

**FONTANA REGIONAL LIBRARY**  
**Meeting of Board of Trustees**  
**September 12, 2023 4:00p.m.**  
**Macon County Public Library**  
**Minutes**

**Board Members Present:** Margaret Carton, Wood Lovell, Debbie Tallent, Tony Monnat  
**Board Members Absent:** Cynthia Womble, Ellen Snodgrass, Rebekkah Watkins, Boyd Sossamon, Ed Trask

**Others Present:** Tracy Fitzmaurice, - FRL Director; Abby Hardison-Macon County Librarian, Lynn Cody-FRL Finance Officer, Jeff Delfield- Swain County Librarian

**I. Call to order, Roll Call and Welcome of New Board Member**

The meeting was called to order at 4:02 p.m. New FRL board member Tony Monnat was welcomed. T. Monnat introduced himself as a 23-year Air Force retired Veteran, previous high school teacher, and father of three. Roll was called, and because of a lack of quorum, issues would be discussed but not voted on.

**II. Approval of Minutes of July 11, 2023, Meeting**

Minutes were not approved due to a lack of quorum.

**III. Review of Correspondence and Communication**

Board Chair Carton confirmed there were no appeals for library materials, but there were correspondence and communications, which were handled by the appropriate FRL staff member in FRL depending on whether it was a reference, financial, or policy question.

Some inquiries received as correspondence had common themes and were addressed to inform the new board member and the public. Several comments centered around the Collection Development Policy (CDP) and the committee that was formed to review that policy, as well as changes that had been approved in prior board meetings to this policy. The board's actions have been consistent with the language of the approved policy and will clarify that language further if necessary.

Regarding correspondence referencing an electronic meeting/voting, by email, of the board on a book appeal decision dated June 13, Board Chair Carton clarified that email only inquired of the readiness of the board to vote on the appeal and if resources had been available to all board members for review. The board voted after listening to the patron's statement at the meeting and following the procedures outlined in the Collection Development Policy. The board does not have the authority in the FRL bylaws or the NC Open meeting laws to meet electronically, and the FRL board has abided by these requirements and held all meetings openly.

Regarding public comments at FRL Board meetings, the FRL bylaws outline an order of business for the FRL board meetings in section 4.6. There had been a deviation from the bylaws by a prior board to allow verbal public comment at an open meeting. Since the board was returning to the order of business already defined by the most current version of the bylaws, no vote was necessary to follow the requirements of the bylaws. The FRL board still welcomes public comments, but to adequately address them, it is requested that they come in writing by noon the Friday before the next regularly scheduled meeting.

#### **IV. Director's Report**

The Director presented the Director's report (attached).

- Programming, including Macon Counties Libraries with a Heart Program, was discussed.
- Wood Lovell reported that the Hudson Library renovation project was projected to begin in early Spring 2024.
- The transition to the new accounting software was complete.
- An update on the deadline and process for the NC State Public Library Survey and the State Aid Package (including a comment on how state funding is calculated based on current levels of local funding), and the Digital Inclusion Grant, as the current funding acquired from the state's Digital Inclusion Grant will end at the end September.

#### **V. Financial Reports**

Lynn Cody reported that the most recent financial statements had been distributed to the board. The fieldwork for the annual audit was completed in August. The auditors will present their findings at the November FRL board meeting and submit them to the state Local Government Commission for review. Once the LGC review is complete, the audit will be posted and disbursed to funding counties.

A significant portion of funds unspent at the end of the fiscal year was appropriated for the 23-24 fiscal year due to multi-year grants and projects, as well as purchases ordered but have yet to be received by the end of the fiscal year.

The NC State Library requested an additional grant audit. The Finance Department was chosen as a sample of libraries/regions asked to provide documentation regarding reimbursement requests for a non-recurring grant of \$189,000 given by the NC State Library. These funds were largely used to acquire new accounting software, outsource payroll, and purchase a new courier vehicle. Cody confirmed that all the necessary documents were submitted.

Increases to some of the library's expenses for the next fiscal year to include line items such as programs and licenses. The board will be asked to adopt a resolution for the expansion of Marianna Black Library to allow for them to proceed into the expansion process. This would allow them to expend some money that has been donated for furniture and to hire a grant writer to secure more funds.

#### **A. Approval of Budget Amendments FY2023-24**

Budget amendments were not approved due to a lack of quorum.

#### **B. Sale of Ford Freestyle**

The sale of the Ford Freestyle is complete. The lowest bid was \$505 highest, and the winning bid was \$1,650. The vehicle was sold, and insurance and registration have been removed.

#### **C. Grants Updates**

- **Digital Inclusion**

On the Digital Inclusion Grant, 80% of those funds have been expended. The state has refunded up to about 67% thus far. There is \$21,000 left to spend until September 30.

- **Water Fountain Retrofit (JCPL)**

Jackson County has received a grant for a hydration refill station for \$2050 to retrofit the water fountain as a bottle filler.

