

**FREDERICK COUNTY PUBLIC LIBRARIES BOARD OF TRUSTEES
MINUTES OF MEETING
MARCH 4, 2020**

The Frederick County Public Libraries Board of Trustees Meeting convened at 7:00 p.m. on March 4, 2020 at the C. Burr Artz Library, Frederick, Maryland.

BOARD MEMBERS PRESENT: J. D'Agostino, G. Laugelli, M. O'Leary, C. Smith, and K. Spertzel.

BOARD MEMBERS ABSENT: C. Greenway, S. White and County Liaison, J. Donald.

STAFF PRESENT: J. Kelly, Director; S. McDuff, Associate Director; C. Hall, Associate Director; J. Vogel, Youth Services Coordinator; B. Hissong, Community Services Coordinator; J. El-Zeftawy, Development Officer; S. Lauchner, Manager – Library Collections; J. Marshall, Manager-Systems; B. McDermott, Finance Manager; C. Brohawn, Project Coordinator; T. Leberherz, Branch Administrator – Urbana Library/Point of Rocks Library; J. Diaz, Branch Administrator – Brunswick Library; M. Currens, Branch Administrator, Myersville Library; A. Whitney, Branch Administrator – Thurmont Regional Library/Emmitsburg Library; R. Frecker, Branch Administrator – Walkersville Library; B. Bradley, Branch Administrator – Middletown Library; H. Hart, Children's Supervisor – Walkersville Library, and L. Tibbs, Recording Secretary.

CITIZEN REMARKS: None.

APPROVAL OF MINUTES: G. Laugelli made a motion to approve the Minutes from February 5, 2020; seconded by K. Spertzel. No further discussion. VOTE: Unanimous.

CHAIR'S REPORT: Ms. Smith noted that there will soon be a vacancy on the FCPL Board of Trustees. Mr. Laugelli is Chair of the Nominating Committee. She added that they received an e-mail this afternoon from Joyce Grossnickle wherein she provided applications from three candidates. We will be scheduling interviews of the candidates shortly and thereafter make a selection. She further noted that we will try to have this completed before the June meeting so that we can get everything approved at that time.

Ms. Smith advised that S. White is still recuperating from her fall and C. Greenway could not make tonight's meeting because she is ill. She wished everyone good health during this trying time we are going through.

Thereafter, Ms. Smith stated that while cleaning things out at her house, she came across the book that she received from Darrell Batson when she came onto the Board in 2011. The book includes some of the policies that were in place at that time as well as the budget. She brought the book with her this evening in case anyone wanted to look at it. There are now a lot of new, different policies and we have come a long way since 2011. We are always moving forward at

FCPL.

DIRECTOR'S REPORT:

a. FCPL – Update: Mr. Kelly shared news of a piece of legislation in the General Assembly that we are following. It is Senate Bill 524 and it is going to be cross-filed in the House as HB1000 and is called The Building Lifelong Library Learners Act. The bill was introduced by Senator Sarah Elfreth who represents Anne Arundel County and it has a number of co-sponsors.

This bill proposes a modest increase to state funding for each county to enable systems to become fine-free for children's materials. At present, 17 of the state's 24 library systems (to include Frederick) are already fine-free for children's materials or children's cards. If this bill is passed, this bill would make Maryland the first state to be completely fine-free for children.

The second part of the bill deals with the state's capital grant program. As you know, FCPL has been a direct beneficiary of this grant program which designates \$5,000,000 worth of state funding per year to help offset the cost of capital projects. This year, Governor Hogan's proposed budget funds this program at over \$7,000,000. The Building Lifelong Library Learners Act would make the governor's proposed Fiscal Year 2021 increase permanent, keeping it at the \$7,000,000 moving forward.

He noted that on the face of it, there is much to like about this bill (improved access for children and increased state support for capital projects), however, there is one aspect of the bill that we have reservations about. As written, the bill will amend Maryland Code so that libraries are "prohibited from charging an overdue fine on a minor's materials."

