

**Community Library Network
Board of Trustees Regular Meeting Minutes
Thursday, January 18, 2024
Hayden 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, Rachelle Ottosen, Tim Plass (arrived at 2:10 pm),
Vanessa Robinson
Treasurer: Julie Saad (arrived at 3:35 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.

- Suzanne Kierney, Post Falls – She discussed youth stumbling across harmful materials that lead to poor life choices. She quoted from the Naked Communist. She noted the child card does not work as intended. She is supportive of HB 384.
- Michelle Lippert, Post Falls – She addressed Board conduct. She noted the Director and staff should be the source of policy and the Board approves policies. Policies created by Plass and Hanley will cause liability. Roberts Rules of Order are meant to run meetings with decorum and efficiency.
- Pat Raffe, Post Falls – She empathizes with all members associated with the CLN. She is concerned about the Board not listening to staff and legal counsel. She noted her letter to the editor in the Coeur d'Alene Press.
- Ed DePriest, Hayden – He does not want to see pornographic materials in the libraries, but he is concerned about values being imposed over constitutional rights for others. Taxpayer dollars are paying for legal advice and potential lawsuits.

Consent Agenda: Action Item *(5 minutes)*

Minutes of the Regular meeting of December 21, 2023
CIN October 2023 minutes
CIN December 2023 financial statements

- Hanley moved to accept the consent agenda.

M, C - Hanely

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

- Hanley does not know where the income lines come from for Sales Tax & Ag Equip, coop Electric Agreement, Personal Property Replacement, and Property Tax Relief. Eccles can provide a written

description. Plass asked about the CARRF account balance. Plass moved to accept the December 2024 Financial Statements.

M, C – Plass

Discussion of Community Library Network December 2023 carryforward balance analysis *(5 minutes)*

- Plass asked what was taken out of ICS to get funds available for operations. Blank noted that the ICS account is a holding account. Eccles noted the amount available for operations is \$617,494.56. She described gross available funds and the funds that need to be reduced from gross available funds to determine the amount available for general operations. There is a short fall of \$199,000 to have approximately 2 months' worth of emergency. Plass is not concerned about the short fall. Eccles stated she directed staff to be cautious during the first four months. Blank asked to see the available funds report on a regular basis.

Circulation Statistics: December 2023 *(5 minutes)* No comments

Director's Report *(10 minutes)*

- Eccles noted the press release in the table packet regarding the closures for Athol and Post Falls. She noted capital projects related to claim repairs, adjacent projects could be less costly to complete during the closures. Plass asked about the root cause of the water leaks. Boyles noted the insurance adjuster may have more information. Hanley asked if there will be preventative measures implemented for the future. Eccles noted everything is still very preliminary.
- Eccles discussed the library catalogue and how to search for new materials. She noted that requested reports are not necessary for the director's oversight. A photo was included to show how to search the catalogue.

Legal Counsel Report *(15 minutes)*

- Plass moved to have the Legal Counsel Report be written or provided in executive session. Blank noted there was no action item, and the motion should not be considered. Blank asked if policies can be discussed in executive session. Eccles noted the policies are considered public business and should be discussed publicly.
- Discussion of policies under consideration – majority consensus was reached to bypass this topic.
- Trustee Education: Trustee personal liability risk
 - Boyles provided several documents that he reviewed regarding trustee personal liability risk. Documents include Idaho Code Title 6 Chapter 9 Tort Claims Against Governmental Entities, Shubert v. Ada County, 166, and Williamson v. Ada County, 509.
- Questions

Insurance Update *(5 minutes)*

- Eccles noted she received one correspondence this morning from Redman Insurance. She has not had time to review. The policy cost is approximately \$100,000 with increased deductibles. Blank stated she did not see employment coverage.

Legislative Update *(5 minutes)*

- Eccles provided a copy of HB 384.

Discussion of Collection Selection and Access Policy: Action item (30 minutes)

- Eccles provided a copy of the Collection Selection and Access Policy. Blank noted this policy version was developed by staff and with the direction of the attorney. Eccles reviewed the policy. Robinson asked legal counsel if this staff draft would require a substantial amount of changes to other policies. Boyles would like to provide a written response. Eccles asked if the staff draft appeared legal. Plass does not care for the current Library Card for Minors Policy and this policy appears to define minors better. Boyles would like more time to review the policy. Eccles utilized feedback from the trustees, the public, and legal counsel to draft this policy. Blank noted this policy is stricter and easier to implement. Plass is opposed to this policy. He wants separate policies for selection and withdrawal of materials. He does not want any materials that violate Idaho Code. Hanley agrees with Plass for separate policies and wants tight purchasing guidelines. Blank asked Boyles if a book is legal to stay on the shelf, how could the acquisition of the book not be allowed. Eccles noted concern over public statements for viewpoint discrimination. Robinson asked if there is an overrepresentation of materials for one group and does not provide representation for the community as a whole. Blank noted the library has tools available to ensure materials meet the demographic needs of the community.

