

Trails Regional Library Board of Trustees
Minutes of January 15, 2020

1. Call to order

The Trails Regional Library Board met on January 15, 2020 at the Warrensburg Branch. President, Scotty Walker, called the meeting to order at 7:00p.m.

2. Roll Call

Board members attending: Fern Deatherage, Carlin Dillon, Jeany McGowen, Ron McMullin, Amanda Travis, Judy Tyler, Scotty Walker and Judy Wolter. Unable to attend: Marcy Bryant. One board position remains unfilled. Also, in attendance from the Missouri Attorney General's Office was Casey Lawrence, Director of Sunshine Law Compliance. On duty staff attending: Tanya Shelton-Council, Director, Anita Love, Kyle Constant and Carol Nolte, Warrensburg Branch Manager. Off duty staff/Public attending: Jae Steinkuhler, Teresa Lowe, Karen Churn, Jessica Craig, Regina Lamont, Jeanie Branch, Linda Smithson, Brittany Spears, Sharol McMullin, Susan M. Kohl, Emily Gastineau, Joyce Bedford, Jennifer ___?_____, Kim Holger, Jeannae Dickerson, Delann Lewis, Donna Chaney, Casey Lawrence Dorothy Arvizu, Laurie Squiric, Joan Ferguson, Minnie Patrick, Barb Rhodes, Linda Narron(?), Benedetta Culver, Diane Thompson and Janice Russell.

3. Public Comments

- a. Carol Nolte welcomed the board and guests to the Warrensburg Branch. Ms Nolte then outlined some of the programming that branch staff are doing. Branch programming covers all ages from tiny babies to two-year olds attending the Lap Sitters programs to 3-year olds to 5-year olds attending Story Times. For the middle school tweens, staff offers the Early Out Hang Out program that features an array of activities designed for that age group. For adults, staff is now offering more technology training and digital learning events.

- b. Delann Lewis commented that the website now seems to be easier to navigate and she appreciates the changes if changes were made. Ms. Lewis went on to say there might be some confusion about the intentions of the members of the public who attend the meetings. She stated everyone who comes wants the best possible services for patrons for the whole of Trails Regional Library. Ms. Lewis said she believes in a unifying not a divisive approach to problem solving.

- c. Casey Lawrence from the MO State Attorney General's office addressed the Board concerning Missouri Sunshine Law. Ms. Lawrence is the Director of Sunshine Law Compliance with the MO Attorney General's office. Ms. Lawrence began by pointing to a disclaimer that she is not an attorney but can explain and give examples of best practices for open meetings. The law defines Public Governmental Body as "any legislative, administrative or governmental entity created by the constitution or statutes of this state, by order or ordinance of any political subdivision or district". Ms. Lawrence explained judicial entities are different from legislative, administrative and governmental entities and how the Sunshine Law is different. Common public governmental bodies are state agencies, counties, cities, police departments, fire departments and public utilities. Public libraries fall under the definition of a quasi-public governmental body because they "receive an appropriation of money from a public governmental body (section 610.010(4)(f))". "If a quasi-public governmental body receives an appropriation of funds from a public governmental body then records, meetings and votes are open, only if they directly relate to the appropriation of funds (610.010(4)(f))". A public meeting is defined in the statutes as "any meeting of a public governmental body subject to section 610.010 to 610.030 at which public business is discussed, decided or public policy formulated." A meeting can be in person, by electronic communication (email or text), conference call, online chat, or internet message board. It is not considered a meeting when it is "an informal gathering of members of a public governmental body for ministerial or social purposes when there

is not intent to avoid the purposes of this chapter. (610.010(5)).” This will allow board members to meet at a social setting and not be considered to be conducting a meeting. The thing to remember is that the public needs to have access to open meetings.

There are two types of meetings; open where the public may attend and closed where the public may not attend. For all public meetings a notice of the meeting must be posted at least 24-hours in advance, excluding weekends and holidays (610.020.2). The notice must include the following information; time, date, place, possibly including the name of the building and address where the meeting is going to be held, a tentative agenda that must be “reasonably calculated to inform the public of the matters to be considered”, if there will be a closed session, it is a best practice to include a short statement of why the entity is going into closed session and finally if the meeting will be held by telephone or electronic format. (610.020.1) A statement indicating when the notice was publicly posted, including date and time must be included. Ms. Lawrence commented that it is best practice to post the agenda in more than one location.

