

**Minutes  
Clermont County Public Library  
Board of Trustees  
July 14, 2008**

Present: Lois Luyster, Joseph Braun, Anthony Cardinal, William Johnston, Patricia Pryor, Marion Crowell (joined in progress), Judith Kocica (joined in progress).

Absent: None.

Staff: Dave Mezack, Maura Gray, Debbie Wessler, Linda Kline, Laura Eckert, Candee Shaeffer, Emily Wichman, Amy Buskey, Leslie Jacobs, Pat Mezger, Chris Wick, Carol bush, Martha Jane Ziegler, Julie Sigrist, Pam Newman, Vivian Keesee.

Other: Mary Lynne Birck, Elizabeth Mason.

Public: Lynn Crooks, Jim Quick, Eb Axe, Kim vonHedemann.

President Braun called the meeting to order at 6:07P.M.

Everyone rose to recite the Pledge of Allegiance.

Lois Luyster made a motion to approve the June 9, 2008, Board Minutes as amended. Patricia Pryor seconded the motion. None opposed. Motion carried.

Ready to Read Grant Presentation:

Chris Wick, the Amelia Branch manager and Ready to Read grant administrator made a presentation to the Board about the early literacy grant and how important it is for the community.

President Braun commented that he'd been in the Milford Branch and he noticed how popular the AWE computer in the children's area was. He told Ms. Wick to keep doing what she'd been doing.

Ms. Wick let the Board know that the grant cycle will end in September and that she'll report back to them then.

Staff:

President Braun asked staff to introduce themselves.

Amy Buskey, the New Richmond Branch manager, spoke about recent branch activities including the very successful Summer Reading Program

Public Discussion:

Milford Friends of the Library:

Jim Quick from the Milford Branch Friends of the Library group spoke briefly about the group. He explained that they have been in existence for five years with 20 members and have raised more than \$32,000 for the branch. He said that the group has a quarterly book sale, selling library discards as well as donated books. He explained that the items for the sales are stored on the branch's premises in a trailer that the Friends group purchased. He

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said that the money raised also pays for supplies as well as advertising for the sales. He added that he's hopeful that the group will be able to continue their efforts.

### Discussion about Friends of the Library Activities:

President Braun said that the Prosecuting Attorney's office had given the board a loose guideline about the proposed changes to the Friends of the Library groups and that two Assistant Prosecuting Attorneys, Mary Lynne Birck and Elizabeth Mason were on-hand to provide explanations and answer questions. He said that the biggest thing to understand is that the Friends group cannot be given preferential treatment over other groups; it's important for the Friends to be able to do what they do but they also need to be in compliance with the law.

Mary Lynn Birck explained that she and Ms. Mason were part of the civil division of the Prosecuting Attorney's office, not the criminal. She said that libraries are coming under increasing scrutiny. She explained that CCPL was sued because of the Meeting Room Policy. Because of that the Board decided to limit the use of the meeting rooms to only library activities. If the library allows one group to use a meeting room that means everyone can use it. She said that they're looking at all of the library's policies. She said that they want quick resolutions to issues and that they don't want to spend a lot of money resolving legal issues.

She said that they're looking at problems and trying to find solutions. She noted that the Friends of the Library book sales are very successful and that Prosecuting Attorney's office wants the Library and the Friends to comply with the law and protect the volunteers. She said that the current activities can continue that they just need to continue in a different way.

Pat Mezger asked if they were moving towards disbanding the Friends groups and moving to just volunteers. Ms. Mason said they have no control over the Friends of the Library's business and whether or not they should disband. She said that they do want to be able to continue the fund raising efforts.

One of the Friends said that she doesn't mind giving money to the Library but that she wants to be sure that it goes to her home branch. Ms. Gray said that it wasn't a problem to segregate the funds. She explained that deposits are done by function so the accounting would reflect the specific branch that the funds came from.

Lynn Crooks, FoL from the Goshen Branch, questioned why the Library is asking people like the therapy dog volunteers to add the Library onto their insurance. Ms. Mason said that we live in a litigious society and she doesn't want the Library to be sued should a volunteer's dog bite someone.

Ms. Crooks said that the current Meeting Room Policy is going to mean fewer people using the Library. President Braun said that the flipside to the current policy would mean that anyone would be able to use the meeting rooms, even people selling things. Someone in the audience said that scheduling could keep those people out and President Braun said that you cannot discriminate like that. He said that the Library isn't the only one being sued. He added that the library could spend a tenuous budget to defend itself but that the Board doesn't want to find itself in federal court paying out money from the coffers.