As everyone knows, we worked together to eliminate fines on children's materials in Frederick County and it was a dialogue. This is how the process should work. Mr. Kelly noted that it is not a secret that he would like to see FCPL move in the direction of eliminating fines for all of our customers, however, as Director, it is his role to make policy recommendations and it is the responsibility of the Board to establish policy – which includes setting or eliminating fines.

Mr. Kelly noted that it is his concern that a piece of state legislation which includes language about "prohibiting libraries from" – in this case – imposing a fine – potentially erodes the autonomy of our Library Boards and could set a harmful precedent. Even with a proposed amendment that Boards are permitted to implement this change in a way that works best for them locally, it still includes language about an explicit prohibition.

Mr. Kelly stated he agrees with the spirit of the legislation. He noted that he feels that the architects of this bill certainly have the best interest of Maryland's children at heart. He added that he feels that there is a way for us to easily arrive at the goals of this bill with a modest language change that does not potentially erode the power of our Boards.

Mr. Kelly noted that FCPL has expressed its minority opinion to the state's Library Legislative Panel, to our State Librarian, to our fellow library administrators and to members of our state delegation, however, the bill is proceeding as written and, at least at this early stage, seems to enjoy wide support. The bill had its first reading in front of the Education, Health and Environmental Affairs Committee and will proceed through the legislative process. Mr. Kelly added that he will keep everyone advised on any developments. There are a couple of words in the bill that are concerning and, depending on who is in office next time, they could say that you let us change things here, why don't we change whatever else they are concerned about the next time.

Mr. Laugelli inquired whether the primary purpose of the bill is to give financial help so the libraries could do this. Mr. Kelly said the purpose is so that all libraries could go fine-free for children's materials. Mr. Laugelli thereafter inquired whether FCPL would still be eligible for assistance since FCPL already does this. Mr. Kelly advised that all libraries would be eligible for some level of assistance. Thereafter, Mr. Kelly noted that staff has done some calculations, and it looks like FCPL would potentially receive approximately \$40,000 in support. Mr. Kelly further stated that it is not his concern about approving access for children or approving state funding for capital grants but his concern is the wording that might set us up for problems down the road. He added that FCPL is in the minority on this issue but it is possible that this bill may move through without any change but he wanted to make members of the FCPL Board of Trustees aware of it.

Ms. Smith inquired how Mr. Kelly would amend the bill. Mr. Kelly stated that at the end of the day, the funding would allow those library systems that are not currently able to go fine-free, to go fine-free and it would then be mandated by the State. Mr. Kelly added that for some systems it is a matter of dollars and cents. If the bill was written in a way that the state would increase funding with this goal in mind to enable systems to go fine-free for children, it would not have to be as explicit as legislating that they are prohibiting libraries (and library boards) from setting policies. Ms. Smith further inquired whether this is something that members of the FCPL Board of Trustees could send letters to our representatives regarding our concerns. Mr. Kelly advised that there will be several readings of this bill and it could be that after the first reading there will be an amendment so there may be an opportunity for that. He further noted that we will continue to express our concerns. Since the bill was first introduced, staff attended Library Legislative Day in Annapolis which allowed us to talk to members of the Frederick County delegation and some of those were co-signers on the bill. We were able to educate them on what some of the problems were with this, and often as things work, it is possible that those co-signers will then advocate for language changes. Mr. Kelly noted that if the bill goes through, the silver lining in all of this is the additional funding. He added that he may be just be too guarded but this would result in a change in the Maryland Code.

K. Spertzel requested a copy of the bill. Mr. Kelly advised that he will send everyone the link for the bill.

Mr. O'Leary inquired whether the bill defines the age of minors. Mr. Kelly advised that he does not recall seeing that in the text of the bill but he will look into that.

Mr. Laugelli asked Mr. Kelly if he has ever seen legislation like this before. Mr. Kelly replied that he has not seen anything like this previously.

