

## Minutes of Trails Regional Library Board of Trustees Meeting, April 19, 2023

### 1. Call to Order

The Trails Regional Library Board met on April 19, 2023, at the Concordia Branch and was live streamed for the public. President Scotty Walker called the meeting to order at 7:00 p.m.

### 2. Roll Call

Board members attending: Ron McMullin, Sandy Henke, Carlin Dillon, Jane Beal, Goldie Edwards, Patty Long, Scotty Walker, Bekki Currier, Judy Wolter, and Judy Tyler. On duty staff attending: Jackie Hawes, Director, Luke Ciccone, and Debbie Kirchhoff. Guests attending: Scott Bridewell and Randy Jones, with the Gordian Group; Jae Steinkuehler, Kendra Redden, Noelle Postlethwait, Amy Franklin, Barbara Seitter, Shelly Blackburn, Jennifer McCue, Brenda Frerking, all off duty staff; Sharol McMullin, Charles Kavanaugh, and Attorney Doug Harris via conference call.

President Walker welcomed two new board members – Goldie Edwards and Bekki Currier.

### 3. Public Comments

Debbie Kirchhoff, Concordia Branch Manager, welcomed everyone. She has been with Trails for over 20 years and said there is always a new adventure every day. Patrons had been asking for some Saturday programming. So, the staff has been showing cartoons, and she has been flipping pancakes for the attendees. This has become one of the most popular programs they have had.

Jae Steinkuehler stated that she was speaking on behalf of staff members, who are concerned over changing the bylaws to enable board members to serve three consecutive terms. They believe that this keeps others from applying to become members. Ms. Steinkuehler, Barbara Seitter, and Karen Churn, had attended a Johnson County Commission meeting on April 13, 2023, where they had presented a statement signed by some of the library staff, expressing concerns over this issue. President Walker expressed his objection that statements made about himself, Ms. Wolter, and Mr. McMullin were untrue and asked why employees did not come to the board rather than go to the commissioners. More discussion ensued.

Kendra Redden then expressed her appreciation to those willing to serve on the board. She herself has been a board member for the sheltered workshop but believes that even if you are not a member, you can be a big advocate for the entity you no longer serve. She stated that we should be fighting for funding for libraries and not fighting over term limits. President Walker explained that he just wants continuity on the board.

Barbara Seitter stated that she firmly believes in term limits and asked what gives President Walker the impression that the remaining board members would not be able to make any informed decisions. She was asked if she watches the board meetings during work hours. She explained that she either watches them live or later at home.

Noelle Postlethwait then stated that nothing good ever came from people in power voting to remain in power.

Sara Evans gave comments via YouTube chat feature to state that she had worked to provide information concerning the purchase of a bookmobile that had been vetoed by the board when Tanya Shelton was the Director. The purpose of the bookmobile was to provide technology to move hot spots into areas where Wi-Fi is not available. Sharol McMullin stated that the Foundation Board had been approached for money to fund this project but were not given the full picture. Sara explained that a grant of \$100K was to be received from another area agency.

Other comments via YouTube chat feature came from Emily Constant, Maya Kucij, Barb Rhodes, and Eric Newsom, all expressing their objections to repealing the by-laws.

Goldie Edwards, believes that she, as a new board member, has some innovative ideas for the library and asked if there is a process by which staff can come to the Director to voice any concerns.

More discussion ensued between board members and the public.

#### **4. Consent Agenda**

Patty Long stated that the March minutes were incorrect. Minutes state that Sandy Henke made a motion to repeal the bylaws, with second by Carlin Dillon. They need to be corrected to state the motion was made to repeal Article III-Membership, Section 2-Term of office, of the bylaws. Carlin Dillon made a motion to approve the consent agenda, with correction of minutes. Motion seconded by Sandy Henke and was unanimously approved by a show of hands of board members.

#### **5. Unfinished Business**

##### **a. Consider approval to amend the TRL Board of Trustees Bylaws to repeal Article III-membership, Section 2-Term of Office**

Because this was done incorrectly at the March board meeting due to State statutes setting length of terms, it was necessary take this out of the agenda. Carlin Dillon made a motion, with second by Jane Beal, to remove from consideration Article III-Membership, Section 2-Term of Office. Voting was as follows: Ron McMullin – Aye; Sandy Henke – Aye; Carlin Dillon – Aye; Jane Beal – Aye; Goldie Edwards – Aye; Patty Long – Aye; Bekki Currier – Aye; Judy Wolter – Aye; Judy Tyler – Aye; Scotty Walker – Reserve vote to break a tie. Motion passed with 9 ayes.

