

WEBER COUNTY LIBRARY
BOARD OF TRUSTEES
MINUTES

Date: April 19, 2011

Board Members
in Attendance: Holly Bauman, Acting Chair
Marie Irvine
Karen Leonardi
Kathleen Herndon
Jan Zogmaister

Board Members
Excused: Marcia Harris
Tom Taylor

Others
in Attendance: Lynnda Wangsgard, Director
Karen Burton, Associate Director
Scott Jones, Assistant Director
Kim Hale, Comptroller
Kevin Wilson, Professional Property Manager
Holly Okuhara, North Branch Manager
Kathryn Pudlock, Pleasant Valley Branch Manager
Julia Valle, Business Office Manager
Monette Hurtado, Legal Counsel
Evelyn Bertilson, Friends of the Library
Gary Dohrer
Christine Melvick
Jim Jacobs
Madonne Miner
Jan Hamer
Gretchen Burch
Stacey Floyd

Library Exhibit Processes and Administrative Procedures:

Bauman called the meeting to order at 5:00 p.m. and asked if there was anyone present who had not spoken on the issue of gallery exhibits during the previous Board meeting who would like to have their thoughts on the record before the Board began their review of applicable policies and procedures.

Jim Jacobs, Department Chair, School of Visual Arts, Weber State University, reported there had been some discussion on campus related to concerns voiced about the appropriateness and legality of the exhibit in the gallery at Pleasant Valley Branch. Jacobs had reviewed applicable Utah statutes and verified that lawmakers had clearly been careful to distinguish between salacious materials and art, relative to their appropriateness for public display. Jacobs was familiar with the work that had been challenged at the Pleasant Valley Branch, and found it to have serious artistic merit appropriate for general public display.

Bauman thanked Jacobs for his comments and asked if anyone else wished to speak. Hearing no requests, Bauman asked Wangsgard to report on the Library staff's deliberations and recommendations. Wangsgard distributed a recommended revision of the Library Gallery Exhibit Application (attached).

Wangsgard stated the Library administration and staff had taken the public comments to heart, reviewed the Gallery Exhibit Application, and was recommending some changes in the Application, and in signage displayed over the Gallery entrance.

Since patrons objected to the north entrance being labeled "Library", when it actually was an entrance to the gallery, a new sign had been ordered so the north entrance will now be labeled, in large, 12-inch letters, to read "Gallery". This large sign will help ensure that anyone entering from the north side of the building is aware that they are entering an area where art will be displayed. The "Library" sign removed from the Pleasant Valley Branch will be installed on the north side of the Ogden Valley Branch where it will be visible to the high volume of traffic that travels the road to Pine View Reservoir. The 12-inch "Library" sign will remain on the west entrance to the Pleasant Valley Branch, advising those of the appropriate entrance for those who may wish to skip the gallery experience that day.

Referring to the revised Gallery Exhibit Application that was distributed during the meeting, Wangsgard noted the following recommendations were being made for Board consideration:

1. Add the word, "drawings," to expand the definition, indicating this form of artistic expression would fall under the guidelines, since one of the images about which objections were voiced was a drawing.
2. Add the phrase, "to comply with all applicable State and Federal laws." The Library staff and Board have legal counsel available in the event a work is challenged as to its legal standing and suitability for public display.
3. Add "evaluated and" . . . "exhibit," in order to make it clear that all materials submitted for display will be evaluated and scheduled for exhibit by professional Library exhibits committee employees.
4. Add "which will include the Library Director, the Gallery Directors/Branch Managers at Pleasant Valley Branch and Ogden Valley Branch libraries, the Library Graphic Artist, and the Library System Youth Services Manager" to define which employees make up the exhibits staff.

Wangsgard summarized by noting the recommended changes solidify a thorough review process by qualified, professional employees and make patrons aware that they are entering a public space reserved for the display of art. As has always been the case, existing Board policy provides for a formal review of any materials held or exhibited by the Library if someone believes there is an item or service that needs to be reconsidered.

Bauman thanked Wangsgard for her report, and then read from a communication received from Marcia Harris, Chair of the Library Board. Harris was out of the country but wanted to ensure those present that she had given a good bit of thought to the questions brought before the Board by Gretchen Burch and her friends, and felt their concerns were sincerely expressed.

“First and foremost,” Harris wrote, “our library is a community facility and is meant for everyone. We do not want anyone to feel uncomfortable or excluded.” Nonetheless, it is not appropriate for Library employees to pass judgment on what is appropriate [for an individual family], but rather leave that to each parent to decide for their family. “What is appropriate to one person is not necessarily going to reflect the thinking of others.”

