

Kent County Library Board of Trustees

Minutes of the December 7, 2020 Virtual Emergency Meeting

Present: Elisabeth Tully, President; Valerie Overton, Vice President; Earl Runde, Treasurer; Bronwyn Jones, Secretary; Alan Austen, Trustee; Sabina Minney, Trustee; Jay Silcox, Trustee; Chris Walmsley, Staff Member; Annie Woodall, Public Services Librarian

The meeting was called to order at 3:00 pm.

Ms. Tully reviewed the purpose for the meeting, noting the need to amend the reopening plan to allow for a return to previous phases.

Mr. Runde reviewed the reason behind his request for the emergency meeting, noting concern that board approved policy was reversed without a motion of the Board of Trustees. Mr. Runde suggested that the trustees should have been notified and petitioned for a meeting and motion before returning to a curbside only service model. Ms. Minney echoed Mr. Runde's concerns, expressing frustration that not all decisions are brought to the full board for discussion.

Ms. Overton expressed that the action which was taken was done with the best interest of staff and patrons in mind, and was informed by the actions of the Kent County school system, which had guided previous actions and policy decisions related to service model adjustments during the pandemic.

Ms. Tully noted that the schools had rolled back their service with very little notice, and there was no information in the adopted plan to address a worsening public health emergency. Ms. Tully expressed that the need to begin communicating any change to patrons precluded that waiting for the full board to meet to take action.

Ms. Tully invited Ms. Woodall to speak.

Ms. Woodall reviewed that while she was not involved in the presentation of the plan, but was involved in creation of parts of it, and the plan was meant to be moved forwards or backwards, based on certain criteria identified within the plan. Ms. Woodall noted that she and other members of senior staff met with Ms. Tully after the school announcement, and the meeting of the directors of the eastern shore regional libraries, where directors shared that all libraries were reducing service to some degree, with several returning to curbside only service.

Ms. Tully moved to amend the library reopening plan to reflect the need to roll back to earlier level of service because of the increase in health concerns within the county, and to maintain a practice of operating in concert with the public schools. Ms. Overton seconded the motion.

Ms. Overton questioned if further reduction in service was needed, if that would need to be a full board decision as well. Ms. Tully noted that she did not see the library going back to phase zero of the plan. Ms. Woodall noted that some stages were delineated within the current plan, but may deserve a review to see if different or better defined triggers are necessary for moving forward or backwards within the plan. Ms. Overton asked if triggering events occur, can the president issue the reduction or increase in service, or does it need to be the full board. Ms. Tully noted that some intermediate phases were not within the control of the trustees, but lying with the Eastern Shore Regional Library or other partner organizations.

Mr. Austen reminded the trustees that individual board members could not make decisions apart from the full board of trustees, but there was no objection to following guidelines.

Mr. Silcox questioned if the current policy could be amended to fit with the overall board policy so that the board did not have to approve every up or down change.

The trustees discussed aligning policy with public schools and how that would inform closures and changes to practice.

Ms. Jones questioned if the plan should be amended so that the library could not fully close without trustee approval. Ms. Tully responded that the library would not fully close without action from the office of the Governor, and at that point, it would be out of the hands of the trustees.

Ms. Runde noted that the library had a reopening plan which had been studied and approved by the trustees. Mr. Runde reviewed the protections put in place for the staff, noting that it was as safe as any other place in Chestertown. Mr. Runde expressed that a closure without a recommendation from the health department or governor may sully the reputation of the library within the community. Ms. Tully noted that the pandemic and public health crisis was currently a very serious issue, and that there were several vacant positions within the library staff, which directly impacted the ability of the library to continue activities.

Ms. Jones questioned if the library should be independent from the actions taken by the schools. Mr. Austen expressed that the library was needed more when the schools were closed. Mr. Silcox noted that the library should be viewed as an essential facility, and that other businesses were open, and it would be important for future budget requests to point to actions during trying times.

Ms. Overton asked Ms. Woodall how current staff numbers impacted the ability of the library to remain open. Ms. Woodall informed the trustees that there were only two staff members at present who could serve as person in charge, as compared to the five at the beginning of the year, and that the current operating procedure was to always have a person in charge in the building. Ms. Woodall reviewed the staffing needs to have in person service, noting the

necessity of staffing an additional desk, and with previously requested vacations, at some points there would only be one person in charge for the entire day. Mr. Runde replied that other staff could be designated as persons in charge.

Ms. Woodall noted from the Eastern Shore Regional Library director meeting, that the optics of remaining open indicated that the space was safe to be in, and that due to present infection rates, and studies on transmission, this was largely untrue. Ms. Woodall reviewed staff practices for coming to work.

Ms. Overton raised concerns related to the value trustees placed in the opinions of staff in some processes but not in others.

Ms. Tully called for a vote on the motion to amend the reopening plan to provide for rollback from in-person service to curbside service, with the note that services should not be further reduced unless action from the office of the governor demanded it, or there was an illness among staff. Ms. Minney, Ms. Overton and Ms. Tully voted in favor of the motion. The motion was not approved.

Ms. Jones noted that she had a problem with the term rollback, stating that it was too non-specific.

Ms. Tully clarified that the rollback was from in-building service for patrons to library to go service for patrons.

Ms. Overton moved to move from in-person library services to library to go services, noting that in-building services would only extend so far as necessary for library to go. Mr. Austen seconded the motion for discussion.

Mr. Silcox noted that a further reduction in service would only come about as an order from the office of the governor or if illness among the staff prevented sufficient staffing levels to continue service. Ms. Tully clarified that some service was dependent upon partner organizations such as the Eastern Shore Regional Library, but the library could continue library to go service with reduced resources.

Ms. Tully called for a vote of the motion. The motion passed with Mr. Austen, Ms. Jones, Ms. Minney, Mr. Silcox and Ms. Tully voted in favor.

Ms. Tully clarified that the motion was not linking the library to the school for the purpose of reopening or further reduction in services.

Ms. Jones questioned if it was necessary to have a policy for emergency decisions. The trustees decided to review a draft emergency decision policy at their next meeting.

Closed Session

Ms. Minney moved to close the meeting for the purpose of discussing the parameters of the director's compensation package. Ms. Jones seconded the motion, which was approved unanimously. The meeting was closed at 4:00 pm.

The meeting was reopened at 4:15 pm.

No further business was brought before the trustees.

Ms. Tully moved to adjourn the meeting. The motion was seconded by Ms. Jones. The meeting was adjourned at 4:15 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: 12/7/20; Time: 4:00; Location: Virtual;
Motion to close meeting made by: Minney, Sabira; Seconded by Jones, Bronwyn;
Members in favor: E. Tully, V. Overton, E. Bunde, B. Jones, J. Silcox, S. Minney, A. Auster; 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."

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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)	Compensation of Director	To establish parameters for negotiating director compensation package
§3-305(b) ()		

4. This statement is made by Elisabeth Jilly, 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: _____
 Place: _____
 Purpose(s): _____
 Members who voted to meet in closed session: _____
 Persons attending closed session: _____
 Authority under § 3-305 for the closed session: _____
 Topics actually discussed: _____
 Actions taken: _____
 Each recorded vote: _____

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