

**DRAFT**

**DRAFT**

10 E. Chicago St - Coldwater, MI 49036

**BRANCH DISTRICT LIBRARY SYSTEM  
BOARD MINUTES**

**Central Library Meeting Room  
June 19, 2000  
6:00 P.M.**

**PRESENT FOR ROLL CALL**

Marilyn Ashdown, Carol Brown, Dorothy Cherry, Vera Hurd, Richard Sharland, President; Rosemary Smitley and Director Mary J. Hutchins

**ABSENT FOR ROLL CALL**

John Swanson (excused.)

**ALSO PRESENT**

Jane Baldwin, Quincy Library Board; Bruce Guy, Automation Librarian; Dan Kaepp, Business Manager; Attorney Andy VanDoren, Carolyn Robbins, Stephanie Davis, Carole Maddox, Lynnell Eash, Linda Birkenbeul; and Bronson, Union Twp., Sherwood Village, Matteson Twp, & Quincy were represented.

**APPROVAL OF AGENDA**

**Cherry moved, seconded by Brown to approve the Agenda of June 19, 2000 with one addition to New Business #4 Bruce Guy would like to talk to the Board; Attorney Van Doren and then on to introduction of new Business Manager. Motion carried.**

Attorney Andy VanDoren

Went over a list of written questions and general comments.

The first specific question was - Is the 1993 Plan of Service agreement incorporated into the 1993 contracts between the Branch District Board and each of the municipalities? The answer is no!

A quick background on the creation of a District Library and some of the state laws that govern the District Library's operation. The District Library was created by an agreement between the county of Branch and the City of Coldwater. That was authorized by the District Library Establishment Act which is a state law. That agreement was signed in May 30, 1991. That agreement was contingent on - or I should say the continuation of that agreement was contingent on the adoption and passage of a millage, a specific District Library millage. That passed in August in 1991. Pursuant to that initial agreement there was in September of 1991 a lease signed between the City of Coldwater and the District Library for the District Library's use of this building, which is actually owned by the City of Coldwater. In that lease, which runs for 25 years, requires that in exchange for the basically free use of the facilities that the District Library is to maintain at its expense the building. In 1992 , I drafted a number of agreements between the District Library and the five Branches. I think sometime by 1993 they were all signed.

Now concerning specifically the capital improvement fund. That is where most of the questions are directed for me to comment on. The District Library Act, the state law does not contain any mention about a capital improvement fund. It doesn't speak to this issue at all. The District Library agreement (that creates the District Library) between the City and the County also doesn't talk about the capital improvement fund. The various branch agreements do contain a mention of it in one section that says "parties shall cooperate in the internal maintenance and repair of the facility." By the facility, it refers to each particular building where each branch is located. "Including, but not limited to, wall covering and carpeting as shall be mutually agreed. Monies for such projects shall come from the BDLS Capital Improvement Fund." It is in the Plan of Service where the Capital Improvement Fund is more particularly spelled out.

**BDLS Board Minutes**  
**June 19, 2000**

**DRAFT**

The first question concerning the Capital Improvement Fund was: Was it stated on the ballot at the time the District Library voted in 1991 that 1/7 of the millage should go into the capital fund? I don't believe it was. I drafted the ballot language. If it appeared on the ballot as I drafted it 'no.' Mary Hutchins has verified that the ballot language did not mention the capital improvement fund. The answer to the question is "is there a way of changing that short of a re-vote?" The answer is "yes," certainly it is not required to go back to the voters to change the allocations of that millage into the Capital Fund. Because there really was nothing that required there to be a creation of a capital fund in the ballot language.

The next item mentioned in the memo that Mary sent me was one suggestion for how the Capital Revolving Fund can be changed to be used. The suggestion was 1/3 be used for Branch Enhancement; 1/3 used for what the Board and Branches wish; 1/3 for the use of space which the municipalities could use to up-date the facilities. What is being suggested is possible. It involves revising the Plan of Service and also the Branch agreements. I think when the Branch agreements are revised, the Plan of Service should be incorporated in so that becomes a part of the Branch agreements.