#### **6. New Business**

##### **a. Consider approval to enter into agreement with The Wilson Group for HVAC replacement at the Concordia branch**

Director Hawes introduced Scott Bridewell and Randy Jones with the Gordian Group. This company represents contractors who have agreed to perform services at fixed prices. Using these contractors saves having to solicit bids from others in our area who are not members of this group. Sandy Henke had talked with a contractor in Concordia who had given her a price to replace the HVAC system at the library at a much lower price and questioned why he was not being selected. It was explained that we are a government

entity and previously the TRL Board approved using Gordian to appoint contractors to complete jobs in a shorter timeframe. Lengthy discussion ensued.

Following discussion, motion made by Carlin Dillon, with second by Patty Long, to enter into agreement with the Wilson Group to replace HVAC system at the Concordia Branch. Voting was as follows: Ron McMullin – No; Sandy Henke – No; Carlin Dillon – Aye; Jane Beal – Aye; Goldie Edwards – Aye; Patty Long – Aye; Bekki Currier – Aye; Judy Wolter – Aye; Judy Tyler – Aye; and Scotty Walker – No. Motion passed with vote of 7 ayes and 3 nays.

**b. Consider approval to enter into agreement with The Wilson Group for internal/external wall repairs at the Warrensburg branch**

As reported at our March meeting, the Warrensburg Branch has a wall which needs to be secured properly as it is moving. The interior wall is separating from the exterior with a 1-1 ½ inch gap. Discussion ensued after which motion made by Jane Beal, with second by Bekki Currier to approve necessary repairs and enter into an agreement with The Wilson Group for the internal/external repairs at the Warrensburg Branch. Voting was as follows: Ron McMullin – No; Sandy Henke – No; Carlin Dillon – No; Jane Beal – Aye; Goldie Edwards – Aye; Patty Long – Aye; Bekki Currier – Aye; Judy Wolter – Aye; Judy Tyler – Aye; and Scotty Walker – No. Motion passed with 6 ayes and 4 nays.

**c. Consider approval of changes to Policy A106-Patron Behavior**

Due to the legalization of marijuana in Missouri, the policy needs to be changed to include this substance. Following discussion, motion was made by Patty Long, with second by Jane Beal, to change Policy A106-Patron Behavior to read: The use of alcohol, illegal drugs, and legal marijuana is prohibited on library property that is owned, rented, or leased. Vote was taken by show of hands and was unanimously passed.

**d. Consider options for Board term limits**

Sandy Henke questioned whether we should move item 7d to the end of New Business. Following discussion, President Walker asked for a motion to that effect. Sandy Henke made a motion to discuss 7d following other new business listed on the agenda. Motion was seconded by Carlin Dillon and roll call vote was taken with the following results: Ron McMullin – Aye; Sandy Henke – Aye; Carlin Dillon – No; Jane Beal – No; Goldie Edwards – No; Patty Long – No; Bekki Currier – No; Judy Wolter – No; Judy Tyler – No; and Scotty Walker – Yes. Motion defeated by vote of 7 nays to 3 ayes.

Jane Beal stated that she had voted against changing the bylaws at the March meeting because she believes that term limits are term limits and she agrees with current bylaws. Patty Long made a motion to adopt Option 1 to keep the bylaws the same and allow the 3 board members to term out as normal. Jane Beal seconded the motion. Before this could be put to a vote, it was noted that discussion needed to be held about the 4 options Director Hawes had provided in our board packets. Patty Long then rescinded her motion per advice from Doug Harris, legal counsel, who advised us that this motion could be re-introduced after discussion of the options provided.

Carlin Dillon reported that three of the Trails staff had attended a meeting of the Johnson County Commissioners on April 13, 2023, and provided excerpts of draft minutes of this meeting to board members. Additional staff had signed a statement expressing concerns if the terms are extended beyond the limit of 2 consecutive full 4-year terms. Accusations against Walker, Wolter, and McMullin were made, which Walker declared were false. Dillon and Henke alleged that Director Hawes had informed staff members of the commission meeting but had not informed any board members so that they could also be represented at the meeting. Director Hawes had passed the information regarding the meeting on to staff because Diane Thompson, Johnson County Clerk, had requested her to do so. Director Hawes then left on personal leave before the meeting and was out of the state during time of meeting.

A very heated discussion ensued. Director Hawes stated that the Trails Board of Trustees does not have a good reputation in the state. There are obvious communication issues between staff, the board, and the Johnson County commissioners.