Ms. Spertzel noted that although FCPL waived fines for children, she inquired if it applies to just children's material. For example, if a 16 year old checks out a book that is an adult book, would this bill prohibit FCPL from charging them a fine. Mr. Kelly advised that each jurisdiction does things differently. It is up to each system locally. Some are doing fine-free on children's cards and some are doing fine-free on children's materials. It is up to each system to figure out that piece but at the end of the day, they don't want fines on children's materials.

Mr. Laugelli inquired whether FCPL is going by the card or materials. Mr. Kelly advised that FCPL is currently fine-free on children's materials.

Mr. Kelly reiterated that he will keep everyone advised as things progress.

Thereafter, Mr. Kelly advised that a team of FCPL staff had the opportunity to attend the Public Library Association's Conference last week. PLA is offered every other year and is a chance for us to attend learning sessions and meet face-to-face vendors. Mr. Kelly noted that two sessions, in particular, resonated with him. One session was on social work interns in public libraries and another session was on peer navigators in public libraries. Peer navigators is the idea of having people at the library (volunteers or grant-funded staff) who have dealt with mental health challenges or are in recovery or have experienced homelessness and assisting individuals in gaining access of social services more quickly. Libraries are a trusted safe-space and, as such, the presenters are finding that community members feel more comfortable learning about resources and organizations available to them from us. Libraries are seen as less imposing and more approachable than other institutions for making that critical first step. As FCPL seeks to simplify access and build bridges in our community, it is inspiring to hear about these successful programs and the ways that libraries nationwide are helping move the needle on community-wide challenges.

Mr. Kelly advised that everyone is hearing a lot about the 2020 Census. This is the first time where participants will be invited to complete the census online. Since public libraries nationwide are just about the only place that is open to the public and offers free access to high speed internet, we expect that many people in our communities will come to their local library to submit their responses.

Census representatives will also be available to answer questions and provide assistance to our customers at select times throughout March and April at many of our branches.

Mr. Kelly encouraged everyone to pick up the spring edition of Bookmarks and note all of the great, upcoming programming system-wide. Bryan Hissong will speak to you later this evening

about Frederick Reads. Later this month will be the annual Celtic Concert at Mount St. Mary's presented by FCPL and the C. Burr Artz Trust. Free tickets will be released for that event this Saturday at Thurmont Regional Library and Emmitsburg Library and, as usual, they will go quickly. He further noted that there will be Women's History Month programming, Earth Day programming, Human Library and a series called "The Language of Hip Hop" which has been organized by local FCC English Professor, Shemica Sheppard, who, as part of her sabbatical this year, is developing programming in partnership with FCPL. He further noted that there is something for everyone at FCPL.

Mr. Kelly advised that Trudy Fry who was a generous donor for the Point of Rocks Library, established a trust for the Point of Rocks Library. At the end of last year, FCPL received a \$500,000 donation from Trudy Fry's Trust. At the present time, we are in the process of establishing an account with the Community Foundation and the funds will be designated for use at the Point of Rocks Library.

Thereafter, Mr. Kelly reviewed statistics. The Winter Reading Challenge had 2,665 participants who read 786,000 minutes. This was a Winter Reading Challenge pilot program conducted with libraries nationwide and in cooperation with Beanstack. Beanstack is the company that our customers use to track their reading for Summer Challenge. FCPL was one of the top performing systems nationally and has been awarded an author visit through Penguin Random House. Janet Vogel is our point person on this and she will let us know the details about the author as soon as it is announced.

Digital circulation topped 30% of FCPL's total circulation for the month of January. Mr. Kelly noted that this is the first time, in his memory, that this has happened. Total circulation year-to-date is over 1.8 million which is a little bit below last year's record setting pace. We are still circulating like crazy.

