

WEBER COUNTY LIBRARY

BOARD OF TRUSTEES

MINUTES

Date: January 5, 2016

Board Members

In Attendance: Scott Spencer
James Ebert
Brent Innes
Kathleen Jensen
Spencer Stokes
Tom Taylor
Judith Jones

Others in

Attendance: Lynnda Wangsgard, Library Director
Scott Jones, Assistant Library Director
Julia Valle, Library Business Office Manager
Bryan Baron, Deputy Weber County Attorney
Evelyn Bertilson, Friends of the Library
Marcia Harris, Library Development Board
Margaret Rostkowski, Weber Reads

Spencer called the meeting to order at 5 p.m.

Public Comments:

There were no public comments.

Approval of Meeting Minutes:

Spencer called for additions or corrections to the December 1, 2015 meeting minutes. Hearing none, he accepted a motion from Taylor, and a second from Jones, that the minutes be approved as presented. All voted aye.

Spencer asked for a report on the relocation of the data center from the Main Library to Headquarters. Jones noted that, after weeks of planning and preparation, the center was moved without incident. The process took less than a week.

Scott asked if contact had been made with schools, inviting them to participate at the Headquarters Library dedication and open house. Wangsgard noted that Nancy Crocker, a teacher at North Park Elementary School, is coordinating an art project among the elementary schools in the service area. Students will also be invited to participate with music, dance, and other activities throughout the afternoon.

Director's Report:

Wangsgard suggested that she continue sending statistical reports with the Board packets, but that the time traditionally spent in review during each meeting be allocated to other business. Because services are being realigned and moved, the data gathered will not be comparable to previous years in a way that can be given meaning. She invited the Board to point out trends or ask questions as interest and need dictate and she will be pleased to respond. The closing of two floors at Main, closing of current SWB and opening of new SWB, as well as renovation and expansion of North Branch will result in service numbers being skewed.

Board members received copies of the 2016 Flexible Meeting and Training Calendar that detailed tentative plans for the year. This tentative calendar was established for employees and Board members to facilitate planning. Once the Southwest Branch/Headquarters Library is open to the public, an asbestos contractor is on site and working at the Main Library, and general contractors are hired to begin renovations of Main Library and North Branch, managers will meet and focus on enhancing the calendar to include additional activities associated with a more traditional management of the System.

Lester Park Charrette Planning Meetings were attended by Jensen and Harris who represented the Library and Development boards. Upcoming planning meetings will be held to gather community input, which will be used to focus discussion at an open house scheduled for February 18, 2016. Carlos Camacho, Library Bilingual Coordinator, was planning to host two community input meetings which will be conducted in Spanish. They will be held on Wednesday, January 20th at 7 and 8 p.m.

After community input is gathered at these and other meetings, ideas and suggestions will be organized and presented at an open house to which the general public will be invited. The open house is scheduled on Thursday, February 18th. Since Main Library meeting rooms are closed for renovation, the location of this public meeting is yet to be established. Input gathered during the open house will be used by the charrette committee of independent professionals who will prepare the request for proposals from architects for the design competition. The Young Architects' Forum will select independent judges, perhaps from out-of-state, to award design competition prizes provided by the Library Development Fund and the Ogden Rotary Club.

The Board was reminded of the planned surplus property sale. This event will facilitate decluttering of historical storage areas in the Main Library and North Branch so they can be repurposed for public services. In addition, the staff will begin demolition of these facilities in order to make available items, such as slatwall, cupboards, and sinks, the value of which would otherwise be lost to the public. All County departments will be invited to take whatever they can use free of charge on Wednesday and Thursday, January 20-21. The public sale will be held from 10 a.m.-5 p.m., Friday & Saturday, January 22-23.

Wangsgard emphasized that the surplus property sale will not include books, but will feature items that are no longer of value to the Library System.

Commissioner's Report:

Ebert reported on meetings and discussions with Ogden City officials who are pleased with the

work being done by the Young Architect's group and the opportunity to engage the community in a design competition for Lester Park.

Discussions were also progressing with Ogden City officials concerning the waiving of fees associated with renovation of the Main Library.

Ebert complimented the Library staff on their work in helping move this cooperative project forward.

Weber Reads Introduction, Margaret Rostkowski:

Rostkowski thanked the Commissioners and Board members for their support of Weber Reads, noting that the community-wide reading project is modeled on the Library of Congress' One Book, One Community initiative. Weber Reads is a cooperative effort undertaken on behalf of the community by the Library; area schools, both public and private; Weber State University, the Wasatch Range Writing Project, and the Standard-Examiner.

