

**FREDERICK COUNTY PUBLIC LIBRARIES BOARD OF TRUSTEES  
MINUTES OF VIRTUAL MEETING  
FEBRUARY 2, 2022**

The Frederick County Public Libraries Board of Trustees Meeting convened at 7:00 p.m. on February 2, 2022 via a virtual meeting.

**BOARD MEMBERS PRESENT:** J. D’Agostino, G. Mayfield, M. O’Leary, S. Sheppard, C. Smith, K. Spertzel, S. White and J. Donald, County Liaison

**BOARD MEMBERS ABSENT:** None

**STAFF PRESENT:** J. Kelly, Director; S. McDuff, Associate Director; C. Hall, Associate Director; B. McDermott, Finance Manager; J. Marshall – Systems Manager; M. Currens, Library Collections Manager; D. Frank-Rice, IT Coordinator; and L. Tibbs, Recording Secretary.

**CITIZEN REMARKS:** None.

**APPROVAL OF MINUTES:** G. Mayfield made a motion to approve the Minutes of January 5, 2022; seconded by C. Smith. No further discussion. VOTE: Unanimous.

**CHAIR’S REPORT:** Mr. O’Leary noted that last week there were two sessions for citizen input for the upcoming Strategic Plan. A lot of good ideas came out of those discussions. He urged everyone to take a look at those two sessions. Mr. Kelly will provide further information in his Director’s Report.

**DIRECTOR’S REPORT:**

**FCPL – Update:** Mr. Kelly welcomed everyone to the February meeting. He noted that at the last meeting, the Omicron variant was just emerging. January was a record month for COVID deaths in Frederick County. We saw sharp spikes followed by a case rate that is now trending back down. He added that the FCPL team has continued to partner with the Health Department. Last week library staff helped distribute 3,000 test kits and 97,000 KN95 masks at all of the library branches. In addition, weekly vaccine clinics have been expanded at our library branches. They are now offered at Thurmont Regional Library, Walkersville Library, Brunswick Library, and Myersville Library. These clinics have been very popular. For example, at the first 2-hour clinic at the Brunswick Library, over 90 people were vaccinated. This partnership with the Health Department is another great example of how our team helps meet community needs by simplifying access and building bridges.

Thereafter, Mr. Kelly provided two legislative updates. He noted that as he reported last month, the Association of American Publishers sued the State of Maryland in December because they considered the new e-content law to be an encroachment into federally protected, intellectual property rights. They were seeking a preliminary and permanent injunction against enforcement of the Maryland law. In response, the Maryland Attorney General filed a Motion to Dismiss the Complaint in its entirety, rejecting the Association of American Publishers contention that the measure runs afoul of federal copyright law. The Attorney General contends that this case is not about copyright protection; it is about the unfair and discriminatory trade practices of publishers at the expense of public libraries. The Attorney General's Office stated in a memorandum that the state's library e-book law is constitutional and does not touch upon the exclusive rights granted under copyright and is, in fact, a modest consumer protection statute. The brief argues that the Association of American Publishers has fallen short of meeting its burden for a preliminary injunction. There is a hearing set for next week on the Association of American Publishers Motion for Preliminary Injunction and on Maryland's Motion to Dismiss. Mr. Kelly noted that he will continue to keep everyone posted. He added that similar e-content bills in Massachusetts, Illinois and Rhode Island look likely to pass their state legislatures.

Mr. Kelly thereafter noted another legislative update that he wanted to make everyone aware of that is under consideration in the current general assembly session. Senate Bill 448 seeks an increase in the state's per capita contribution for public libraries. As everyone may be aware, the County contribution is our largest revenue stream but State funding is the second largest revenue stream. Any increase that is received in per capita funding is critical. This bill would establish graduated increases over the next four fiscal years. Mr. Kelly again noted that he will share any developments with the Board.

Mr. Kelly thanked everyone who completed the community survey or attended one of the focus groups that staff hosted about our FY23 – FY25 Strategic Plan. He noted that he is excited to learn about the take-aways and themes that emerged from these surveys and focus groups. The Strategic Plan Work Group is currently compressing all of that data and they will be sharing their findings at the March Board Meeting.

Pivoting to statistics, Mr. Kelly noted that everyone received two Dashboards (regular monthly Dashboard and the second one is a second quarter snapshot). He thereafter reviewed a few highlights from the monthly report: 1) visits and circulation were both up in December; 2) new card-holder statistics were up; 3) due to warmer weather in December, several outdoor story times were held and these programs saw high attendance numbers; and 4) public computer usage remains low, however, wi-fi usage remains well above the average.