All public meetings must have minutes, these minutes must list date, time and place of the meeting. Must list all members present and absent and record all votes taken, including a record of each member’s individual vote cast during a roll-call vote. (610.020.7)

Open meetings can be recorded by audio and/or video. Ms. Lawrence pointed out that the “public body needs to establish guidelines regarding the manner in which recordings are conducted. Closed meetings may not be recorded without permission of the public body.” If someone does record without permission it is a Class C Misdemeanor. (610.020.3)

Closed sessions within a meeting must follow one of 24 separate reasons for closing a meeting. If there is a closed session listed on the agenda then the closed session can only deal with that one item that is listed on the agenda. The body cannot discuss other topics while in closed session. (610.022.3). A closed meeting “requires an affirmative public vote of the majority of a quorum of a public governmental body with reference to a specific section of 610.021 or requires a meeting notice with reference to a specific section of 610.021” (610.022.1 & .2) Ms. Lawrence said best practice is to do both of these steps to ensure clarity for a closed meeting. As far as location of the closed meeting the “public governmental bodies holding a closed meeting shall close only an existing portion of the meeting facility necessary to house the members of the public governmental body in closed session, allowing members of the public to remain to attend any subsequent open session held by the public governmental body following the closed session.” (610.022.3). A member of the public governmental body can object to going into a closed session. If a member does object, their objection must be recorded in the meeting minutes. “Any member making an objection shall be allowed to fully participate in any meeting, record or vote that issue.” (610.022.6)

A Sunshine Law policy is needed for the public governmental body and must “... provide a reasonable written policy in compliance with sections 610.010 to 610.030, open to public inspection, regarding the release of information on any meeting, record or vote.” (610.028.2). Ms. Lawrence gave a link to a sample resolution online at www.ago.mo.gov.

Ms. Lawrence covered the Attorney General’s Office complaint process by the office tries to educate first, then will mediate and lastly will in exceptional circumstances litigate.

Ms. Lawrence then asked for questions. Ms. Dillon asked if a new board member could request to read closed session minutes of past closed

sessions. Ms. Lawrence commented that most of the time closed session minutes become open after the circumstance that warranted the closed session is past, but while they remained closed they could not be shared. Diane Thompson asked if a group like “Main Street” is considered a public entity. Ms. Lawrence answered that if the “Main Street” organization receives public money from a public governmental body then yes, the meeting would be considered open. Mr. Walker asked if the board forms a sub-committee such as to hire a director are those meeting minutes considered open or closed. Ms. Lawrence stated if the meeting is about the process of hiring, then the meeting is open, but interview and hiring decision is closed. Mr. Walker asked how can an agenda be amended. Ms. Lawrence said agendas really shouldn’t be amended after it is past the 24-hour window. But in some cases, there is an emergency where the board must deal with a situation and not put it off until the next scheduled meeting. In those cases, there has to be an announcement of why there is an emergency situation that would justify adding a topic to the agenda past the 24-hour posting requirement.

4. Consent Agenda

Judy Wolter made a motion to approve the consent agenda with the addition of the printed checks from the general fund. Ron McMullin seconded the motion and the motion passed with 8 Ayes and 0 Nays.

5. Unfinished Business

a. Vote on updated Policy E115 – Collection Development. Mr. Walker asked for any discussion or questions. There was no discussion. Ron McMullin made a motion to approve Policy E115 – Collection Development as presented. Judy Tyler seconded the motion and the motion passed with 7 Ayes and 1 Nay.

b. Vote on updated Policy A106 – Patron Behavior. Mr. Walker asked for any discussion or questions. There was no discussion. Fern Deatherage

made a motion to approve Policy A106 – Patron Behavior as presented. Ron McMullin seconded the motion and the motion passed with 8 Ayes and 0 Nays.

- c. Vote on updated Policy E103 – Circulation of materials.** Mr. Walker asked for any discussion or questions. There was no discussion. Judy Tyler made a motion to approve Policy E103 – Circulation of materials as presented. Amanda Travis seconded the motion and the motion passed with 8 Ayes and 0 Nays.
- d. Vote on updated Policy E107 – Fees.** Mr. Walker asked for any discussion or questions. There was no discussion. Carlin Dillon made a motion to approve Policy E107 – Fees as presented. Amanda Travis seconded the motion and the motion passed with 8 Ayes and 0 Nays.
- e. Vote on removal of Policy A111 – Suspension of Privileges for Health & Safety Reasons.** Mr. Walker asked for any discussion or questions. There was no discussion. Carlin Dillon made a motion to remove Policy A111 – Suspension of Privileges for Health & Safety Reasons as presented. Jeany McGowen seconded the motion and the motion passed with 8 Ayes and 0 Nays.

