

Pawlet Public Library
Regular Meeting of Board of Trustees

MINUTES

October 8, 2024

Present: Trustees in attendance: Harley Cudney, Grace Larson, Joni Lee, Lauren Herbert, Cori Rail

Members of the public present:

Joanne Van Meter, Lyndsi Barnes, Christine Edwins, Susan LaPorte, Ruth Lampi, Bob Schoenemann, William with PEGTV

5:32 Call to order

- Review of Operating Norms: Harley reads Operating Norms.
 - o Cori asks where the Operating Norms can be found – Grace will post them on the website.
 - o They used to be included in the packet provided to new Board members – we should reinstitute this.
- Addition or deletion of agenda items and approval of Agenda:
 - o Joni would like to add Reading of a letter from Sue Edwards in Unfinished Business
 - o Lauren would like to add discussion of employee handbook and employee and board evaluations in New Business
 - o Grace motions to approve the agenda, as amended, Joni seconds, no discussion, motion carries.
- Public Comment:
 - o Sue – Reads a portion of an article from Vt Digger regarding grant money awarded to nearby libraries, including to the Canaan library for \$900,000. The Pawlet Library would have been eligible for this grant, and would very likely have gotten one for various reasons. Lyndsi had begun the process, this was never followed up on after her dismissal, and the library missed out.
 - o Joanne points out that this money could have been used for an elevator. We need to be aware of opportunities going forward.
 - o Lyndsi – explains that she was aware of this grant, and had completed the preliminary application. The application was basically complete, just needed to be submitted. Priority was to be given based on need and to libraries that had a plan in place, which means Pawlet would likely have gotten one.
 - o Lyndsi -I fully discussed this in a board meeting, I reported it in my Director's report, which I sent out prior to every meeting, so everyone has an electronic copy.
 - o Harley asks if the library has an electronic copy of the application, Lyndsi says of course they do, Harley asks where and Lyndsi declines to answer.
 - o Cori states that Lyndsi was very organized, so we should be able to find this.
 - o Cori asks if the board had a plan for taking over the director position when Lyndsi was dismissed.
- Approval of minutes:
 - o Cori makes a motion to approve the minutes from September 10th, Joni seconds, no discussion, motion carries.

- Secretary's report:
 - o Nothing to report
- Treasurer's report:
 - o Cori intends to send warrants to the board electronically prior to meetings so they can have more time to look at them. The current warrant is for \$1,785.83, Cori goes over expenses. She has changed the categories for interlibrary loan expenses to be clearer.
 - o She has met with Kathryn, who has provided her with information, and Cori is continuing to look for past budget information.
 - o Kathryn has asked that her name be taken off the credit card. Christine is willing to have her name on the card, and will do this.
 - o Cori goes over account balances and gives a mini budget update – so far we are about \$11,000 short of yearly expected income, but the fall raffle and annual appeal have not happened yet.
 - o Cori has not seen any Casella bills yet, Harley will check on this.
 - o Lyndsi asks about funds that were awarded by the Vermont Library Association of \$10,000 for accessibility, which was going to pay for a Loop system. There was a deadline for using this, where has it been spent? This should be a line item in the budget.
 - o There was a community meeting about the Loop system. There was not a clear path forward on installing the Loop system. There was mixed feedback, and it was difficult to reach the Loop people. It is also only compatible with certain hearing aids.
 - o Christine has had a discussion with Harley about this, and will be following up with this.
 - o Cori asks if there was a plan to cover things like this when the director was dismissed.
 - o Lauren motions to approve the warrant, Grace seconds, no discussion, motion carries.
 - o Cori talked to Julie about audits – Julie suggested seeing if we could get it done as a community service project. Joni suggests CBH accounting. Cori will check about pricing, and also look into scope of the project, including how far back the audit should go.
- Director's report:
 - o Christine goes over statistics for circulation and programs (these numbers come either from databases or paper records from the circulation desk).
 - o Root for the library raffle is coming together, with 22 baskets to date, letters will be sent out at the end of the week.
 - o Friday October 18th will be the Harvest Homecoming party, staff and board will be bringing refreshments.
 - o November 2 – library will host a discussion of the VT Reads book Gather. Contact the library if you are interested in this and need a copy of the book.
 - o There will be a Mental Illness and Recovery workshop, date tba.
 - o Halloween parade will be on October 26.
 - o Website –
 - Les Jorgansen can't get into the GoDaddy account, he said we could start from scratch for a whole overhaul, or work with what we have. It looks like we don't have access to the work that has been done and paid for already (\$2,600).
 - There wasn't a contract, but can we receive something for the money we spent?
 - Lauren – we need a better website, regardless of the outcome of this particular discussion.
 - Christine has talked to other local libraries and to the VT Department of Libraries about options, but there isn't a specific standard or template.

