



**LIBRARY BOARD OF TRUSTEES
REGULAR MONTHLY MEETING MINUTES
1/19/2022**

The regular meeting of the Board of Trustees of the Meridian Library District was held at 7:00 p.m. on Wednesday, January 19, 2022. The meeting was held at the main library building located at 1326 W. Cherry Lane in the large conference room and streamed online.

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Meeting number (access code): 2650 475 3173

Meeting password: R9gM39Hiqck (79463944 from phones and video systems)

TRUSTEES PRESENT: Megan Larsen, Chair; Jeff Kohler, Vice-Chair; Christina Hirsch, Treasurer; Tyler Ricks, Trustee; Laura Knutson, Trustee

LIBRARY STAFF PRESENT: Gretchen Caserotti, Library Director (virtual)

GUESTS: David Hegstrom (Harris CPAs), Michael Keith (Piper Sandler), Joe Borton (Borton-Lakey), Trey Crookston (CM Company)

Chair Larsen called the meeting to order at 7:00 pm.

MEETING AGENDA:

1. **Guest comments:** Three members of the public made comments opposing the library's COVID-related mask requirement and one offered a greeting to Trustee Ricks. One email opposing the mask requirement was received in December.
2. **Consent Agenda:** [ACTION ITEM]
 - a. Regular Meeting Minutes, December 15, 2021
 - b. City of Meridian Fee Waiver Task Order (C-TI-2021-0050)
 - c. Job Description: Tech Library Manager Revision

MOTION made by Knutson to approve the Consent Agenda, Kohler seconded. All in favor, none opposed. MOTION carried.

3. **FY21 Audit Presentation and Acceptance** [ACTION ITEM] – David Hegstrom (Harris & Co.) presented an overview of the independent audit process and findings. Harris CPAs issued a clean audit for FY21. Appreciation was expressed to MLD staff for careful and complete documentation. The Board was encouraged to review the Budget to Actuals. Jeanie Gerwig was thanked for her diligence and wished well in her next endeavor.

MOTION made by Ricks to accept the audit, seconded by Hirsch. All in favor, none opposed. MOTION carried.

4. **Approve Annual Carry-Forward Transfer to Capital Repair & Replacement Fund** [ACTION ITEM]
In prior years MLD would authorize remaining unspent funds at the end of the year to be transferred to the Capital Repair and Replacement fund to be used for the Cherry Lane renovation. In FY21 with MLD's amended budget to allocate funds to the unBound renovation, there was little unspent funds remaining. No recommendation is made this year to make any transfers. No action taken.

5. **South Branch Financing Update** - Michael Keith (Piper Sandler) provided an overview to the Trustees of the current standing on the financing plans for the South Meridian branch and the current trends in the financial markets. As the project pushes further out on schedule, market pressures will likely result in tighter funding for the project. Interest rates looking to rise to correct with inflation. Remaining steps are to finalize the land transfer, complete the financing documents, a rating presentation & call, price the bonds (lock interest rates), sign the final documents, and close the transaction. Once the land donation is in place, expect two months for funding to be available.
6. **Board Training: Free Speech, Limited Public Forum & Library Policies** – Joe Borton (Borton-Lakey Law) provided an overview of how the library is considered a limited public forum and reviewed legal considerations for library policies under the First Amendment. Library must remain content-neutral (even if one disagrees with the content) but is allowed to impose time and manner restrictions on speech. Time and manner restrictions must be consistently applied and defensible. Primary policy consideration for the Board should be employee and patron safety. Our current Meeting Room and Code of Conduct policies are squarely within the First Amendment framework. The First Amendment relates to the government's ability to limit speech, not private parties or properties. Borton answered questions from Trustees. MLD is allowed to designate where it can occur, ensure it doesn't interfere with others ability to use the library, and can apply the Miller Test if needs to consider limiting content. Areas of concern are Incitement of Violence and Obscenity, seek legal counsel if concerns. Caserotti will work on reviewing and propose revisions to the Meeting Room policy at February meeting following this training.
7. **Capital Projects Update** – Lots of work with Orchard Park happening, much on the agenda already. Concerns about escalating market forces and project costs in both branch projects.
8. **Approve Amendment to Lease Agreement - Orchard Park [ACTION ITEM]** – Continued negotiations with developer have happened and Caserotti presented a revised lease amendment with material changes to the last version the board approved and adds a map of designated library parking as an exhibit.

MOTION to approve the revised lease amendment was made by Kohler, seconded by Knutson. All in favor, none opposed. MOTION carried.

9. **Authorize Waiver for Non-Essential Alcohol/Drug Affidavits Orchard Park Subcontractors [ACTION ITEM]** – State law requires an alcohol & drug free workplace affidavit in public works projects, but MLD attorney affirmed statute doesn't apply to MLD and can be waived as an informality in the public bidding process for our project. MLD construction bids included language as requirement. Caserotti requests the board formally authorize waiving non-essential alcohol/drug affidavit for subcontractors in Orchard Park bid responses. CM Company assured the companies could supply them; respondents are reliable companies. Tight construction market, MLD will try to utilize all tools to get best responses and value for the project.

