

WEBER COUNTY LIBRARY

BOARD OF TRUSTEES

MINUTES

Date: December 5, 2017

Board Members

in Attendance: Diana Allison
Jim Harvey
Brent Innes
Kathleen Jensen
Judith Jones
Cynthia Mattson

Board Members

Excused: Spencer Stokes

Others in

Attendance: Lynnda Wangsgard, Library Director
Julia Valle, Library Business Office Manager
Bryan Baron, Deputy Weber County Attorney
Marcia Harris, Library Development Board
Evelyn Bertilson, Friends of the Library

Allison called the meeting to order at 5 p.m.

Public Comments:

There were no public comments.

Approval of Meeting Minutes:

Jensen moved approval of the October 3, 2017 meeting minutes. Harvey seconded the motion. Allison asked if there were questions or comments. Harris noted that had not been not in attendance at the meeting. With that correction noted, all voted in the affirmative.

Commissioner's Report:

Harvey reported the Commissioners had passed a responsible, tentative budget that included putting money aside for future capital improvements. About 70 counties nationally have a AAA bond rating. Weber County is one of only two counties in Utah rated AAA. The rating indicates the financial community has trust in how budgeting, accounting, and spending public funds is handled in Weber County. Harvey complimented John Bond, County Treasurer; Ricky Hatch, County Clerk/Auditor; and John Ulibarri, County Assessor; for their good work.

Harvey noted there was a lot of discussion in the community concerning a possible change in the form for County government. Ebert and Harvey are supportive of studying the options for changing. However, some petitioners seem to have already predetermined what they think the form should be. If they already know the outcome, why have a study, he wondered.

Harvey noted the petition route could be problematic if it runs late and precludes holding the vote in concert with the general election. A special election would cost \$190,000 and would not be a good use of funds. If the petitioners run late, Harvey predicted the public might see action from the Commissioners to move the project forward for a vote during November without need of a petition.

Innes asked if the process would portend changes for the Library. Harvey said a new form of government could affect the Library; however, at this point, he had no idea what the recommendation might be. Harvey and Commissioner Ebert will be looking at the process responsibly as a management decision, not as a campaign or political decision.

Allison noted that during 1981, she was the primary person responsible for the first Weber League of Women Voters study that looked at options for changes in the form of County government. Before 1972, the commission form of government was the only one recognized in the Utah State Constitution. The Constitution was amended in 1972, giving additional options.

The League of Women Voters had since updated their study, noting that there are currently two ways to propose a change. It can be done by a proposal of the county commission, or through a petition from registered voters. Allison complimented the Commission for allowing the public to put it on the ballot to determine if they want to study the issue.

Director's Report:

Wangsgard asked if the Board had comments or questions concerning the service metrics report.

Mattson inquired about the item under patron registration labeled "out-of-county cards." She wondered if these cards are free or if people have to pay for them.

It depends, Wangsgard explained. Reciprocal borrowing agreements allow residents of Davis and Morgan counties, and Logan and Brigham City, to obtain a card without paying a fee. In return, Weber County residents may get free cards from libraries in these jurisdictions. Residents of other jurisdictions pay a fee. The reciprocal borrowing agreement is most welcome by families where each of two parents, or grandparents, live in different jurisdictions. The reciprocal agreement allows the children to use their home library regardless of the family member with which they are staying. This courtesy provides continuity for the children as they travel from home to home as their parents share custody, weekend visits, and so forth.

Wangsgard further noted that the Utah State Library tried to initiate a statewide borrowing card and Weber and Davis counties took the lead. Weber County brought strength to the agreement with reference and core collections, Davis County with popular materials. Eventually, a northern Utah reciprocal concept grew to include surrounding libraries. Participating as part of this borrowing consortium allows Weber County to leverage grants and other resources by framing the service area to include a large part of northern Utah. Fees collected for the sale of out-of-county cards are recorded as sundry revenue.

The financial report illustrated that the year would be completed with a budget surplus. Wangsgard reminded the Board that some internal transfers between line items might be needed to address issues related to unexpected costs, such as the repairs from lightning strikes. These repairs are an on-going expense.

Mattson asked about what recourse the Board has concerning the cleanup of dust at the Main Library construction site.

Wangsgard said the cleanup was an ongoing point of discussion. The general contractor had pledged to bring in special cleaning consultants to address challenging issues, such as cleaning the ductwork and air plenum. The commissioning agent has indicated dust is present but has not yet provided an official report. To some extent, the Board will need to rely on the commissioning agent's evaluation and advice. The general contractor's project manager for the Main Library had promised to get letters from manufacturers indicating they would honor their warranties. It was unknown if these letters would honor the typical one-year warranty that comes with acceptance of the building, or if the warranty would be extended to the anticipated life of the equipment as a result of failure due to construction contaminants. Only a letter offering the latter warranty has any meaning, and then only if it is issued by someone of authority in the company.