Mary has indicated to me that Dave Rumsey of Rumsey & Watkins, the library's auditor have suggested that perhaps the way you have been doing the budget, and the Plan of Service could be amended to provide for actually the less dedicated funds going into that capital improvement fund. I think Rumsey's point was that once you place monies into a designated capital improvement fund it is locked in to spending the funds for just that purpose. Where as more is allocated to operating budget, there is a lot more flexibility in using those funds. And, I think it will be a matter of your agreements with the branches as to how much is going to be made available for improvements to the various buildings the branches are housed in. There really isn't any restriction in the District Library Act on using District Library funds for improvements to buildings owned by other municipalities. The key is I think, in the language of the Act where it talks about the powers of the District Library Board. It says the Board may do one or more of the following: acquire real or personal property for use for library purposes by purchase, land contract, installment purchase, "lease." I want to emphasize "lease." It is also within your power to enter into a contract to give library-related service to a municipality inside or outside the District's boundaries, and a broad grant of authority to do "all other things necessary for conducting the District Library service, the cost of which shall be charged against the District Library fund. Monies for the District Library shall be paid to the Board and deposited into a fund known as the District Library fund." In other words, all the monies coming into the library initially go into what is referred to as the District Library fund. "The Board shall exclusively control expenditure of money deposited in the District Library fund." I think particularly the language that says "do all things necessary" gives you a good deal of flexibility. In effect, your branch agreements are authorized by the provision that says you can enter into leases for use to carry out your purposes, and, #2 that you can enter into contracts to provide library service to a

**DRAFT**

**BDLS Board Minutes**

**June 19, 2000**

municipality. A municipality is defined as being a township, village, city, county or school district. Again, that broad authority to do all that is necessary does mean if you have entered into an agreement with one of the townships to provide library service within their building, then you can use District Library funds for improvements to that building provided they do benefit or are related in some way with the providing library services. I don't think it means it has to be exclusively for the benefit of the library services. I have been in several of the branches, Union in particular because I live in Union Twp. I know those buildings are used for other purposes. Quincy is another good example where the basement is used for Township meeting purposes. But, I think you would not just allocate a pot of money to each township and say you can spend this on building improvements. I think the language that I read last out of the Act, that says the Board should exclusively control the expenditure of money deposited into the District Library fund, means that this Board would still have to approve specific expenditures.

You should include in your budget the improvements to the branches. Therefore, I think you can do what is being suggested that you be allowed to do. The other issue that Mary raised was the criticism from the townships about the fact, as I mentioned earlier to the Board, about the lease of this building. The lease with the City of Coldwater requires the District Library at its expense to maintain the building. I was not involved in the negotiations nor a party to the agreement. I did draft agreements for District and the Branches that were negotiated in 1991. And, to do something different, it would take this Board approaching the City. I'm aware of the problems and certainly the long term financial problems you have had from lack of adequate funding. It probably needs to be addressed, but that is something that is not going to be changed without the consent of both the board and the City. Any questions?

**Cherry:** If the District Library Board should exclusively control the money paid into the library fund - we are getting proposals for fixing the windows at Union, for example, and awning but do you have any suggestions as what the Board's guidelines should be in determining whether or not to approve a capital improvement? (Since it has to be for library services.)

**Van Doren:** Again, the argument for using District Library fund for those purposes is to keep the buildings where your branches are housed in good condition, maybe to make them better serve your patrons. I think you could draft guidelines, types of things that would properly be funded. One thing I could think of was handicapped accessibility. Getting further from bettering the service to the library patron, get further from that it's a fuzzy line. Some things will clearly not benefit the library patrons.

**Cherry:** We had the same Plan of Service since 1993. No one here even now can recall how percentages between central and the branches came about, and used all these years. We have monies for each municipality carried over since 1999 and then money accrued in 2000 as well. Well, the Plan since I came on the Board in 1999 was that the Board had to look at this Plan of

**DRAFT**

**BDLS Board Minutes**  
**June 19, 2000**

Service and try to come up with some change in it, of some variety whether based on usage, or something. That this was not working out in 1993, changed in some way. Assuming we come up with a formula better than the one in place since 1993. When we adopt a resolution should we make that prospective only.