MOTION to waive the non-essential alcohol and drug affidavits was made by Knutson, seconded by Ricks. All in favor, none opposed. MOTION carried.

10. **Accept Construction Bids for Orchard Park Tenant Improvements [ACTION ITEM]** – Trey Crookston (CM Company) presented the bid packages and responsive bids from subcontractors. CM Company was hired through public RFQ process as Construction Management/General Contractor (CMGC) by MLD a few years ago. CMGC works as a partner on the project development and put out to multiple trade contractors. Received and opened bids according to process outlined in state law. The memo for the board summarizes the process and the results. Extremely high construction

market, under those circumstances good that we came in close to budget. Crookston walked through the memo provided to the board. Reviewed individual bid package responses and recommendations for accepting and re-bidding.

MOTION to approve bids made by Hirsch, seconded by Ricks. Friendly amendment to accept the actions recommended by CM Company was accepted by Hirsch. All in favor, none opposed. MOTION carried. CM Company will proceed and rebid or get proposals according to approved action table.

11. Approve Not-To-Exceed (NTE) amount for Orchard Park TI construction [ACTION ITEM] –

Crookston outlined expectations for finalizing contracts and recommends the Trustees approve NTE of \$2,308,432 for Orchard Park construction.

MOTION to approve the NTE amount of \$2,308,432 was made by Knutson, seconded Hirsch. All in favor, none opposed. MOTION carried.

Authorize MLD to Join Purchasing Cooperatives; BuyBoard, E&I, NCPA, OMNIA/NIPA, Sourcewell, TIPS [ACTION ITEM] – Caserotti & Jason Su provided a summary of the cooperatives, the costs to join, what products they carry. Attorney has reviewed the FFE packages. MLD is allowed to join purchasing cooperatives to leverage pre-negotiated prices on furniture. Not all our desired items are available so one package is for public bid and some commercial items will need to be purchased individually by MLD. Once authorized to join, we will submit the packages and get pricing. Then bring contracts to board to approve once we find the best deal.

MOTION to join BuyBoard, E&I, NCPA, OMNIA/NIPA, Sourcewell, and TIPS purchasing cooperatives was made by Ricks, seconded by Knutson. All in favor, none opposed. MOTION carried.

12. Approve FFE Bid Packages for Orchard Park [ACTION ITEM] -

MOTION to approve bid packages was made by Hirsch, seconded by Ricks. All in favor, none opposed. MOTION carried.

13. Discuss & Approve Collection Development Policy Revision [ACTION ITEM] – Following the December board meeting, Caserotti worked with staff and attorneys on proposed revisions. Revision puts more clarity around roles and responsibilities between board, director and staff. Proposed new appeals process for the public. Only thing missing potentially is multiple challenges being treated as one option for admin and board. Caserotti will submit minor edits again in February that came in too late for this meeting.

MOTION to approve the revised Collection Development Policy was made by Knutson, seconded by Ricks. All in favor, none opposed. MOTION carried.

14. Library Director Report – Thank you to Trustees for volunteering to score the staff awards nominations given at Staff Day. Thank you also to the Friends of the Library who paid for staff gifts again this year. No questions on written monthly reports.

15. December 2021 Financial Reports Approval [ACTION ITEM] – 1st Quarter complete, 25% of the way through the year, under budget in most categories. Personnel under, still behind on filling vacancies. Capital expenses will start to hit big in March. Caren Massari started as new Finance Manager.

MOTION to approve December financials was made by Ricks, seconded by Hirsch. All in favor, none opposed. MOTION carried.

16. Review COVID Operations Plan [ACTION ITEM] – Larsen summarized current status of pandemic and MLD's approved plan. Staff do not have any recommendations to change the current plan which is in adherence with public health guidance and are not having conflicts. Some feedback from public is they wish MLD would more strictly enforce a mask requirement.

MOTION was made by Ricks to rescind current COVID plan and revert to masks optional, not required. MOTION died from lack of a second. No action.

17. **Public Comment Procedures Discussion** – Caserotti prepared a memo that outlines the administrative work required to process and organize public comments provided to the board through the current webform that directs to email. Current process is very time consuming and Caserotti would like to propose moving to a Google form for the public comment process to the board. Trustees don't want to limit comment, but are interested if form can collect additional information such as residency and perhaps library card holder information. Not to limit, just additional information to consider. Trustees elected to represent all Meridian citizens so asking address is relevant. Hopefully there is a way an unhoused person could still submit without a street address. A form would allow a spreadsheet on the back end, much easier to administer. Trustees encouraged to contact Caserotti with additional suggestions or concerns, a draft form will be worked on and proposed at the February meeting.
18. **Future Agenda Items** - Orchard Park budget and bids. Training on the First Amendment/limited public forum in the digital environment. Executive Session to conduct performance review for the Director. Possible MOU for a mural at unBound. Hopefully land donation and financing market documents for South branch.

MEETING ADJOURNED AT 9:30 p.m.

The next regular meeting is scheduled for 7:00 p.m., Wednesday, February 16, 2022.

RESPECTFULLY SUBMITTED AND APPROVED


Gretchen Caserotti, Library Director


Megan Larsen, Board Chair