Weber reads is in its ninth year. Texts selected for community study and discussion have included *Beowulf*; *Frankenstein*; *Huckleberry Finn* and *Tom Sawyer*; the autobiographies of Frederick Douglass and Harriet Jacobs; writings of the founders and signers of U.S. historical documents; the letters and poetry of Emily Dickinson; *The Odyssey*; and the writings of E. B. White, with emphasis on *Charlotte's Web*. Rostkowski brought with her graphic novels, picture books, DVDs, and other iterations of Weber Reads selections to illustrate the effort made to include materials that would engage a broad range of potential participants around a selected text or topic.

The writing of William Shakespeare had been selected as the 2015-2016 focus for Weber Reads in acknowledgement of the 400th anniversary of his death on April 23, 1616.

Boxes of age-appropriate books and lesson plans had been developed, as they always are for Weber Reads, by master teachers in the Wasatch Range Writing Project. The books and lesson plans were gathered in designer boxes prepared by Lezlie Sokolik, and then delivered to every school in Weber County. Library employees work with Margaret to select these books and Friends of the Library and local donors contribute to the program.

In addition to the books distributed to schools, summer reading programs are held in several area parks where the Library staff introduces the author to children, engages them in reading and related activities, and distributes books. It has become a tradition to provide a themed coloring book and box of crayons as a take away from these literacy events. Phoebe Carter, Sarah Lovato, and Deborah Smith also work with Rostkowski to provide an introduction to Weber Reads in local classrooms.

The 2016-2017 Weber Reads focus will be literature resulting from the Japanese American internment, a topic that was not traditionally addressed in public schools but which is now being acknowledged and taught. Bertilson reminisced that gifted and talented students, working with Jeff Stephens who is now the Weber County School District Superintendent, compiled and published a book of stories about Japanese Americans who were interned in Utah. The book now resides in the Weber County Library Special Collections.

Spencer thanked Rostkowski for her time and leadership of Weber Reads. Harris noted that what she accomplishes with Weber Reads is amazing and results in significant opportunity for interactions among diverse people and enrichment throughout the community.

Memorandum of Understanding between Weber County Library and Unitarian Universalist Church of Ogden and Certificate of Liability:

The Unitarian Universalist Church of Ogden had graciously agreed to allow Library literacy classes traditionally taught at the Main Library to move to the church. The congregation was making available two rooms, along with storage space for literacy teaching materials. Wangsgard noted the Church was an ideal location in that it was close to the Library, they would allow drinks and snacks during breaks, and they were providing a member to open the building, stay on site during the classes, and close the building after each class. This support was particularly important because the literacy classes are taught by volunteers who should not be expected to take responsibility for the hosting facility.

Baron had reviewed and approved the memorandum and provided a certificate of coverage of liability to protect the church from undue liability. Library literacy classes typically meet Tuesday, Thursday, and Saturday, offer introductory and more advanced learning opportunities, and accommodate classes ranging in size from 15-30 people.

Consideration of Library Property Ownership:

Baron reported that title to property upon which Library facilities are constructed is owned by different entities:

- Headquarters Library – Weber County
- North Branch – Library Board of Directors
- Pleasant Valley Branch – Library Development Board
- Ogden Valley Branch – Library Board of Directors
- Ogden Valley Branch future expansion property – Library Development Board
- Main Library – Owned by Ogden City and leased to the County

Baron indicated that Utah law was changed during the 2003 legislative session to require that title to all libraries be held in the name of cities and counties, rather than in the name of library boards. He had prepared quit claim deeds to transfer those properties titled to the Library Board and the Development Board to the County.

Baron explained that he was aware of the issues that would cause local library boards to want to retain title; that is, to ensure the property was used solely for library purposes. To address this concern, he had included language in the quit claim deeds that would allow donors, or their heirs, to reclaim the property if there was a proposed use other than what was originally intended.

There are two types of quit claim deeds, Baron explained: one that results in an automatic reversion if the property is not used as originally intended, and a second that allows donors to take possession if they so desire. The deeds prepared by Baron reflected the second type of reversion clause.

Stokes asked if the County could lease the property from the Development Board for fifty years or more with an option to renew the lease, as other governmental entities do throughout the State for similar buildings and projects in which they are involved. Baron noted this was an option, but having the County own the property made more sense if they were to make a significant investment on the land.

Stokes explained that he was not untrusting of current officials, but in his experience had seen many promises broken, noting poignant examples within Weber County. He expressed a desire to ensure that the intent of the original donor be honored, as it might be hard for heirs to take back the property once it was improved.