**Van Doren:** I should talk to Dave Rumsey, because I think there maybe some accounting and budgeting standards that I'm not really well versed in.

**Cherry:** I spoke with Rumsey: Change 2000 but leave 1999 alone.

**Brown:** Original percentages 25% for Central, 12% Quincy, Union, Bronson, 7% for Algansee & Sherwood. There is money sitting there that Algansee will never use or Sherwood can't use. Library hours, staffing, book collections, can that be changed.

**Van Doren:** It gets back to accounting and budgeting. There may be some things in the state requirements for accounting and budgeting. You should talk with branches before taking the percentage away from them. I will look at it more and talk with Dave Rumsey just to see if he can point me in the right direction. Rumsey's concern also is if you could go back and change those allocations after the fact.

**Guy:** Algansee being 3<sup>rd</sup> party, electrical improvements uncertain about time if they sell the building, would we be reimbursed.

**Van Doren:** Yes. Whatever amount you spent on building improvements, you could record some kind of a lien for the amount you spent on building improvements. One way to protect your investment.

**O'Rouke:** Originally the District was formulated between the County & City of Coldwater.

**Van Doren:** The District Library Act provides that any two municipalities can by entering into an agreement create a District Library. That is a separate legal entity. I mean it isn't the County or the City. It is a separate legal entity. The County Board of Commissioners appoint 5 members, some are which are designated to be from different areas; the City Council appoints the other two.

**WELCOME TO NEW BUSINESS MANAGER**

Sharland introduced Dan Kaepp our new Business Manager. Welcome!

DRAFT

BRIEF PUBLIC COMMENTS

**Maddox:** A lot of the employees are very upset with this July 3<sup>rd</sup> closing. They are closing library so we will miss a day's pay. I know we were told we could make it up but that isn't all that easy for people to do. When they put carpeting on the stairs, it was a Board decision to close the library so everyone got paid for that. I don't see why the 3<sup>rd</sup> of July should be any different.

**Sharland:** The 4<sup>th</sup> is a paid holiday. Right?

**Maddox:** Right.

**Sharland:** The 3<sup>rd</sup> isn't a paid holiday, and the library is going to close. The branches are not opened on Monday anyway. So you will be closed anyway.

**Maddox:** I was just asked to mention it.

**Sharland:** I think our policy is those that are scheduled to work are paid.

**Hutchins:** It was listed as a closed day, and it happened two years ago when it was the 4<sup>th</sup> of July as well. And, people were told to make it up or take a floating holiday.

**Sharland:** Will look into this. (Personnel Committee)

APPROVAL OF MINUTES

Cherry moved, seconded by Ashdown, to approve the Minutes of May 15, 2000.  
Motion carried.

**DRAFT**

### CORRESPONDENCE

- ☒ Dick Smolinski's note: Recent Building Projects dated 5/15/00.
  - ☒ Two Tax Abatement Certificates: Quality Spring/Togo & Brazing Concepts Company. Hearing - July 10th.
  - ☒ Mary Mowry's last day will be July 11.
  - ☒ Thank you note from Lynnell being able to attend Beginning Workshop.
  - ☒ Note from Donna Wood, Friends of the Library with a check from Altrusa 50% for Kids Place & 50% for Women authors.
  - ☒ Thank you note from Irene Olney, the library displayed her flags.
  - ☒ Letter from Kathleen Veysey that July 29<sup>th</sup> will be her last day.
  - ☒ Jeff Dean, Insurance Agent: documents for new Business Manager
  - ☒ Letter from a patron wanting longer hours and Sunday openings. Hutchins will respond.
  - ☒ Letter from Phyllis Dean Snider, donating a sculpture for the Kids Place in memory of her three brothers. Name of sculpture "Leap Into Summer."
- Cherry moved to accept the sculpture "Leap Into Summer", seconded by Brown.**  
**Motion carried.**

### FINANCES

1. **Approval of Bills:** Cherry moved to approve the bills as submitted,  
seconded by Smitley. Motion carried.
2. **Financial Statement:** Brown moved, seconded by Cherry that we  
accept the Financial Statement. Motion carried.
3. **Penal Fine Chart:** Discussed.