Wangsgard noted the general contractor at Headquarters was quite meticulous. Still, several relays failed soon after opening day. Suppliers indicated they thought the failures were dust related.

Bertilson asked if progress was being made in hiring to fill slots for opening at Main and NOB.

Wangsgard said the process was proceeding, but hinged to some extent on final approval of the 2018 budget.

Mattson had attended the budget hearing and reported the meeting went smoothly. Everyone was professional, respectful, and well represented, rather than resented, as is sometimes the case in a meeting of this sort.

Wangsgard said people around the hearing table were looking for solutions to the \$500,000 shortfall between what was needed to open the Main Library and North Branch as compared to 2018 revenue estimates. Everyone wanted to come to a solution; no one wanted to see library services curtailed or harmed. About one-half of the \$500,000 Wangsgard had been asked to cut from the Board's budget had been restored as a result of the hearing. The County Auditor and Comptroller noted that, one way or another, the Library management team always comes in under budget; the staff always finds a way to leverage the future. County officials were counting on this frugal management during 2018 to keep the increased budget authority in line with expenses.

Most of the restored budget amount was placed in the "books & materials" line item. However, two part time security positions were funded. The full time social worker that had been requested was not funded. Wangsgard said the staff is so committed to having this special measure of support available as they implement the new service philosophy that they advised cutting other positions within the budget to facilitate funding the new position. She is looking at a compromise between the two points of view; perhaps filling a job with a psychiatric social worker who works a public information desk. In this way, the social worker could get to know customers and see firsthand the challenges they have in maintaining a level of civility that will be required to frequent the public library.

Hiring will not take place until the final budget is approved; however, Commissioner Harvey gave permission for the Comptroller to start adding the slots in the financial management system,

which is the first step to moving forward. Without a valid slot, County Human Resources will not announce the job to the public.

Jensen had attended a portion of the safety and security training offered during staff development day. She asked for a summary of the result.

Wangsgard noted the training consultant emphasized that both staff and public have to feel safe and secure before quality services can be offered and utilized. The consultant also emphasized that safety begins at the front desk. That is, it is every employee's responsibility to take the lead in making the library a safe place. After the initial four-hour training, employees worked in groups to write performance goals for every position in the Library. These goals will be included in each staff member's performance plan for 2018.

Jensen asked if most of the safety and security issues were at the Main Library.

Wangsgard said the frequency and intensity is greater at Main, but challenges occur at every location. Employees are focused on the Library's service philosophy of radical civility to help ensure that people understand they are not being singled out because of a personal characteristic, but rather because of a behavior that is not appropriate for a public place. The concept of good library security is not having someone walk around with a badge and gun. This approach is not effective in a library setting. Perpetrators can easily communicate by cell phone as one person keeps security personnel under surveillance while others create issues. It is better to have a more of a "stealth patrol." For security to be effective, everyone has to be involved in checking restrooms, walking the floor, walking the grounds, approaching people who exhibit problematic behaviors and so forth. It is only when a volatile situation occurs that trained security employees are needed. Two part time security people will not be enough to cover all the hours of service at even one location, let alone at the five libraries in the System. Nonetheless, they will be a welcomed addition to an on-going effort in dealing with the most abhorrent behaviors.

Harvey said Commissioners were currently working with legislators to address some of the behavior issues that result when people have no option for help in coping with mental health and substance abuse issues.

Wangsgard noted it was with thoughtful contemplation that she asked the Board to consider closing the County's libraries on Sunday, December 24. She noted the annual holiday open house is usually held on the afternoon of the 24th at the Main Library. Due to Main being closed for renovation, the 2017 celebration will be held at the Ogden Presbyterian Church. To avoid interrupting worship services, the open house had to be scheduled on Saturday, December 23. Opening libraries for only four hours on Sunday, the 24th, with the Main Library and North Branch closed for renovation, seemed a questionable use of staff time. She suggested those resources instead be allocated to cleaning the Presbyterian Church after the Holiday Open House to ensure the congregants did not have to do any work to render the facility pristine for their Christmas Day services.

Jensen moved approval of closing for four hours on Sunday, December 24. Harvey seconded the motion. All voted in the affirmative.

Board members were assured the staff was looking forward to the Open House returning to its traditional December 24 date when it can again be hosted at the Main Library.

