

Kent County Library Board of Trustees

Minutes of the March 2, 2021 Virtual Meeting

Present: Elisabeth Tully, President; Valerie Overton, Vice President; Jay Silcox, Treasurer; Bronwyn Jones, Secretary; Alan Austen, Trustee; Erin Counihan, Trustee; Judi O'Brien, Trustee; Arnessa Dowell, Executive Director; Chris Walmsley, Staff Member; four members of the public

The meeting was called to order at 5:03 pm.

The minutes of the previous meeting were reviewed. Mr. Silcox moved to approve the minutes as submitted. Ms. Jones seconded the motion, which was approved unanimously.

Finance Committee Report

Mr. Silcox reported that the finance committee had met on February 22, and had two action items based on finance committee recommendations.

Mr. Silcox moved to approve the transfer of \$75,505 in funding from fiscal year 2020 capital funding to fiscal year 2021 capital funding as recommended by the finance committee. Ms. Counihan seconded the motion, which was approved unanimously.

Mr. Silcox moved to approve the addition of a second credit card with a \$10,000 limit as recommended by the finance committee. Mr. Austen seconded the motion for the purposes of discussion. Mr. Austen questioned the purpose of the second card. Mr. Silcox reviewed the justification for the card, allowing one to travel while having one locally. The trustees discussed the purpose of the credit card, the current credit card usage, and potential budget implications. Ms. Tully called for a vote. The motion was approved with Ms. Counihan, Ms. Jones, Ms. O'Brien, Ms. Overton, Mr. Silcox and Ms. Tully voting in favor of the motion, Mr. Austen voting against.

Mr. Silcox reviewed a meeting between the county finance officers and library staff, and two trustees. Mr. Silcox noted that the budget submission was due on March 15. Ms. Tully noted that it would require an emergency meeting to approve the budget submission, which would be prior to March 15.

Mr. Austen questioned if the county had any expectations. Mr. Silcox said that the county was unable to provide a number they were looking for, but the discussion included justifications and salaries to commissioners, and reviewed the various parts of the budget that the county would be reviewing.

The trustees discussed the reserve and the desired reserve level and county revenues.

Trustee Education

Ms. O'Brien presented to the trustees related to the open meetings act and how the trustees can be compliant with the act and preserve the transparency intended by the legislation.

The trustees discussed ways COVID had impacted the legislation and steps taken to remain compliant.

Director's Report

Ms. Dowell reviewed the position descriptions for the Tech Services Director and Tech Specialist positions. Ms. Tully noted that both positions had been approved previously by the Board of Trustees.

The trustees discussed their role in the position description process.

Ms. Tully moved to give Ms. Dowell the authority to hire into the Tech Services Director and Tech Specialist positions. Mr. Silcox seconded the motion. Ms. Tully called for discussion. Mr. Austen asked if position descriptions would be a part of the packet when a job was proposed or an employee was recommended or hired? Ms. Tully reviewed the documentation that would be provided going forward. The trustees discussed their role in the hiring and candidate approval process. Ms. Tully called for a vote, which was unanimously in favor.

Ms. Dowell reviewed proposed salary and rate increases for all staff. Ms. Dowell noted that duties and descriptions had been reviewed, and that most were in line with regional pay levels with the exception of Mr. Walmsley. The trustees discussed a 2.5% cost of living increase to go into effect on March 1.

Ms. Tully moved to approve the director's recommendation of a 2.5% increase to all staff effective March 1, 2021. Mr. Silcox seconded the motion, which was approved unanimously.

Mr. Silcox moved to approve a salary increase to \$40,000 annually for Mr. Walmsley to bring the position's salary in line with comparable positions. Ms. O'Brien seconded the motion, which was approved unanimously.

Ms. Dowell reviewed the reopening plan, going over public and staff side documentation with the trustees. Mr. Silcox clarified that the library was currently in phase 3 of the reopening plan. Ms. Dowell noted that she anticipated going to phase 4 in the next few weeks, and there had been lots of discussion between the directors about timing and available services.

The trustees discussed triggers and moving backwards and forwards within the plan. Ms. Dowell noted that it would likely be a couple weeks to move forward with rollbacks happening much more rapidly.

The trustees discussed the operating hours and the services of phases. Ms. Dowell noted that the hours had been arrived at with staff input, and it was possible that there may be some adjustment between phases based on experience.

Mr. Silcox noted that the trigger for phase 5 was vaccinations, and that the transition from phase 4 to phase 5 may happen rapidly. Ms. Counihan voiced her support for the plan and Ms. Dowell.

Ms. Counihan moved to approve the plan as presented. Mr. Silcox seconded the motion, which was approved unanimously.

Funding Partner Report

Friends of the Library

Ms. O'Brien noted that she had attended the Friend of the Library virtual meeting, where they discussed the possibility of having a book sale later in the year.

Ms. Dowell informed the trustees that she had received a notice from the Friends that they would contribute \$7,000 to the Fiscal Year 2022 budget.

Foundation for the Kent County Public Library

Ms. Tully informed the trustees that Mr. Austen had agreed to be the representative to the Foundation, and that there would be a meeting of the Foundation in Mid April.

New Business

Ms. Tully noted that the lease for the North County Library space would need to be reviewed as the current lease only went through June 30, 2021.

Closed Session

Ms. Tully moved to close the meeting for the discussion of a personnel matter. Ms. O'Brien seconded the motion, which was approved unanimously. The meeting was closed at 6:23 pm.

The meeting was reopened at 6:36 pm.

No further business was brought before the Board of Trustees.

The meeting was adjourned at 6:36 pm.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 3/2/2021; Time: 6:23; Location: Virtual - Zoom ;
Motion to close meeting made by: Elisabeth Tully Seconded by: Judi O'Brien ;
Members in favor: ALL ; Opposed: NONE ;
Abstaining: NONE ; Absent: NONE .

2. **Statutory authority to close session (check all provisions that apply).**
This meeting will be closed under General Provisions Art. § 3-305(b) only:

(1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) "To consider the investment of public funds"; (6) "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15) "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (1)	Staff performance concerns	Public discussion of personnel matter would constitute a breach of confidentiality
§3-305(b) ()		

4. This statement is made by Elisabeth Tully *Elisabeth Tully* Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ For a meeting closed under the statutory authority cited above:

Time of closed session: 6:23 TO 6:36
 Place: VIRTUAL - ZOOM
 Purpose(s): KCPL Exec. Dir. report to Board of Trustees regarding a sensitive personnel issue
 Members who voted to meet in closed session: ALL BOT
 Persons attending closed session: Elisabeth Tully, Valerie Overton, Jay Silcox, Bronwyn Jones, Judi O'Brien, Alan Austen, Erin Counihan, Arnessa Dowell
 Authority under § 3-305 for the closed session: § 3-305 (b)(1)
 Topics actually discussed: Performance concerns, actions taken by Exec. Dir. to date and recommended actions going forward
 Actions taken: Ms. Dowell asked to provide documentation of performance concerns and come back to the Board with her recommendation
 Each recorded vote: 6:36 pm, Elisabeth Tully moved to close the closed session, Jay Silcox seconded, ALL members voted in favor and the closed session concluded.

➤ For a meeting recessed to perform an administrative function (§ 3-104): Time: _____
 Place: _____
 Persons present: _____
 Subjects discussed: _____