### PENDING BUSINESS

1. **Reports from Central & Branch Liaisons:**
  - a. **Coldwater:**
    - 📎 Election of officers: Carole Bolton, President; James Troust, Vice President; Randall Hazelbaker, Secretary.
    - 📎 Megalethscope mailed to the Swann Galleries. Nigel Russell has left Swann Galleries and this new person mailed an estimate of views and megalethscope to be auctioned off, ranging from \$9,000 to \$15,000. Contact was signed.

# DRAFT

## BDLS Board Minutes

June 19, 2000

### b. Bronson:

- ☞ Over 500 kids touring the library
- ☞ 12-15 children came back to the library with their parents and signed up for their library card.
- ☞ Started a craft hour. We placed items on the tables and the children came in and made things.

### c. Quincy:

- ☞ Quincy had their own craft table in the park for "Crafts in the Park."
- ☞ Renee made rag rugs.
- ☞ Book Sale in the library corresponding with the hours.
- ☞ Lift will be ready July 31<sup>st</sup>.
- ☞ Summer Reading Program - kids coming in.

### d. Union Twp:

- ☞ The library has been in the paper the last three weeks.
- ☞ Linda VanWormer's retirement party was Friday, June 16<sup>th</sup>.
- ☞ Back corner of the library that has been clutter is cleaned out.
- ☞ New branch manager - Pat Kaniewski.
- ☞ Working on a clerk position.

### e. Sherwood:

- ☞ Started Summer Reading program. Eight to ten have signed up.
- ☞ Can't start story hour.
- ☞ Excited about computers. Have a sign-up sheet for those interested.
- ☞ More books.
- ☞ Doing weeding of old, old books that because of automation won't be barcoded.
- ☞ Two full boxes of books, already on shelves.

### f. Algiansee:

- ☞ A suggestion to move the library into the other part of the house, has heat and windows~that open.
- ☞ Joy wants to work with the Plan of Service Committee.
- ☞ Summer Reading Program - six signed up.
- ☞ Tuesday - we start the pre-school story time. Running that for five weeks.
- ☞ Friday Story Time - 6-10 year old's.
- ☞ Joy will be signing contract - adequate for wiring for the Gates computers.

**2. Director's Report:**

- a. Report from Dick Smolinski.
- b. Coldwater Board members complained almost of being run down by skateboarders in the driveway coming to the CPL Board Meeting last Monday night.
- c. We had our telephone service slammed by Ameritech - long distance service. May 26<sup>th</sup> they were starting to move some of our lines away. We are dealing with this.
- d. E-mail reserves - we have had a request for e-mail reserves. Some patrons can't communicate with us. Self-service by patrons saves staff time. Will be working on a policy for e-mail reserve.
- e. We have had no paint chips on the floor, chipping from the very top by the stairs in the Reference area onto the floor. Not on the priority list. At a point where the building committee needs to look at it. July meeting of the Building Committee is planned.
- f. Staff exchange - Central staff visited and worked at branches and vice versa. Personnel Committee asked that our people from Central go out and Branch people came here.
- g. Linda VanWormer's retirement party at Union Twp.
- h. Another resignation Theresa Eaton - circumstances are such she needs a full time job. Mary Mowry will be leaving in July.
- i. Present time working on the position of full-time clerk at Union, had a couple of applications.
- j. Will advertise the Quincy Branch Manager position. We will contact the Board at Quincy at the time to be involved with the interviews.
- k. Poor communications with Havel Bros. Need to have Building Committee to meet with Jeff Foster.