Bertilson asked if the staff was collecting hats, coats, scarves, gloves, and socks for distribution during the open house.

Valle said they were.

Harris noted the number one thing people ask for is socks. People tend to wear the footwear until it is completely worn out. New stockings are a very sought after and welcome item.

It was noted that besides the distribution of warm clothing, the staff provides a meal for those who attend. The food is prepared by McKay-Dee Hospital and served by volunteers. Youth services staff create programs and crafts to engage the children, and each young person gets a book. The books are either donated or purchased with grants. Wal-Mart, for example, provides an annual \$500 donation, as does Intermountain Health Care.

Bertilson noted area churches are participating in the Family Promise program where those who need shelter actually stay at the church. She was involved in hosting a family during December.

Renewal of Commercial Lease Agreement between Weber County Library and Paper Lantern Investments, LLC, DBA as Bean-a-Colada Coffee Café:

Board members reviewed a proposed lease extension for the Bean-a-Colada café currently operating at the Pleasant Valley Branch. The proposed three-year extension, January 1, 2018 through December 31, 2021, included recognition that the business was under new ownership. Lease space at the Southwest Branch is on a different schedule and the agreement had not yet expired.

Baron reported the current lease did not trigger a prohibition of someone buying out the company as had recently occurred. Action to consider renewal of the agreement was not necessary because of new ownership. The agreement was simply due for renewal.

Baron also noted that his office had changed its policy in regard to limiting the tenant's liability. He asked the Board to strike Article 10.4, - INSURANCE, which stated:

Landlord and Tenant release each other, to the extent of the insurance coverage provided hereunder, from any and all liability or responsibility (to the other or anyone claiming through or under the other by way of subrogation or otherwise) for any loss to or damage of property covered by insurance policies insuring the Leased Premises and any of the Tenant's property, even if such loss or damage shall have been caused by the fault or negligence of the other party.

Baron explained that if, for example, the tenant caused the entire building to be lost, it would not be appropriate to limit their liability to some amount other than the full replacement cost. Baron noted a line could be drawn through the paragraph, initialed, and returned to the Tenant for their initials. Otherwise, the agreement was fine.

Allison asked if there were any concerns or questions.

Hearing none, Allison called for a motion.

Harvey moved acceptance with striking article 10.4. Jensen seconded the motion. All voted aye.

It was noted that commercial lease spaces at both Main and North would be put out to bid after the first of the year. It is important for the space to be set up before the requests for proposals (RFP) are released so interested parties can walk through the area before they prepare their response. If possible, both the Main Library and North Branch lease spaces will be handled with one RFP, saving time and resources in the Library and County Purchasing Department.

Main Library Substantial Completion: Extend Deadline from December 15, 2017 to January 7, 2018:

Board members were able to see from their November tour that the Main Library would not be completed by December 15, 2017.

Wangsgard noted that there were two extenuating circumstances that delayed portions of the project, but these issues were not responsible for the need to extend the date for substantial completion. Both circumstances were the responsibility of the architect.

The first architect-related issue involved completion of the millwork. The Library did not approve the original design for the circulation area and it had to be redone. Millwork was now completed and could have been delivered during November, but the general contractor asked that it be delayed until after Thanksgiving.

The second issue that caused delay resulted from the wrong door hardware being ordered and delivered. Some of the hardware installation had taken place before Library representatives noticed the problem. The bright brass looking hardware was completely out of context with the other dark bronze and chrome finishes. The architect was taking responsibility for acquiring the correct hardware; however, the replacements will take four to six weeks to arrive.

The contractor wanted the Library to share responsibility for running late because of millwork and hardware issues. Rather than argue, Wangsgard recommended that even though these two delays were not on the critical path to completion, she thought the contractor should be given some extra time. No one wants to harm our partners in this project, she noted. Delaying the Library staff in beginning their installations by three weeks will not cause postponement of the projected opening date. The staff will make up the lost time.

Harvey said it is hard to get subcontractors to complete their work. He wondered if the general contractor asked for a three-week extension.

Wangsgard said the contractor had not asked for anything, but she felt in the interest of quality the Board should offer an additional three weeks – not for the millwork and hardware issues, but for other more pressing issues that need correction before a punch list can be compiled and negotiations on substantial completion can begin.

At what point do we start charging for delays, a Board member asked.

Wangsgard said she does not want to see the contractor penalized. It is an option, however, if progress does not proceed in a timely manner and in good faith, but everyone is doing their best to bring a beautiful Main Library to completion. Goodwill enhances everyone's good work.

Bertilson asked what had to be done to make substantial completion.