Discussion of Materials Selection and Acquisitions Policy: Action item (20 minutes)

- Continued discussion
 - Objective and Scope of Policy
 - Plass proposed adding "This policy pertains only to the selection for the library's collections for new acquisitions and new purchases of books and materials," and strike "regardless if previously acquired,". Hanley wants to keep "regardless if previously acquired" and add "except for replacing lost or damaged material." Hanley suggested "this policy pertains only to the selection and acquisition of new books and materials". Plass suggested "this policy pertains only to the selection and new acquisitions of book and materials." Final suggestion: "This policy pertains only to the selection and newly acquired books and materials."

Discussion of Withdrawal and Reconsideration Policy: Action item (20 minutes)

- Continued discussion
 - Materials Inappropriate for Minors
 - Blank suggested "Materials that violate... will be excluded from the Children's, Teens, and Young Adult collections." Majority decision change will be "Materials that violate Idaho Codes...shall be removed from the non-adult collections."
 - Disposition of Materials
 - Hanley asked legal counsel regarding materials not available to minors. Boyles noted an adult may check out a book and allow a minor to read it. He said minors can access materials but may or may not be able to check out materials. Plass wants the minor card policy changed to not allow any minor under the age of 18 to have access to the adult collection. His solution would be by default not to give access to the adult section. Hanley would like all cards to default to minor cards and must show government ID to get adult card. Robinson clarified that the adult collection is not the same as items available in an adult bookstore.

Discussion of Director Evaluation Policy: Action item (15 minutes)

- Continued discussion
 - Page one, last sentence
 - Change "with" to "within". Eccles asked what happens if the Director submits a rebuttal. Plass noted the rebuttal is included in the evaluation as staff comments. Hanley said a rebuttal offers the opportunity for the Board to reconsider the evaluation. Plass suggested

to change "rebuttal" to "written comments". Eccles suggested "The Board may hold an executive session for further discussion or may re-review" for some type of additional process step. Plass suggested "The Board may choose to review the evaluation and go into executive session." Blank asked legal counsel if this sentence violated the Personnel Policy. Boyles noted that in the end, both the director evaluation and the Personnel Policy must match. Robinson asked for clarification on whether the Director falls under the Personnel Policy. Boyles stated that the director is an employee, and the Personnel Policy applies.

Break (10 minutes) Break from 4:26 pm to 4:37 pm

Discussion of Public Comment Policy, public etiquette, and signs: Action Item (15 minutes)

- Eccles reviewed some language about signage displayed during meetings that can be added to the current policy. She recommended "members of the public may display signs; however, the signs must not interfere with Board business or other audience members involvement and/or observation of the meeting". Eccles requested that she draft an amendment to the current policy and send it to legal counsel for review. She also discussed language for media participation in the meeting. Hanley would like to make sure that the media are not disrupted either. Eccles will provide a written edit of the policy at the next meeting.

Discussion of periodic acquisition reports: Action item (5 minutes)

- Hanley stated that Plass asked the Director to provide a list of all new materials. He is concerned about the Director's comment about the report becoming a record available for a public records request. He stated it is important for the public to view what is purchased with tax dollars. He wants a report produced monthly of new purchases that are broken out by ages for Overdrive, eBooks, audio, and physical materials and delineated by audience as categorized by preschool, primary, juvenile, pre-adolescent, adolescent, and adult. Plass moved to require a report every other month of new purchases as detailed by Trustee Hanley. Robinson asked for the Directors table packet regarding this motion. Eccles stated that government agencies are not required to create, generate, or produce new reports or compilations of information for members of the public for information that is already in existence. She asked the board to identify the business need for the reports. Boyles noted that statement is accurate. This report being requested does not provide a business purpose for the library. Unnecessary reports can create increased liability risk. This report is not policy setting. Blank does not understand the need for this report when new acquisitions are listed on the website. Oversight of purchases is delegated to the Director. Ottosen called the question.

Motion to call the question and stop debate.

M, C – Ottosen, Blank opposed

Motion to require a report every other month.

M, C – Plass; Blank and Robinson opposed

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 to discuss the motion requiring a report and if this makes the library more legally vulnerable. Majority consensus was reached. Boyles requested the details as outlined by Hanley.
- Plass would like an action item to discuss the legal counsel advisory process for providing written, oral, or executive session advice. He is concerned about advice on policy. Majority consensus was reached.
- Plass would like a status report on books being moved into the different sections of the minors' collection and into the adult collection. Majority consensus was reached.

Set Special and regular meeting dates: Action item (5 minutes)

- Special meetings may need to be called in the future about remediation efforts at Athol and Post Falls.

Adjournment: Action item

Blank moved to adjourn at 5:20 pm

M, C - Blank

Respectfully submitted,
Alexa Eccles, Janelle Sells

Calendar of events:

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

Please let us know if you need auxiliary aids or services to enjoy our libraries. This includes providing a sign language interpreter, assistive listening devices, or print materials in a digital format. We can also modify programs, services, or activities, within reasonable limits. Please request these services through Randy Zepeda, ADA Coordinator, preferably 15 days in advance, but no later than 72 hours before the event. Phone: 208-773-1506 ext. 329 Email: ADAcoordinator@communitylibrary.net

The Community Library Network does not discriminate on the basis of disability in its programs, services, activities, or employment practices. The Library Network has a policy on ADA compliance and the complete policy is available for review upon request. In addition, a grievance procedure is available to resolve complaints. If you need this notice in large print or Braille, let us know.