L. Cody explained financial reserves that are retained per state law. The law requires at least 8%, but the state treasurer suggests at least 42% at all times. Also, currently, the state requirements require funds to cover all vacation accruals to be restricted. This is currently being tracked, and the funds are listed as restricted. In 2024, January's new regulations require keeping track of sick leave as a liability. Those funds will also be restricted, and the amounts for both leave accruals will be reported to the state.

### **VI. Report of Committees (if needed)**

### **VII. Unfinished Business**

#### **A. Marianna Black Library Building Project Update**

Swain County Librarian Jeff Delfield updated the Board on the Marianna Black Library Building Project. The Town of Bryson City has projected the library sewer project to begin in the Fall of 2023. The Town of Bryson City and Swain County are working toward signing an MOU regarding financing this project.

The county commission voted to accept The Dogwood Grant funds in the amount of \$400,000 due to the funds being intended for construction purposes and the responsibility of construction of the building falling under the responsibility of Swain County Government.

The project will also be beginning the search for a new architect due to the retirement of the current architect. All documents and drawings will be provided by the current architect to the new architect. RFQs (Request for Qualifications) will be sent to firms as the search progresses.

#### **B. Nantahala Community Library facility**

The Macon County Librarian, Abby Hardison, informed the board that the end date of the project has been extended to the end of October 2023 due to supply chain issues with materials.

Director Fitzmaurice confirms that BalsamWest is presenting their service proposal to the Macon Commissioners for broadband service in the Nantahala area, including the new library location. Starlink internet access has been set up for the new NCL location through e-Rate funding, but the date has been moved to the end of October.

## **VIII. New Business**

### **A. Safe Child Policy**

Chair Carton confirmed approval on changes to this policy will be pushed to November due to lack of quorum. Director Fitzmaurice gave a brief overview of the current policy, which was based on the Fire Marshall's minimum age for a child to be alone in a public place without a parent, legal guardian, or caregiver, which many people feel is too young. Most other libraries have their minimum age that a child can be alone as 12. A suggestion was made to alter this to require children under 8 to be under direct supervision and for children 9-11 to have a parent, legal guardian, or caregiver present in the building.

Discussion points included the wording of the new policy, the breakdown of ages, and suggestions for the amount of direct supervision inside the library of children of certain ages, and that all should abide by the FRL Code of Conduct. The Director invited further input to be included in the policy, and changes would be brought up again at the November meeting.

### **B. Child Card – For discussion**

The Director had been in contact with NC Cardinal administrator Benjamin Murphy, who provided more information about the policies of other libraries in the system. Discuss the policies of other library systems that utilize a Child Card, including materials children would have access to and the age cutoff for these restricted cards. The board provided documentation for comparison. Once the board had discussed these parameters, the Director could revise the policy and provide options for further consideration and approval.

### **C. Code of Ethics**

An example of a proposed code of ethics was sent to the board under new business. Board members discussed whether to pursue creating an applicable code for the organization to be brought up again at the next meeting.

### **D. Collection Development Policy and Request for Reconsideration**

Collection Development Discussion regarding recommendations by FRL attorney Dr. Hogue. Dr. Hogue, the FRL attorney, has reviewed the Requests for Reconsideration of Library Resources that have been received. He has suggested how to follow the law better and avoid any legal jeopardy or lawsuits. His suggestions include

- A. Shifting to a "Request for Review" and focusing primarily on whether or not the item is consistent with the Collection Development Policy.
- B. Changes to the flow of the Request for Review.
  - The formal Request is to be reviewed by the County Librarian (in conjunction with the branch librarian if applicable)

- Determination of if Collection Development Policy was violated in the acquisition, location of materials, retention, or removal of resources.
- Findings and recommended actions, if any, would be forwarded to the Director for review and a recommendation of Approval or Disapproval.
- Director's recommendation would be reported to the FRL Board of Trustees for final action, requiring a vote to approve or disapprove the Request.
- Any concerns over the legality of the material would be referred to the legal system, including that of obscenity. Dr. Hogue also advised that specific timelines would be inappropriate due to the availability and nature of some library materials that could be reviewed. Should proposed NC laws regarding library materials pass, appropriate changes will be made.

The board requested Director. Fitzmaurice to research if similar changes have been made among other public libraries in NC.

**E. Long Range Plan 2022-2027 Year 2**

Discussion included Grant deadlines and the NCLA conference. Additional information regarding grant opportunities was requested for the next meeting.

**X. Other Business**

No other business.

**XI. Executive Session (if needed)**

Called to discuss personnel issues. Session was adjourned without any actions being taken as there was not a quorum.

**XII. Adjournment**

Motion to adjourn meeting.

Moved: D. Tallent

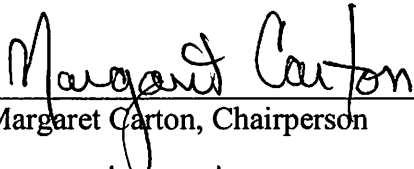
Second: W. Lovell


Meeting adjourned at 5:46 p.m.

***Next FRL Board meeting is Tuesday, November 14, 4:00 p.m.***

***Location: Marianna Black Library***

Respectfully submitted:

  
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 Margaret Carton, Chairperson

  
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 Tracy Fitzmaurice, Regional Director

Date: November 14, 2023

Date: 11/14/23