FCPL visits are about the same as this time last year. Through January, 2020, we are at 1.3 million visits. Programming attendance for the year is up 23%. All of these figures are strong indicators of how hard our team is working to simplify access, build bridges and spark excitement.

b. CIP/Budget – Update: Mr. Kelly advised that on Tuesday, March 10, 2020, he will be meeting with the County Executive and CAO, Rick Harcum, to discuss FCPL budget appeals. This will be a good opportunity for discussion on the appeals that we submitted. Most of the appeals are centered around new positions. One of the appeals is for a full-time Library Associate for the bookmobile and this will be the second year that we are submitting that appeal since it was not funded last year.

Mr. Laugelli inquired about the status of new desks at the circulation department. Mr. Kelly stated there are some replacement desks coming. Ms. McDuff advised that the desks are scheduled to arrive on Monday.

Ms. D'Agostino inquired whether FCPL will be receiving free books from winning the Winter Reading Challenge or did FCPL just win the author event. Ms. Vogel advised that FCPL has only been notified about the author visit at this time.

Mr. O'Leary noted that it was reported that folks from the Census Bureau would be on site to help provide assistance to patrons but he inquired whether librarians would also assist patrons with the Census. Mr. Kelly stated that it will be both because Census staff will only be at the various libraries for a few hours at a time so staff will handle any questions as normal, routine reference questions. The representatives from the Census will be at the libraries starting March 26th through April.

NEW BUSINESS:

a. Financial Report: B. McDermott reviewed financial statements which contain tentative data through January 31, 2020. She noted that revenue is at 52%, which is an increase of 3% from the previous month. She pointed out that miscellaneous revenue and passports have had a 10% increase over last month. She advised that FCPL received its quarterly grant fund reimbursement from the Maryland State Education Grant. This grant helps to support the current operating and capital expenses of local library systems. The aid is distributed based on population. The State pays the entire cost of our pension and retirement benefits for eligible librarians and library employees. Those payments are received quarterly and this is reflected as part of the 79% that is listed on the report.

She thereafter noted that expenditures are at 58%, which is a 14% increase over last month. The increase is due to contracted services, equipment, equipment maintenance/repairs and other operating expenditures. The increases were due to encumbrances (expenses) in December and January for annual software renewals, two additional self-check machines, staff computer replacements, advertisements and postage due to passport revenue increases.

Ms. McDermott advised that FCPL had two grants awarded from the Ausherman Family Foundation (grant seekers foundation and the community arts development grant). These grants help to support speaker fees for Frederick Reads. There is one grant that will be submitted this month and that is the Maryland Library Association Conference Grant. This grant helps to support FCPL librarians and library associates to meet the requirements of continuing education hours necessary to be certified by the state.

FCPL has received donations in the amount of approximately \$120,000, which is a \$15,000 increase over the previous month. This is due to various donations received by all of the branches. Branches have received generous community donations during the month of January, 2020.

The only change in endowment revenue is the interest that was received from the Churney CD of \$54.00.

Mr. Laugelli inquired about the Trudy Fry donation not being reflected on this report. Ms. McDermott stated that normally that would not be included on this report because those funds are actually managed by The Community Foundation. FCPL will receive quarterly statements from The Community Foundation.

b. Frederick Reads: B. Hissong, Community Services Manager, provided a report about Frederick Reads. He noted that we are very lucky to have acclaimed best-selling author, Wes Moore, as our speaker in 2020. Frederick Reads is in its 15th year. Frederick Reads is a collaborative partnership between FCPL, Frederick Community College and the Weinberg Center for the Arts.

Mr. Moore's most well-known book is the 2010 memoir, The Other Wes Moore – One Name, Two Fates. It depicts the author's journey from wayward inter-city youth in Baltimore to decorated combat veteran, road scholar, social entrepreneur and business leader. It tells the story how such factors as educational opportunities, mentors and a community support network helped the author to transcend the fate of a man with the same name – hence the title, The Other Wes Moore – who grew up just a few blocks from him in Baltimore and, unfortunately, took a tragically different path towards prison. His next book was called Wes Moore – The Work – Searching for a Life That Matters. This book was published in 2014 and follows Mr. Moore's journey as a student, investment banker on Wall Street and a soldier in Afghanistan. Also, in 2014, he produced with PBS a three-part mini-series entitled Coming Back With Wes Moore, which focused on the challenges faced by United States military veterans returning home.