6. New Business

Being none, the Board moved onto Discussion & Announcements.

7. Discussion and Announcements

- a. Leeton Express Branch.** Tanya Shelton-Council reported that the library and the Leeton school are now on track with the agreements made back in August. The Express Branch is open Tuesday, Wednesday and Thursday from 3:30p.m. to 7:30p.m., the library has installed the Missouri Evergreen ILS (Integrated Library System) on one of the school library's computers, Head of Technical Services, Nate Beyerink has been

to the Express Branch to train staff on how to use Evergreen. Mr. Beyerink also took an inventory of the adult collection housed at the Express Branch and will begin sending new materials to replace older materials. Ms. Shelton-Council then recommended that both the Trails Regional Library board and Leeton School board meet together and sign an agreement confirming the service responsibilities of both parties. Board member, Jeany McGowen commented that the School board is also interested in meeting with the Library board. Mr. Walker asked Ms. Shelton-Council to arrange a meeting of both boards for March 18,2020.

- b. Summer Reading Grant.** Ms. Shelton-Council reported that the library was awarded a \$7,400 grant from the Missouri State Library for use with the 2020 Summer Reading Program.
- c. Trails Regional Library Foundation gift.** Ms. Shelton-Council reported that the Trails Regional Library Foundation has agreed to purchase the bags to be used by all participants of the 2020 Summer Reading Program.
- d. Fuel cards for vans.** Anita Love reported that the library owns 2 vans; one that uses gasoline and is used by the Facilities Technician and one that uses diesel and is used by the Courier. Currently, when the facilities van needs gas, an oil change or maintenance one of the Assistant Directors has to go out with the technician to pay for the charge. To alleviate some of this, Ms. Love found a credit card that only allows for the purchase of gas or diesel. It is a Petro-Card 24. The card can only be used at Petro-Card 24 stations which are located in Warrensburg, Higginsville, Concordia, Waverly and Lexington. To use the card the Facilities Technician has to enter a 4-digit pin number, the odometer reading and the fuel pump will then snap a picture. When finished fueling the Technician will get a printed receipt that is turned into Ms. Love. Each month when the credit card statement comes in she can easily see which van has fueled up, how often each van has been fueled,

what the odometer readings are at each fueling, how much gas was purchased and it all has to coincide with the printed receipts. When maintenance for the vehicles is required, an Assistant Director will be required to handle the payment. Ms. Shelton-Council commented that the District did look at contracting the courier service out but the cost came back at \$97,000. That is way beyond the budget. The Library will post the job announcement for the courier position sometime next week.

- e. **Additional comments.** Carlin Dillon commented that she was enjoying the library's social media posts; in particular the branch takeovers on Instagram and Facebook.

Judy Tyler commented that the new book shelves in the Corder Branch looked bare. Ms. Tyler had spoken to Branch Manager, Shelly Hopper and understands that once a title is six months old it is interfiled in the branch main collection. Ms. Hopper also explained the branch receives new titles in every branch delivery.

Scotty Walker commented that the board needs to discuss a possible policy regarding recording meetings. He also asked that the board meeting agenda be posted in every branch.

8. Closed Session 610.021 (12) Negotiated contract.

At 8:29 p.m. Judy Wolter moved to go into closed session. Jeany McGowen seconded the motion and a roll call vote was taken. Voting on the motion was as follows: Fern Deatherage – Aye, Carlin Dillon – Aye, Jeany McGowen – Aye, Ron McMullin – Aye, Amanda Travis – Aye, Judy Tyler – Aye, Scotty Walker – Aye, Judy Wolter – Aye. At 9:10p.m. a roll call vote was taken to end the closed session and resume the open session.

9. Adjournment

President, Scotty Walker, adjourned the meeting at 9:10p.m. The next meeting will be at 7:00p.m. on February 19, 2020 at the Knob Noster Branch.

Board Officer

February 19, 2020

Date of approval