Harris wrote further that she thought artists could and should have more recognition than they presently receive and that it would be a good thing to provide better signage for the gallery, and for individual artists and exhibits, perhaps with a statement noting a particular exhibit “may not be for everyone.” . . . “Parents could then review the art and make their own evaluation.”

Harris suggested that perhaps an approach of this kind would satisfy all concerned. She closed by thanking all those who had offered input.

Bauman noted the Library staff had gone even further, by recommending changes in the permanent signage located above the entrance.

Irvine stated that she did not want to give the impression she was not concerned, or that she had not been thinking seriously, about the issues raised. She had discussed the matter with several people, and there were three basic issues to which she wished to speak.

1. The legality of the gallery exhibit.

There is no one on the Board or staff who would support the display of anything that was determined by legal counsel to be illegal under State or Federal law or County ordinance. The claims of illegality made during the Board meeting last month were without support.

2. The propriety of the gallery exhibit.

The Gallery Exhibit Application states the staff and artists will keep in mind that "the gallery spaces are high-volume traffic areas for Library users of all ages."

3. The opportunity to enable parents to manage the experiences of their own children.

Ultimately, Irvine noted, it is the parents, not the Library staff, who should decide if an exhibit is appropriate for their own child. Therefore, it is essential that the parents be

empowered to lead or direct their children into the Library either through or around the gallery, expecting different parents will make different choices. Therefore, Irvine supports the plan to mark the entrance to the Gallery and the entrance to the Library separately.

Seeing no other members of the Board who wished to address the issue, Irving noted that she believed the recommendations of the professional librarians were appropriate to the issues raised, and she made a motion that the signage above the north door be changed to read, "Gallery," and that the Exhibit Application be amended to read as presented by Wangsgard.

The motion was seconded by Leonardi.

Bauman called for discussion of the motion.

Christine Melvick was recognized by the Chair. Ms. Melvick said she appreciated the Board taking the issue seriously.

Gretchen Burch voiced dissatisfaction with the response by the Board and Library staff, stating she was "hoping something would be done, it [the art] doesn't belong in the Library, ever, at any time for any reason." She stated the Board was not taking the issue seriously, there would be a law suit . . . and there would be lots and lots of publicity.

Zogmaister responded, assuring Ms. Burch that a lot of time and thought by the Board, staff, and others in the County had gone into helping frame a response designed to empower individual patrons to use the Library in support of their family views. She assured Burch that the issues presented during the March meeting were not being taken lightly by either the Library or the County. When we come down on different sides of a recommendation it does not mean those on one side of the issue are completely right and those on the other side completely wrong; it is a difference of opinion, Zogmaister explained.

Zogmaister emphasized that the Board has two responsibilities in relation to the issues raised by Ms. Burch: the law and the appropriateness of the exhibit to a public library setting. Legal counsel guides the Board as to what may be legally exhibited, and the Board's policies and the Library's administrative procedures were being strengthened to guarantee a thorough review as to appropriateness. In this way, the issues raised in March have been carefully addressed. Zogmaister encouraged everyone to reserve judgment and see how the proposed changes work. If other objections are forthcoming, they can be addressed as well.

Ms. Burch countered that she was not satisfied with the changes, that what is "appropriate" is clearly not consistent with her views.

Gary Dohrer spoke, indicating that he believed there was an issue expressed that people felt they did not have an option to use the Library without using the Gallery. This situation had been addressed and everyone was now able to make an informed decision for themselves.

Bauman reiterated a point made in Harris' communication, that it is "up to parents to make the decision, we all don't think the same."

Burch countered, alleging "The Library is breaking law."

Stacy Floyd voiced her opinion that all art in the Gallery must be appropriate for children and that the Gallery should be completely separate from the Library. She continued by saying there is not a paved pathway from the parking lot to the west entrance, that meeting rooms are not accessible from inside the Library, and that she does not want to have to go around to the west doors. She concluded by stating that children need access to the full Library and she does not want them to have access to adult material.

Wangsgard asked Pudlock, Manager of the Pleasant Valley Branch, to respond to Floyd's statement.

Pudlock noted staff will facilitate entrance to all meeting rooms via the Library side of the building, if parents ask for their assistance. It was also clarified that there is a sidewalk, which is kept clear throughout the year, connecting all parking lots to both the north and west entrances.

Floyd countered that the one lot is reserved for customers of the coffee shop, and she does not drink coffee.

It was noted that there are also public parking facilities southeast of the cafe parking area.

Floyd then expressed concern for the children of other parents who might be dropped off at the Library.

Bauman explained that other parents also have the option of choosing for their own children, including parking and coming into the building via either entrance as it is a community building.

Floyd countered that it is not a community building, it is a library.

