation statistics show 2,472 added to the collection year to date and the collection is physical and digital. She noted reporting monthly circulation statistics is the appropriate level of oversight for the Board.

Break (5 minutes)

Break taken from 3:19 pm to 3:24 pm

Executive Session | Idaho Code 74-206(1) (b): To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. (15 minutes)

Hanley moved to go into executive session per Idaho Code 74-206(1) (b) at 3:25pm

Blank – Aye

Hanley – Aye

Ottosen – Aye

Plass – Aye

Robinson – Aye

Miller-Escarfuller and Sells left the meeting at 3:27 pm

Blank moved to come out of executive session at 4:05 pm

Blank – Aye

Hanley – Aye

Ottosen – Aye

Plass – Aye

Robinson – Aye

Miller-Escarfuller and Sells returned to the meeting at 4:07 pm

Trustee continuing education: (1 minute)

- Ottosen noted Eccles provided Library Policy Best Practices and Drafting Library Policy within the scope of practice.

Ottosen moved to limit discussion to 2 minutes per person for the remainder of the meeting.

Blank – Nay

Hanley – Aye

Plass – Aye

Robinson – Aye

Ottosen - Aye

Legal Counsel (15 minutes)

Materials Selection Policy

Questions

- Boyles noted a court case he reviewed at the last meeting regarding First Amendment rights related to obscenity to minors. He stated that there are different standards for adults and minors. He noted other policies may need to be amended as they relate to minors. He stated the Materials Selection Policy is a good start to a draft policy, but he would not recommend approving the revision as is. He is concerned about the language, "as a whole, or in part". He defined the Miller Test and how materials can be restricted. Robinson asked about loopholes in the existing policy and how the new draft closes the loopholes. Boyles noted the new draft is just a materials selection policy. The new draft may not change what books may be purchased. Robinson asked if the existing policy was problematic. Boyles noted it is adequate but could be improved. Plass asked if courts can dictate what can be purchased and why restrictions cannot be for all minors. Boyles noted there are different determinations of what is obscene to minors based on age. Eccles is very concerned about implementing the new policy. Blank asked if the draft policy makes the library more legally vulnerable. Boyles stated the current draft policy would make the library more legally vulnerable.

Discussion on Materials Selection Policy: Action item (15 minutes)

- Blank is concerned about being legally vulnerable by adopting the new draft. Hanley asked how much of a book can be obscene but still be a quality book. Boyles referred trustees to the court case. He noted that courts define what is considered obscene. Plass asked if each book needs to be defined obscene in court. Boyles recommends clearer definitions. Eccles posed a real-life scenario to counsel. Boyles advised that multiple analysis' must be made based on minors and adults. Boyles is concerned about staff liability, especially with potential upcoming legislation. Blank asked if Boyles is recommending removing "in part" or modifying "in part". He stated that courts will not abandon that context of material is important. Hanley asked if removing "in part" and adding access restriction to materials for minors would reduce liability. Boyles noted the access to materials is different than selection of materials. Eccles noted that shelving is being adjusted for age-appropriate materials.

Discussion on Materials Withdrawal and Reconsideration Policy: Action item (50 minutes)

- Plass moved to approve sequentially the Plass draft of the Materials Withdraw and Reconsideration Policy and send to Legal Counsel for review. Blank stated that reviewing the policy section by section is fine but must be seen in the policy as a whole. Ottosen moved to divide the question and by first moving to approve sequentially the Plass draft of the Materials Withdraw and Reconsideration Policy and secondly moving to send to Legal Counsel for review. Ottosen withdrew her motion.
- Consensus reached for the title to be Materials Withdrawal and Reconsideration Policy.
- No objections to the first sentence.
- All stricken sections on pages one and two will remain stricken.
- Withdrawal of Materials (Weeding) section
 - Sentence: Criteria for selecting materials for withdrawal include, add "or relocation" in front of "include". Robinson and Ottosen clarified "withdrawal" means removal, not relocation. – consensus not reached to add "or relocation".
 - Eccles reviewed CREW method for material withdrawal. The CREW method summary is more precise and adds e-materials. Blank is supportive of the summary. Plass would like to add a section that defines materials as the Materials Selection Policy defines materials. Plass would like to add "Materials as defined in the Materials Selection Policy" after the first sentence of the policy. Hanley suggested adding bullet points "materials harmful to minors" and "materials identified through the reconsideration process". Consensus not reached for "materials harmful to minors". Consensus not reached for "materials identified through the reconsideration process". Ottosen moved to table discussion to the next meeting.

M, C – Ottosen; Plass opposed.

Director Evaluation Policy and Committee Report: Action item (5 minutes) – No discussion

Facility Maintenance Annual Report (15 minutes) – No report

Discussion of CLN FY2024 Board Calendar: Action item (5 minutes)

- Eccles notes that based on all the policies that need to be reviewed, a schedule should be made.

Discussion of future agenda requests (The board will decide via consensus whether these items will be moved to a future agenda) (5 minutes)

- Blank would like Board Training on the calendar.
- Robinson would like a discussion on public etiquette related to sign holding during meetings.
- Hanley would like the Board calendar prioritized.
- Ottosen would like to discuss the COVID-19 policy and Emergency Authorization at a future meeting.
- Plass would like to review By-Laws for policy review procedures.

Plass moved to extend the meeting to 5:40 pm

M, C – Plass; Robinson opposed.

Set Special and regular meeting dates: Action item (4 minutes)

- Ottosen suggested a special meeting on November 30, 2023, from 1:00 pm to 4:00 pm. Discussion to include Materials Selection Policy, Materials Withdrawal and Reconsideration Policy, Director Evaluation Policy, and Legal Counsel.

Adjournment: Action item

Blank moved to adjourn at 5:44 pm

M, C – Blank

Respectfully submitted,
Alexa Eccles, Janelle Sells

Calendar of events:

21 Dec 2023	Regular Meeting	2:00 – 5:30	Post Falls
18 Jan 2024	Regular Meeting	2:00 – 5:00	Hayden
15 Feb 2024	Regular Meeting	2:00 – 5:00	Post Falls
21 Mar 2024	Regular Meeting	2:00 – 5:00	Hayden

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