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An audience member said that the public is going to perceive it differently and that it's going to hurt the levy. President Braun explained that none of us asked to be put in this position and it's likely that even if people were allowed into the meeting rooms someone else would challenge the policy.

Ms. Birck explained that they're looking through all of the policies and that she gets asked why CCPL can't do things like Hamilton County. She said that they aren't going to follow Hamilton County and that the Library is going to follow the ORC and do things legally. President Braun reiterated that the Library needs to follow what the auditors and the Prosecutor's Office say.

Ms. Mason explained that the ORC forbids the co-mingling of money, that the Friends of the Library funds and the Library funds cannot be together. No outside agency can be involved in the Library's financials. She also explained that the Library cannot treat the Friends groups differently than it treats other organizations such as giving them preferential treatment with regard to discarded items.

Ms. Crooks said that Friends are interested in how they money will be spent. President Braun said that they should come to the Board and explain how they want the money spent and it'll be spent that way. Ms. Gray explained that she doesn't approve/disapprove of how the money is spent. She deposits the checks and increases an appropriation in the same amount as the check.

Ms. Crooks reiterated that she wants to be certain that they determine how the money they raise is spent. President Braun said that they don't have a policy in place for that yet because this is all new. Ms. Pryor assured the Friends members that the Board doesn't want them to stop doing what they're doing.

Ms. Mason explained to the Friends that they can help write the new policies because of their knowledge. She continued that the Library needs to declare the discarded books obsolete and then instead of a "sale" people can make donations to the Library instead of the Friends of the Library. She said that a list of the discards can be brought to the Board for their approval.

A member of the Williamsburg Friends asked what to do with CDs. Ms. Mason said that they needed to either be cashed in and turned over to the Library or signed over to the Library.

Mr. Quick asked about the difference between a Friend of the Library and a library volunteer. Ms. Mason explained that the Friends of the Library are separate entities from the Library; they're 501(3c) organizations. A volunteer is part of the Library organization.

Mr. Mezack what to do about discarded items that aren't books. Ms. Mason said the Board needs to make a decision to divest itself of the items. She added that items of value like computers need to be auctioned/sold.

Ms. Crooks asked the Assistant Prosecuting Attorneys why they looked into the Friends. President Braun responded that an issue arose about money at one of the branches that the Auditors asked about. Ms. Mason explained that she and Ms. Gray are in contact about once a month for a variety of reasons and that she discovered the separate Friends of the Library bank accounts in May 2008.

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One of the Friends members said that in essence what was needed was that they could not use the Friends of the Library name for book sales or other activities on Library property; FoL needed to turn all cash and CDs over to Ms. Gray; in the future, if they purchased supplies, they needed to turn in receipts to Ms. Gray for reimbursement.

President Braun said they also wanted to protect people from liability issues. Ms. Gray said that the problem is the entity of Friends of the Library not the people.

President Braun explained that there will be new policies put into place and that there will be glitches that will need to be dealt with because it's a new situation for everyone.

One of the Friends asked if books for the sales are allowed to be stored in the branches. Ms. Mason said that if the books are donated to CCPL not if they're FoL books. Someone asked what if the books were donated to the FoL and Ms. Mason said they could simply donate the books to CCPL.

A Friend asked if librarians were going to have to count the money now and Ms. Mason said that the Library trusted its volunteers to count money.

There were questions about honor shelves/carts and Ms. Gray said that she would check with the Auditors. President Braun said that she should check on it and report back at the next meeting.

Emily Wichman asked if CCPL can hold a raffle and Ms. Mason said no. She asked about a silent auction and Ms. Mason said she didn't know. Ms. Kocica said that the Friends of the Library could hold a raffle off of Library property.

Mr. Quick said that there needs to be a procedure given to the FoL groups about how to turn over their funds. President Braun said that they'll do that and run them by the Prosecutor's Office.

Ms. Mason said since it's a new policy, everyone should give it four to six months to see how it shakes out and then reconvene and see how it's doing.