Mr. Hissong advised that we really lucked out that one week before Mr. Moore visits us in Frederick, his new book will be released and it is called Five Days – The Fiery Reckoning of an American City. It is described as a kaleidoscopic account of five days in the life of a city on the edge told through seven characters on the front lines of the protests that overtook Baltimore in 2015.

Both appearances will be at no cost. Tickets will be available on March 10, 2020 at 10:00 a.m. at the Weinberg Box Office. The show at the Weinberg Center for the Arts will be on Monday, April 20, 2020 at 7:00 p.m. and the next show will be held at the Jack B. Kussmaul Theater at Frederick Community College on Tuesday, April 21, 2020 at 11:15 a.m.

Ms. Smith advised that her book club read The Other Wes Moore several years ago and that is why she is particularly interested in attending this event.

c. Revision of By-Laws: Mr. O'Leary advised that late last summer, Ms. Smith noted that it might be good to look at the By-Laws. A sub-committee was set up which included M. O'Leary, G. Laugelli and S. White. He noted that they began by looking over By-laws from other county systems and were able to pick up a few good ideas from those. Thereafter, the sub-committee went through three drafts and we received great input from members of the committee including James Kelly and Cheryl Smith who are ex-officio members. Once everyone was pretty comfortable with the draft, it was sent to all members of the FCPL Board of Trustees. There was

a lot of discussion and it was genuinely a collaborative project. He noted that the new By-Laws are very concise. He added that the By-Laws don't exist by themselves; they exist with other governing and guiding documents. The governing documents establish things that we must do and are established by The Maryland Code, Open Meetings Act and County provisions. The two guiding documents are the State Trustees Manual and the Statement of Ethics for Public Library Trustees from the American Library Association. These documents are noted in the By-Laws. He noted that as Board Members, we are expected to be familiar with these documents.

Thereafter, Mr. O'Leary noted that draft number four has been prepared and questions have been answered. Mr. Laugelli thanked Mr. O'Leary for all of the work he did on this project. Mr. O'Leary stated that things will happen that may not be covered in the By-Laws and we will approach those issues as they come up.

Ms. Smith inquired once the By-Laws are approved, do we need to file the By-Laws with the County. Mr. Kelly advised that the updated By-Laws will be posted on the website. Ms. Smith added that there were not any drastic changes but it is much better organized and reads much better. She noted that S. White is an attorney so we had a legal perspective in reviewing the document as well.

J. D'Agostino made a motion to approve the By-Laws as written; seconded by K. Spertzel. No further discussion. VOTE: Unanimous.

Ms. Smith requested Mr. O'Leary to forward a final copy of the By-Laws to Mr. Kelly. Mr. O'Leary added that the By-Laws are something that is used and not just sits there and no one pays attention to it. There have been several instances when things have come up so we refer to the By-Laws, The Maryland Code and the Trustees Manual.

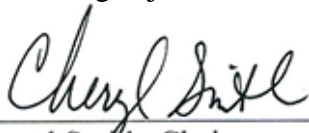
BOARD QUESTIONS AND COMMENTS: None

OTHER CITIZEN REMARKS: None

The next meeting will be held on Wednesday, April 1, 2020 at 7:00 p.m. at the C. Burr Artz Library – 110 E. Patrick Street, Frederick, MD. Mr. Kelly advised that this will be a televised meeting.

G. Laugelli made a motion to adjourn the meeting; seconded by M. O'Leary. No further discussion. VOTE: Unanimous.

The meeting adjourned at 7:45 p.m.



Cheryl Smith, Chair

Frederick County Public Libraries Board of Trustees