Mr. Kelly thereafter reviewed the quarterly Dashboard. The left side of the report shows a break down of circulation by format. He added that to put these trend lines into context, he reminded everyone that FY20 is essentially pre-COVID, FY21 is curb-side service only and in FY22 the doors reopened to FCPL. He noted that e-content usage is still well above FY20s usage which indicates a trend going forward of our customers adapting to our e-resources. Database usage

continued to surpass the prior two fiscal years. Physical material circulation, while still below pre-COVID circulation numbers, appears to be closing the gap. Mr. Kelly reminded everyone that when COVID forced FCPL to shut its door in March, 2020, FCPL was on pace to have a record year of circulation so the fact that we continue to edge toward that FY20 line is extremely encouraging.

Mr. Kelly noted that in the right-hand column, an update on curb-side appointments, participation in virtual programming and new card registration numbers are listed.

**Budget/CIP Update:** Mr. Kelly advised that he and his team presented a draft of the FY23 budget to the FCPL Board of Trustees Finance Committee a few weeks ago and this evening we will share details of the budget with the full Board and they will have the opportunity to vote on the budget. Following the vote, FCPL will submit the budget to the County. Thereafter, the County Executive reviews budgets submitted by all divisions and component units. The County Executive then presents her proposed operating budget to the County Council for consideration in April. The County Council holds a public hearing on the budget. Thereafter they finalize and adopt the budget in May.

Mr. Kelly thereafter noted that the design is nearing completion for the Middleton Library. Staff are reviewing the final plans at this time. Bidding and permitting will happen over the next several months. It is anticipated that groundbreaking will take place in late spring.

Mr. Kelly noted that the next Board Meeting will take place on Wednesday, March 2, 2022 and it will likely be virtual.

Mr. Kelly advised everyone that in December, 2021, our Materials Manager retired. Among the functions of this department is the selection of our print and digital collections. This Manager is responsible for a big part of our budget. He announced that Marian Currens has been selected as our new Materials Manager. Marian is a Frederick County native and has worked for FCPL in a variety of roles since 2011. She is a life-long learner who is passionate about increasing Equity, Diversity and Inclusion and serving the Frederick County community. Until now she has primarily spent her time in public service; most recently as the Branch Administrator at the Myersville Community Library. She is very excited to bring those skills and her customer-focused outlook to the Collections Department. Mr. Kelly formally introduced M. Currens to the Board and encouraged everyone to welcome her to this new role.

Discussion followed about the distribution of COVID test kits and masks. Mr. Kelly advised that all of the test kits are gone but FCPL still has masks available.

Further discussion ensued about the vaccine clinics at the libraries. Mr. Kelly noted that two more branches have been added and the response has been great. As noted earlier, in a two-hour span at Brunswick Library, approximately 90 people were vaccinated

Mr. Mayfield noted that the State of New York and the State of Maryland were the first two legislatures to put forth an e-content law. He added that in New York, the Association of American Publishers lobbied against it and their Governor vetoed the law so it is off the table for now in the State of New York.

An inquiry was made by Mr. O'Leary as to whether there is a source to track legislative initiatives. Mr. Kelly advised that he will send that link to the Board.

M. O'Leary congratulated M. Currens on her new job. Thereafter, Mr. O'Leary inquired about the status of the vacancy for Branch Administrator at the Myersville Library. Mr. Kelly advised that we are currently seeking candidates for that position.

### **NEW BUSINESS**

**a. Financial Report:** B. McDermott presented the Fiscal Year 2022 financial statement. The data is tentative as of December 31, 2021. The revenue total collected is at 48%; up 18% from the previous board meeting and up 2% from last year. FCPL received an increase in the County General Fund of \$281,000 and In-Kind County Revenue of \$321,000. There was also an increase in passport revenue of \$2,300.00, miscellaneous operating revenue of \$10,000, library fees of \$154.00 and Federal Grants of \$4,500. She noted that the total revenue budget balance of \$17,000,000 increased by \$89,000 from the previous month. This is due to two budget journals that were posted in recognition of two grants that were awarded to FCPL since the beginning of the year.

She thereafter reviewed expenditures. Expenditures are at 47%; a 9% increase from the previous board meeting and a 2% increase over last year. There was a slight increase in most line items for expenditures. The most significant percentage change was a 20% increase in library material purchases and a 15% increase in equipment maintenance/repair. She pointed out that FCPL is half way through FY22 and revenue and expenditures are right where they should be.

Grants awarded are at \$2.4 million. Since the last Board Meeting, the Ausherman Family Foundation Grant was awarded in the amount of \$2,995.

Grants submitted are at \$1,001,000. There are no new grants submitted at this time.

Donations are at \$82,000, which is an increase of \$6,500 over last month due to several generous donations to the Greatest Need Fund.

Other endowment revenue is at \$145,000. There was an increase of \$2,500 from the previous month. This increase was due to interest received on the Glassman Trust. These funds are restricted to the purchase of materials in a specific field of study.

The total is \$2.6 million.