### Fiscal Officer's Report:

Marion Crowell made a motion to accept the June Financial Report, June bills paid, **Resolution R-2008-13: Acceptance of Gifts to the Library:** From Sue Nordin, \$50.00, given in memory of Curtis A. Adkins. From the Friends of the Library at Williamsburg, \$470.00, for a floor rug. From Wilma Bonar, \$2.00 for the genealogy collection, and **RESOLUTION 2008-14:** expenditure of public funds for refreshments at public Board Meetings and the annual staff development day. Lois Luyster seconded the motion. None opposed. Motion carried.

### Executive Session:

Patricia Pryor made a motion for a recess. William Johnston seconded the motion. None opposed. Motion carried. A recess began at 8:00P.M.

When the Board came back from their recess, Anthony Cardinal made a motion to go into Executive Session pursuant to ORC 121.22 (G1) to discuss personnel and pursuant to ORC 121.22 (G3) to discuss litigation issues. Patricia Pryor seconded the motion. Motion

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approved by voice vote. Anthony Cardinal, Aye; Joseph Braun, Aye; Marion Croswell, Aye; Lois Luyster, Aye; Patricia Pryor, Aye; William Johnston, Aye; Judith Kocica, Aye.

The Board went into Executive Session at 8:12P.M.

The Board returned to regular session at 9:55P.M.

Appointment of Executive Director:

Anthony Cardinal made a motion to appoint Dave Mezack as the Executive Director of the Clermont County Public Library. Joseph Braun seconded the motion.

Discussion: Mr. Cardinal said that as a financial advisor, he knows that historical results don't guarantee future results but that they are a good indicator of performance. He said that during his six years as a board member he's looked at a lot of issues, seen branches built, dealt with budget constraints, and policies. He said that the results that Mr. Mezack has achieved are magnificent. Mr. Cardinal said that Mr. Mezack knows the community, knows the culture, and knows how the Board thinks; he's stepped up and done an excellent job. None opposed. Motion carried.

Budget:

Ms. Gray handed out a proposed budget for the board to examine and approve.

President Braun said that there's \$123,000 less in the budget based on the June report. He said that if the library doesn't pass a levy, it'll be out of money in three years.

Ms. Gray said that proposed revenues are expected to continue downward and that expenses have continued to go up by 3%. She said that she's being conservative in her estimates. She continued that the budget is 1.4 million short of what revenue is being brought in and that again, the library will be out of money in three years.

Ms. Kocica asked if the utilities expenses are up because the library uses electricity to heat. Mr. Mezack said yes and that heat pumps are used wherever possible.

Ms. Gray explained that what the board was looking at was a proposed budget not an actual permission to spend.

The discussion turned to a possible levy.

Ms. Gray said that if a replacement levy is defeated that the Library would not lose its current continuing levy. She added that both levies, the replacement levy and the additional levy, would appear on the ballot as one issue according to the ORC.

Ms. Kocica pointed out that it would require some knowledge on the part of the voters.

Mr. Cardinal said that in looking at Ms. Gray's numbers, the Board has to go for a levy. President Braun said that the board knows what they need so what harm can it cause to put the levy on the November ballot. Ms. Kocica expressed doubts about the board having

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enough time to sell the idea to the voters. Ms. Luyster said she thought the board needed to try passing the levy.

Mr. Cardinal said that because the Library hasn't had a levy on the ballots since 1986 that it's a good story to tell.

Ms. Kocica said that the board will need to sell it to the Clermont County Commissioners. President Braun said that the commissioners' endorsement is very important and that the board wants it but that the Library isn't required to have it. Ms. Gray explained that the commissioners act in an administrative capacity only.

Ms. Kocica said that it depends on what else is in those communities on the ballot; the economy means that voters are only going to vote on what they believe they can afford. Mr. Johnston said that he's conservative and he would vote for a .3 mil levy. President Braun said that he doesn't see a downside to trying and acknowledged that other county organizations have had to try several times before passing a levy.

Ms. Gray pointed out that the cost of the levy to a homeowner would be about the price of one hardback book per year.

Lois Luyster made a motion to put a replacement levy plus an additional .4 mil levy on the November ballot. Patricia Pryor seconded the motion. None opposed. Motion carried.

Patricia Pryor made a motion to accept the proposed tax budget. Lois Luyster seconded the motion. None opposed. Motion carried.

Lois Luyster made a motion to adjourn. Patricia Pryor seconded the motion. None opposed. Motion carried.

The Board adjourned their meeting at 10:32P.M.

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President

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Secretary