Following discussion, Scotty Walker made a motion to adopt Option 3: *No Board member shall serve more than 3 consecutive full four-year terms. A member appointed for an unexpired term may serve 3 full terms beyond the unexpired term.* This option would involve changing Article III-Membership, Section 2-Term of Office of the bylaws. Motion seconded by Sandy Henke. Roll call vote was taken with the following results: Ron McMullin – Aye; Sandy Henke – Aye; Carlin Dillon – No; Jane Beal – No; Goldie Edwards – No; Patty Long – No; Bekki Currier – No; Judy Wolter – Aye; Judy Tyler – No; and Scotty Walker – Aye. Motion failed by a vote of 6 Nays and 4 Ayes. As motion requires a unanimous vote, it will be brought back at May meeting.

Doug Harris, legal counsel, advised that there can be competing motions. Jane Beal moved that we adopt Option 1: *Keep the bylaws the same and allow the 3 board members to term out as normal.* Motion was seconded by Bekki Currier. Roll call vote was taken with the following results: Ron McMullin – No; Sandy Henke – No; Carlin Dillon – Abstain; Jane Beal – Aye; Goldie Edwards – Aye; Patty Long – Aye; Bekki Currier – Aye; Judy Wolter – Abstain; Judy Tyler – Aye; and Scotty Walker – No. There were 5 Ayes, 3 Nays, and 2 Abstentions. Doug Harris stated that abstentions are considered as voting with the majority, so motion passed with 7 Ayes and 3 Nays.

President Walker again stated that statements made at the commissioners' meeting were lies and warned staff, to which Goldie Edwards replied that was not an appropriate response.

Diane Thompson called in to Commissioner Kavanaugh's cellphone with a comment but was denied the chance to speak as time for public comments had ended.

**e. Update on Warrensburg roof project**

Director Hawes stated that the final inspection was done by Roof Asset Management Services LLC and a detailed punch list was provided to the contractor JR & Co for completion. When the contractor has completed the punch list, Christian Oathout with Roof Asset Mgmt will sign off on the final payment documents and submit them to Trails for approval of final payment request. This should be completed by the end of April, 2023.

**f. Discussion on ADP**

Sandy Henke had asked at the March meeting to have this put on April's agenda but due to the length of this meeting, she would like to delay this discussion and asked that it be moved to the May agenda. Motion made by Sandy Henke, with second by Jane Beal, to move item 7f to May agenda. Show of hands was taken and motion passed unanimously.

**g. Discussion on homeless/patron behavior concerns at the Warrensburg branch**

President Walker read emails he had received from three concerned mothers who did not feel comfortable bringing their children into the library. They cited poor behavior of the unsheltered individuals who frequent the library on a daily basis and are sometimes in the children's area. Director Hawes stated that we must treat everyone the same and that all are welcome as long as they follow our rules. People are not allowed to sleep in the library and must keep their eyes open at all times. Also, if someone is not accompanied by child/children, that person is not allowed in the children's area. If someone is caught disobeying the rules, that person is warned, and if it happens again, is told to leave for the day. Steps have been put into place to curb poor behavior, and things have improved tremendously. President Walker asked if staff can communicate on our Facebook page the improvements which have been made so that parents can feel comfortable returning to the library with their children.

**h. Update on proposed rule from Secretary of State – 15 CSR 30-200.015 Library Certification Requirement for the Protection of Minors**

This has been discussed during past meetings and now has been approved. It will go into effect on May 18, 2023, and libraries must be compliant by July 31, 2023. This will necessitate adding policies currently not in place and updating existing ones.

**7. Announcements**

**a. Board of Trustees Training Opportunity**

Online training is available for Trustees' and Director Hawes will register anyone who desires it. There are two programs available, *Short Takes for Trustees* and *Trustee Academy*.

**b. National Library Week is April 23-29, 2023**

The staff of Trails will hold a "Spirit Week" during this time.

- c. **The job ad for the grant funded position for a PT Library Clerk (seasonal-10 weeks) will be posted next week.**

**8. Closed session 610.021 (13)-Personnel**

Sandy Henke made a motion to go into closed session, with second by Goldie Edwards. Voting was as follows: Ron McMullin – Aye; Sandy Henke – Aye; Carlin Dillon – Aye; Jane Beal – Aye; Goldie Edwards – Aye; Patty Long – Aye; Scotty Walker – Aye; Judy Wolter – Aye; Judy Tyler – Aye; and Bekki Currier – Aye.

**9. Adjournment**

President Walker adjourned the meeting at 11:13.

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Board Officer

Date of Approval