**b. Budget Presentation:** Mr. Kelly noted that since last month's meeting, he and his team provided a budget refresher to the Board to refamiliarize folks with the structure of the budget. Subsequently, he presented the FY23 draft operating budget to members of the FCPL Board of Trustees Finance Committee. This evening he will be providing highlights of that presentation to the full Board and then a vote will be taken.

A PowerPoint presentation followed. The second slide shows FCPL's typical revenue streams. The County contribution shows a very slight increase (just \$6,000) based on a wage adjustment per the County Budget Office. The State contribution line is an estimate based on the actual figure received from the State last year. Typically, the number comes in a little higher than the number that was input originally and the actual figure is provided in June. The ending fund balance was provided to us during the audit presentation at the November, 2021 Board meeting. In addition, revenue is received from fines, gifts and miscellaneous. Most of the categories listed on the slide are flat or have very modest increases. It is anticipated that some lines like copier fees, book sales and passport revenue could see an uptick as FCPL emerges from the pandemic and foot traffic increases into branches. He reminded everyone that contributions and donations reflect disbursements from endowments, foundations or trusts designated for specific purposes like The Maryland Room, Summer Reading or Children's Programming and Materials. It also includes disbursements for capital improvements such as new tables, laptop carts and blinds.

Mr. Kelly noted that he will be highlighting three of the expense lines that show substantial fluctuation year-over-year. The first is system-wide programs. This line has been increased because we want to support expansion of in-person programming as FCPL emerges from the pandemic. The FCPL team has a lot of ideas in development and many of those ideas build on new or existing partnerships with agencies like Frederick Health Hospice, African American Resources Cultural and Heritage Society and expanded outreach initiatives.

Travel/Training is also seeing a significant increase. He noted that we have discussed about how important training is in Maryland libraries. Librarians and Library Associates must maintain state certification and continuing education for our entire team is supported. During the pandemic, many training workshops and state/national conferences pivoted to a virtual environment which resulted in cost savings but as we emerge from the pandemic, we want to have a budget which allows us to support in-person attendance to foster collaborative learning, build networks and strengthen vendor relationships.

Non-capital equipment also sees an increase. As everyone may remember at the start of the pandemic, FCPL slowed its computer replacement cycle. This was, in part, because the impacts of the pandemic on revenues was unclear and with FCPL's doors closed for the better part of a year, our public computers were not taking their usual beating. FCPL is now planning for the future and get things back on track and catch up with the replacement cycle.

Mr. Kelly reviewed a slide which displayed a visual breakdown of FCPL expenses. Salaries are the biggest part of FCPL's budget at 66% followed by general operating expenses at 23% and collection expenditures at 11%, which is just under \$2,000,000. The next slide provides a breakdown of the collections and spending by format. FCPL has to make difficult choices because there are never enough dollars to go around but, as can be seen from the slide, FCPL is

proposing an increase in every format to address community need. He added that FCPL has a base budget adjustment pending. Last year, Frederick County saw a 2% increase in population which has implications for those funding formulas.

The last slide highlights what is coming in the next fiscal year: more robust collections, increased programming, expanded outreach, Middletown Library construction which will be underway shortly and, pending the CIP, it is possible that we could see West Frederick Library design and, finally, a website redesign.

Mr. O'Leary inquired about the increase in periodicals listed under collections. Mr. Kelly advised that FCPL cut back on print newspapers because people were not in the branches while our doors were closed so we have put more money in that category. Mr. O'Leary further inquired about the website redesign. Mr. Kelly noted that the funds are earmarked for FY23 and we have to wait for the budget to be approved this evening by the FCPL Board of Trustees and later by the County Executive. It is proposed that the redesign of the website would take place after July 1, 2022. The goal is to have the project completed in the next fiscal year. Mr. O'Leary requested that the Board be updated periodically on the website redesign. Mr. Kelly noted that a redesigned website will not be something that will be unveiled; members of the Board will be a part of that conversation as well as input from the community. Additional discussion followed regarding the proposed website design.

S. Sheppard made a motion to approve the budget as submitted; seconded by S. White. No further discussion. VOTE: Unanimous.

**BOARD QUESTIONS AND COMMENTS:** Ms. Smith inquired how often the book drops are checked on a daily basis. Ms. McDuff responded that it depends on the library location. Staff strive not to leave returns in the book drops for very long and get everything off the patron's record as soon as possible.

**OTHER CITIZEN REMARKS:** None.

The next FCPL Board of Trustees meeting will be held virtually on March 2, 2022 at 7:00 p.m.

C. Smith made a motion to adjourn the meeting, seconded by J. D'Agostino. No further discussion. VOTE: Unanimous.

The meeting adjourned at 7:40 p.m.



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M. O'Leary, Chair  
Frederick County Public Libraries Board of Trustees