**3. Personnel Committee Report:**

Sharland reported that several people are leaving the staff and new people are coming on board positions to fill yet. Dan Kaepp is joining the staff as Business Manager. Pat Kaniewski as Union Branch Manager. Jeanne Berg for Children's Services/Tech position.

Mary Hutchins has announced her retirement for September 5<sup>th</sup>.

A little sooner than when she planned on leaving. Barbara Arnold will be coming on board July 5<sup>th</sup> as Interim Part-time Director.

Will conduct a search for Director hopefully beginning around the time Mary leaves.

# DRAFT

## BDLS Board Minutes

June 19, 2000

One item we discussed at a prior Personnel Committee meeting "Bronson Polish Day." Library will be closed for that one day, Saturday, July 22<sup>nd</sup>.

### 4. Plan of Service Report:

Sharland reported: Met with Union Twp. Board.

Plan of Service Committee went out Tuesday night of last week and met with the Union Board. They presented a project of an awning and front window. Closet was withdrawn. Talked with Pat after the meeting and she would like some sort of closed storage behind her desk. Told the township board we were going to meet with the Attorney tonight and all branch township and village people were invited.

Plan of Service needs to meet again.

## NEW BUSINESS

### 1. **Invite new state librarian?**

Hurd, moved to table until next board meeting, seconded by Brown.  
Motion carried.

### 2. **Proposed Policy on Renewal of Audio Tapes:**

Brown moved to adopt "Policy on Renewal of Audio Tapes", Smitley seconded.  
Motion carried.

### 3. **Closing for Gates Computer Installation:**

October 2000 - schedule time of delivery of Gates equipment.  
Hurd moved, seconded by Ashdown to close the respective locations when the Gates  
people are here to install Gates computers. Motion carried.

# DRAFT

## BDLS Board Minutes

June 19, 2000

### 3. Bruce Guy - presentation to the Board:

First thing I would like to mention to the Board, Mary's many years of service and with her own concerns and the uncertainty about her husband's health. I would like to make a proposal that we pay her a small portion of that Comp Time. That it is a tremendous number. That maybe it would allow her to get out of here before the end of the month. Because I feel confident with having Barbara Arnold, Linda Birkenbeul, and my self, Dan and Jeanne Berg that I think we can keep things going until we get a new director. Till a new director comes on board, in my opinion I think she earned it. That will be up to the board. With the staff we can put together that which needs to be done. It's not a necessity for her to stay any longer.

**Hurd** suggest that that proposal be referred to the Personnel Committee and the Personnel Committee poll the Board members by telephone.

**Sharland:** If we were going to compensate Mary for Comp Time that would have to be Board decision unless we arrive at a figure and give the Personnel Committee authority to come up with an amount.

**Bruce:** Does the Board want to give the Personnel Committee the authority to come up with a number to act on. Otherwise, we are waiting that much longer.

**Ashdown:** I would like to see how this would run, you know I would like to see exactly how each one of these people would fit into this piece of puzzle maybe in writing to keep the library running. You said you could efficiently keep the library running. I would like to know what you would be doing, Barbara Arnold would be doing.

**Sharland:** In the past when Director's have departed we have appointed an acting director.

**Ashdown:** But didn't we already do that.

**Cherry:** How long has the acting or interim director been here.

**Bruce:** She starts July 5<sup>th</sup>.

**Ashdown:** She has been hired "verbally."

**DRAFT**

**BDLS Board Minutes**  
**June 19, 2000**

**Sharland:** One of Mary's concerns was carrying her insurance over until see turns 65.

**Kaapp:** We could put a set of numbers together to see what it will cost the Board.

**Ashdown:** So would that be you. Is that what you're talking about.

**Bruce:** No, if she (Mary) leaves by the end of the month. Barb Arnold will be here the beginning of the next month.

We would have someone with the knowledge to handle the position. Part of it may be of a personal concern, that is that the way Mary cares about the library, even though she says she will work only 9-5. You know her personality, for her to slow down. I think while she is still in this building she feels she has an obligation.