Harris asked how it was that the Library Board became the owner. Was ownership legal when it happened? Can the law be retroactive and take property away from its original owner? Baron said the law does not say it is retroactive and that the transfer has to be made, only that title must be held in the name of a city or county.

Stokes asked why the issue was coming to the forefront at this particular time.

Ebert explained that this was not the action of County Commissioners, but rather an attempt by the County Attorney's Office to respond to those who provide liability insurance to the County, ensuring that the County follows the law. The original Southwest Branch Library property was in the name of the Library Board. When the property was traded for the new building site, which is now in the name of the County, it seemed like an appropriate time to address the issues of how all the titles are held.

Wangsgard was asked if she had any memory of the change of law in 2003.

Wangsgard responded that there was considerable public concern over the change in the law because it opened the door for politicization of the operation of libraries, including materials collections and staff. In response to concerns that Boards could be required to censor materials that were unpopular with influential groups if library boards were stripped of their policy status and relegated to an advisory capacity, the law allowed for cities and counties to re-grant the rights and responsibilities with which boards were entrusted through county ordinance.

Weber County Commissioners (Camille Cain, Kenneth Bischoff, and Glen Burton) publically announced that it was their intent that all the rights currently held by the Library Board would be re-granted through County ordinance. Section Five, Responsibilities and Duties, of the Weber County Library Ordinance states the library board is granted responsibility for "the purchase, lease, exchange, and/or sale of land; the purchase, lease, exchange, sale, or construction of buildings for the benefit of the library, and the purchase, lease, exchange, and/or sale of personal property for the benefit of the library."

It seems apparent that Commissioners at this time intended for the Library Board to continue to function as it has since its inception in 1903, including holding ownership of the public's libraries in their trust.

Ebert noted this change in how title is held is not coming from Commissioners, it is coming from the legal department. If Legal says other options are available, the Commissioners are open to

other considerations for addressing the issues that have been raised.

Spencer noted he wished to make a comment as a Board member that he believes reflects the concerns of many in the community; it is not a personal comment. He went on to state that if Development Board can hold property, he is more comfortable with this non-political entity being entrusted with Library property. He noted that officials within the County recently proposed relocating the Golden Hours Center into the lower level of the Main Library, rather than renovating it as was approved by the voters. There has also recently been a controversy over locating a new 911 Center on the top floor of the Health Department Annex. He does not want to run the risk of Library facilities being used for services for which the public did not approve funding.

Ebert assured other Board members that he understands the tenuous nature of the Board's relationship with the Commission and the feeling of distrust the proposal engenders.

Spencer indicated the Board will take time to consider and reflect the discussion and the options available. Members deserve time to review options so they will feel comfortable with whatever action they take. Further discussion and possible action will take place during a future public meeting.

Open Public Meetings Act Training:

Baron noted he is required by State statute to do training for public entities concerning requirements of public officials and board under the Open Public Meetings Act, noting the courts favor transparency and openness.

Using a PowerPoint presentation, he explained the Act disallows discussion of any item during a public meeting that was not on the official agenda posted a minimum of 24 hours before the meeting. There are two exceptions, however.

First, if a member of the public brings up an item, the Chair may decide whether or not it will be discussed. At any rate, no action can be taken until the items appears on a formal agenda.

Second, if an item is of a true emergency nature, it can be discussed but the public has to be given the best notice possible.

Agendas cannot have vague, catch-all items such as "other business" used to bring up issues of which the public has not been informed. Agenda items must have reasonable specificity.

Meetings can be closed for a strategy session to cover issues, such as collective bargaining; however, the agenda must state that a closed meeting will be held and the reason for closing the meeting must be stated on the publicly posted agenda. Closed sessions have to be recorded and meeting minutes may be taken, unless discussing the mental competency of an employee.

Board members may communicate between meetings, both verbally and in writing such as emails, concerning items to be discussed on the agenda. These communications, if in writing, are discoverable under a GRAMA (Government Records Access and Management Act).

Baron noted judges are the ones who determine if violations of the Open Public Meetings Act

took place. If decisions were made in violation of the Act, all actions taken during the meeting are void. If the act is intentionally violated, such action is a class B misdemeanor.

Board members thanked Baron for this training.


Southwest Branch Dedication Program Considerations, Marcia Harris:

Harris reported Alan Hall was delighted to accept an invitation to serve as the Southwest Branch/Headquarters Library dedication speaker. Ann Milner had also graciously accepted an invitation to introduce Hall.

Other:

There being no further business, Innes moved to adjourn the meeting. Taylor seconded the motion. All voted in the affirmative.

Respectfully submitted:



Julia Valle



Date