Bauman explained that the Pleasant Valley Branch is a community building, a gathering place, that was designed to facilitate the Library portion of the building and the public commons portion of the building functioning either together or independently.

Floyd countered that it was discrimination, if they have to walk to the west door.

Melvick, reiterated that she appreciated the Board putting their best foot forward on what she considered to be a reasonable new journey, and she said she was looking forward to seeing how the new arrangements work for everyone.

Irvine asked for clarification as to how individuals could proceed if they felt an item in the collection or in an exhibit was in violation of the law.

Hurtado responded that they should follow Board policy by putting their concern in writing and forwarding it to the Library Director. Board policy allows for legal review and someone in the civil division of the County Attorney's Office will offer the Library Administration and Board a formal opinion.

Burch again expressed her dissatisfaction, stating that the law says all materials displayed must be in accordance with "common appropriateness of the community." She expressed appreciation for the Board listening to her and her friends, and noted they have not talked to any media, not taken a petition to others in the community, but that they will "take petitions up so that we can have this policy rechanged." It's not going to be hard if we get the media on our side, she stated. Everyone is upset at pornography in the Library doorways. "You are not the ones I want reviewing the art," Ms. Burch concluded.

Bauman noted the Board had other items on the agenda and needed to move forward.

The Board voted unanimously to approve motion on the floor.

Bauman invited everyone to stay for the rest of the meeting.

Hurtado reminded those in attendance that Board meetings are public meetings and agendas are provided to the press.

Minutes of the March 15, 2011 Meeting:

Minutes of the previous Board meeting were approved.

Director's Report:

Hale presented the financial report, noting overall revenue numbers were within acceptable parameters, and that the Federal Health Resources and Services Administration (HRSA) earmark had been received and used to fund the materials handling system needed to establish consumer health services at the North Branch.

Wangsgard reviewed an overall strong metrics report which illustrated increasing utilization of Library services in all five locations.

"Cowboy Poetry Week" was being celebrated with programs in each County Library and plans were in place for the annual "Earth Day Ladybug Roundup" celebrations scheduled for the following Friday and Saturday. More than 1,000,000 ladybugs will be distributed to children and others during Earth Day programs held at each Library location, along with instructions on how to release them when patrons return home.

Interlocal Agreement between Weber County Library, South Ogden City, and Weber School District for Snow Removal:

Hurtado reported on concerns voiced by representatives from South Ogden City related to

allowing the Library to have access to a pathway via the north end of their grounds. Hurtado had explained the Board's concern was that snow removal equipment could get stuck in the pathway; and in that case, maintenance employees wanted an opportunity to turn around and push the snow from another direction, requiring access via the north gate. South Ogden City was proposing access on east side of their property, but this access would not address the issue. A conference call will be arranged and Hurtado will suggest that an east gate access is not a good option.

The Board thanked Hurtado for all her work in relation to getting the pathway open for the public.

Commercial Lease between Weber County Library and Bean-A-Colada Coffee Café, DBA under the Sea-N-Ski Properties, LLC:

Hurtado presented a contract for continuing lease of the cafe space in the Pleasant Valley Branch. The proposed contract was almost identical to the current contract, but included language indicating that, if sales increase significantly, the rent could be adjusted to 8% of gross sales. Owners of Bean-A-Colada had provided financial statements to Hurtado, and in her view it was unlikely that sales would increase to a point that 8% of gross sales would be more than the current monthly rent.

Bauman noted the business was a great asset to the Branch. Others agreed and after discussion voted to unanimously approve renewal of the lease.

Supervisors' Training and Budget Retreat, 8 a.m. – 5p.m., Tuesday, April 26th, Pleasant Valley Branch Library:

The agenda for the supervisors' retreat was distributed and invitations were extended to those present to attend the training.

The first item for discussion during the retreat will be a review of the Library and its historical, organizational structure. This structure was changed during the 1990s as the paradigm for library services evolved to incorporate non-print and electronic resources into the mainstream of resources offered to the public. This revised organizational structure, put in place to accommodate the Library System moving beyond the printed word, will be thoroughly reviewed and discussed.

eMedia formats are now being incorporated into the Library's service structure, which will necessitate another paradigm shift and additional reorganization of the way the Library functions. These shifting responsibilities will be the focal point of the afternoon training activities.

During the lunch break, the group will discuss the group reading assignment, *Alone Together*, by Sherry Turkle. The book was selected to spark discussion concerning the appropriate role of technology in the provision of public services.

Other:

There being no further business, the meeting was adjourned at 6:15 p.m., so the Board could make their inspection and walk-through of the North Branch Library.

Respectfully Submitted:


Julia Valle

21 June 2011
Business Office Manager