**Cherry:** Proposed that Mr. Kaapp put the numbers together and the Personnel Committee meet and have a special meeting of the Board to make a decision.

Supported by Hurd, to have a Personnel Committee meeting and schedule a "Special" Board meeting if one is needed.

**Ashdown**, suggested that all Board make the decision and not just the three Personnel Committee members.

**Sharland:** Before making a decision on these issues. All issues will be discussed at the Personnel Committee meeting scheduled for Tuesday, June 20<sup>th</sup> at 7:00 p.m.

**Personnel Committee meeting, Tuesday, June 20<sup>th</sup> at 7:00 p.m.**  
**"Special" BDLS Board meeting Friday, June 23<sup>rd</sup> at 7:30 p.m.**

**DRAFT**

**BDLS Board Minutes**  
**June 19, 2000**

**Bruce:** I have another issue, I apologize to Mary and the Personnel Committee, I wanted to bring it to them prior to bringing it to the Board.

It's about the hiring process that was used for the hiring of some of the recent hires. I want to make sure the whole board is aware and then I will work in-depth with the Personnel Committee. I have some ideas possible ideas how to resolve things. Concerns and the things that have happened. So they won't happen again. This kinda explains it. Concerns of all is our desire to work together to improve the hiring process and procedures within the Branch District Library System.

**Hurd moved to research cost and installation of secured bulletin boards, east/west lobby and staff lunch room, supported by Smitley. Motion carried.**

**INFORMATIONAL ITEMS**

Our President Sharland commented that Marilyn Ashdown over the recent past, has donated over \$2,000 worth of books to Kids Place. Both she and Rosemary Smitley have donated generously to the kits and other materials which our staff can use in programs with children.

**Ashdown:** Rosemary and I put in for the "kits" the story telling kits that are being put together. I did the \$2,000 book collection for my granddaughter(Mackenzie Renshaw) and when she was Baptist I decided instead of doing something I would do something for the library. So I have contributed \$2,000 for Children's Books for the library.

**Smitley:** I make contributions to the Union City Library in forms of books.

**Ashdown:** We had a chance to look at the story kits that we contributed the money for and they are very nice. Christie took the time to show them to us at the last meeting we had. So it was money well spent.

**Sharland:** On behalf of the future patrons I thank you.

**Sharland:** I have a letter here to Mary Cook from the Branch District Library System Board dated June 19, 2000.

**BDLS Board Minutes**  
**June 19, 2000**

**DRAFT**

**EXTENDED PUBLIC COMMENTS**

No one at this time.

**ADJOURNMENT**

**Cherry moved that the Board adjourn, supported by Brown. Motion carried.**

Board adjourned 9:07 P.M.

Submitted by:

*Marilyn Ashdown*  
Marilyn Ashdown, Board Secretary

The Branch District Library System will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon one weeks' notice to the Branch District Library System. Individuals with disabilities requiring auxiliary aids and services should contact the Branch District Library System, 10 E. Chicago St., Coldwater, MI 49036, (517) 278-2341 FAX (517) 279-7134.

**Comments of Mary J. Hutchins  
on the Minutes  
of the  
June 23, 2000, Special Meeting  
of the  
Branch District Library Board**

I was not in attendance at the Board meeting of June 23<sup>rd</sup>, but I have listened to the tape recording of the meeting and wish to make the following suggestions and comments for the record. I ask that these extended comments be adopted by the Board as an addendum to the Minutes of the June 23, 2000 meeting. I offer them in order to make a complete and accurate record of events occurring over the past few weeks. Because of the nature of the concerns expressed by Mr. Guy and the staff petition, I think it important that a complete record of events be recorded.

Mary Hutchins met with the Personnel Committee in May and informed them of her desire to retire as of September 5, 2000. She stated this was an extremely busy time for administration of the library, due to work on the Plan of Service and to the necessity of replacing three members of the professional staff and five members of the support staff, including two branch managers. She stated she was looking forward to retirement as soon as possible, consistent with time for a smooth transition to a new administrator. She asked that a search for an Interim Director be instituted immediately to start in July, thus providing a two month period of training and an orderly transition of duties. She stated that she had not had such a transition period with the previously departing Director and that due to the complicated nature of the relationships between the District Board, the Coldwater Board, the township advisory committees and the township boards themselves, that a transition period was in the best interests of the library.

She further informed the Committee that due to the press of duties she had not yet taken a vacation this year, which she must take before September 5<sup>th</sup>, or lose it. The hiring of an Interim Director in July would take some of the pressure off her so she could take some compensatory time in August, during a visit by her children from out of state. Also the addition of an Interim Director in July would facilitate her taking time for needed medical treatment for cataracts.

Finally she informed the Committee that she had selected September 5<sup>th</sup> as the date of her retirement as that was her anniversary date and that she would qualify for four weeks of vacation on that date. She wanted to work until then so as not to lose vacation time earned during the preceding year.

These suggestions were endorsed by the Personnel Committee. Subsequently, a position description was developed for an Interim Director and the open position was posted and advertised in accordance with the Library's regular procedures. Barbara Arnold applied, was interviewed by the Committee and agreed to begin work as of July 5, 2000. The Board approved this at the Special Meeting on June 23<sup>rd</sup>.

A few hours prior to the June 19, 2000, Board meeting, Mr. Guy asked the Director to be put on the agenda to discuss staff concerns. He was informed that the proper channel was to take the concerns to the Personnel Committee. However, Mr. Guy said he felt the whole Board should hear the concerns. Consequently, the Director referred the request to the President of the Board, who placed the matter on the agenda.

At the Board meeting, Mr. Guy presented two concerns. Prior to a discussion of the concerns, it should be noted for the record that these concerns were not discussed with the Director, nor considered by the Personnel Committee, before being presented to the Board. The Director now acknowledges that in accordance with established library procedures the concerns should have been presented to the Committee before going to the Board. Both the Director and the President bear responsibility for permitting this lapse in regular library procedure and for the subsequent unfortunate, and embarrassing for all, events which occurred next.

The concerns presented by Mr. Guy were: (1) a suggestion that due to medical concerns the Director be permitted to leave June 30<sup>th</sup>, with compensation for compensatory time and accumulated vacation and sick time; and (2) a petition signed by approximately 20 (twenty) staff members over the recent process of filling vacant library positions. The petition alleged that notices and advertising of vacant positions were deficient and that some of the notices had not been seen by all employees. It also alleged that the process had moved along too fast.

Mr. Guy stated that the Director had worked many long hours and was now faced with medical problems, as was her husband. He suggested that the Board make it possible for her to retire on June 30<sup>th</sup>, without suffering economically due to retirement on June 30<sup>th</sup>, rather than September 5<sup>th</sup>. He suggested that she be placed on leave and paid salary through September 5<sup>th</sup> or that she be permitted to leave on June 30<sup>th</sup>, and that she be paid for compensatory time until September 5<sup>th</sup>. Also, it was intended that she be paid for accumulated sick and vacation time.

The Board discussed the proposal which was presented verbally. Concern was raised over the propriety of paying the Director if she were placed on leave or of paying her for compensatory time. The Director was asked whether she had asked to leave by June 30<sup>th</sup>. She replied that she had not, but if the way were clear, she would not decline it, if the Board so desired. Concern was expressed over the need for a period of orderly transition of administrative duties.

The Board indicated that it was not prepared to act on the request, that it would need more consideration. The matter was referred to the Personnel Committee to be considered and reported back to the Board at a special meeting to be scheduled for that purpose.

The Board also discussed the second concern presented by the staff petition. The Director had not been given a copy of the petition and did not take part in the discussion. Various members of the Board expressed concern about the posting and advertising process and suggested that the matter be looked into further. Mr. Guy indicated that he had suggestions to make.

The Personnel Committee met the next day, June 20<sup>th</sup>, in a specially called meeting to discuss the Director's retirement. The Business Manager presented a report on the cost of Mr. Guy's plan for the Director to retire on June 30<sup>th</sup> and the cost of her retirement on September 5<sup>th</sup>. Retirement on June 30<sup>th</sup>, would cost \$43,000 and on September 5<sup>th</sup>, \$21,000.<sup>1</sup>

---

<sup>1</sup>The minutes of the June 23<sup>rd</sup> meeting read, "Mary's plan comes to approximately \$21,000." However, it should be noted that she had no plan. She merely asked to be paid her normal salary until her retirement date of September 5<sup>th</sup>, and for vacation and sick leave earned, but not used, by that date. Although she had accumulated sick leave in excess of 450 hours, she would be paid for only 126 hours as provided for any eligible departing employee under the Personnel Policy Manual.

The Director was not present at the Personnel Committee on June 20<sup>th</sup>. Between that meeting and the June 23<sup>rd</sup>, Special Board meeting, which she also did not attend, she came to the realization that she should retire as of September 5<sup>th</sup>, as stated in her letter of resignation to Richard Sharland, dated June 6, 2000. This would be more advantageous to the library for a smooth transition and entirely satisfactory to her.

At the next Board meeting, on Friday, June 23, 2000, the entire Board discussed the question of the Director's retirement.

Mr. Sharland stated that:

he rejected the whole idea of an early retirement on June 30<sup>th</sup>;  
the Director had done a good job and he fully supported her 100% as  
Director;  
that she should continue as Director until September 6<sup>th</sup>;  
that the Board are pleased with all the new employees coming on  
board;  
that he expected loyalty from the staff; and  
that persons not happy with the terms of their employment should  
seek employment elsewhere.

Mr. Swanson said he would concur and give the Director a vote of confidence and get her back to work. [The Director wishes to note that she appreciates Mr. Swanson's vote of confidence. Also she notes he was not present at the June 19<sup>th</sup> meeting, and perhaps did not realize that she was never off work.]

In response to an inquiry from Ms. Cherry as to whether Mary had proposed a retirement package different from her original proposal to retire on September 5<sup>th</sup>, it was determined that she had not. The proposal for her retirement on June 30<sup>th</sup>, came from Mr. Guy.

After further discussion and consideration, the Board voted 7 to 0 that:

We as the Board fully support Mary 100% as Director;  
Mary will continue to be Director until she retires September 6<sup>th</sup>;  
We the Board are pleased with all the new employees coming on  
board...

Finally the Board referred the matter of "Posting" to the Personnel Committee for further consideration.

The Director now acknowledges that she did not immediately refute or reject the facts as alleged in the petition presented to the Board on June 19<sup>th</sup>. She was not given a copy of the petition and was not aware of what it said. She could not make sense of what was going on and was shocked and stunned. Rather than speaking out in a rash way, she chose to be quiet and listen to the concern. She realizes her reluctance to respond may have led some members of the Board to feel she was aware of the petition. That is not true.

In retrospect, the Director should have questioned Mr. Guy further, to learn of his concerns, and then to inform him firmly that his concerns should be taken to the Personnel Committee. (If he insisted on speaking to the Board, he should have asked the President to speak in the "Public Comment" portion of the meeting.)

Following this procedure, as provided in the Library's Personnel Manual, would have avoided the confusion resulting from the presentation of the concerns to the Board without any prior knowledge of the nature of the concerns. The short-circuiting of normal Board procedures required the Board and staff to spend many extra hours in dealing with the entire matter. The Personnel Committee was fully aware of the facts concerning the Director's retirement and the posting and advertisement of employment notices. It could have heard the concerns and have referred the matter to the Board, along with its recommendations, if it felt any action were needed. This procedure would have permitted a reasoned and orderly disposition of the concerns and have avoided unnecessary embarrassment to the Board and the Director. Delicate concerns, such as the Director's retirement or a staff petition, should not come directly to the Board without the Board having the benefit of some prior knowledge of the facts.

I apologize for the length of these comments. I submit them to make a complete and accurate record of the recent unsettling events. I request that they be incorporated as an addendum to the Board Minutes of June 23, 2000.