- Christine will talk to Les again to see if he has anything to give us.
- Ruth suggests looking into community resources, wordpress is widespread, and there might be volunteers to work on the website and give tutorials on how to use it.
- Harley – this is helpful if we stay with the existing website and want to improve it, but we need to decide if we want a complete overhaul, in which case we would need to hire someone. What is the budget? Options are to start from scratch, have someone redo the current website, or work with someone to learn how to improve it ourselves.
- Joni - Was there a contract? It was over \$1,000, so it should have been put out to bid.
- Lauren motions to have Cori and Christine contact Les Jorgansen (and contact GoDaddy if needed) and come back in November with a concrete idea on what has been spent and what has been done and needs to be done. Grace seconds. Harley asks and Cori reiterates that she is familiar enough with the technology to not need another opinion, no further discussion, motion carries.
- Cori – do we ever get a report from the Community Coordinator? It would be nice to hear about the efforts being done. Christine will coordinate this with Nina.
- Lauren – the Select Board has asked for a summary report from the library at the Select Board meeting (similar to what the School Board does). Harley will do this.
 - Lyndsi is concerned about the chair accurately depict what goes on, is there a way that more than one person can be able to look at what he might deliver so that the Board is represented accurately?
 - Lauren – minutes and audio are posted, and other Library Board members usually attend.
 - Joanne asks why is the Select Board has not requested this before and is now?
 - Maybe because of the grant the Select Board has secured that includes the library building.
- Working Group reports:
 - Lauren and Joni met and began looking at what policies to prioritize.
 - They will try to tackle 2 policies per month, maybe more or less depending on the complexity.
 - The whole process will probably take a year or so.
 - There are many possible policies, 4 required by the state, some will not be relevant, some will be simpler or more complex than others.
 - Cori – dates should be included on the documents for reference. Are policies the purview of the Board or the Director?
 - Policies are the purview of the Board, procedures are the Director's responsibility, but the Director can also inform policies as they have insight into how they will work.
 - Policies will be posted on the website and also as a hard copy in the binder.
- Unfinished business:
 - Possible Retreat
 - Lauren has looked further into the options she had forwarded to the Board and found that were too broad and many of the resources were private companies that are expensive and not what we are looking for. She talked to Julie about her experience which seems more relevant. Lauren would like to table this discussion while she looks into it more and reframes it for consideration.
 - Joni asks about the Vermont Rural Development program, this might be something to look into, and they might know of other resources.

- Harley – they might be able to help with local resources, also word of mouth might lead to something.
 - Lauren – we need to talk about it again in November, and move on from there.
- Website – has been covered.
- Raffle – has been covered. There is a discussion about whether the Board and staff can buy tickets.
- Strategic Plan –
 - Lauren – we should reference the one done in 2019 was really well done, and wasn't able to be implemented because of Covid. Is this something that should be done once we have the policies in place?
 - Christine has spoken with Erica, consultant who helped with the last plan, and will try to speak to board members who were active at that time. Christine will report back on this.
 - Joanne – was on the Board at that time, and feels that the plan was based on templates provided by the state. There were some workshops and community input (through surveys and door-to-door outreach) that was helpful.
 - Christine – the Board should familiarize themselves with the plan and we can discuss what has been done and what needs to be done based on the 2019 plan.
- Joni reads a letter from Sue Edwards (included in the addendum)
 - Cori asks what the agreement was, was there an agreement with the Board? We don't have any understanding of how she was representing us.
 - Joni – she was answering a question that came up (does the Board have the right to hire a director).
 - Cori – did she see the contract, did she have information that was private?
 - Lauren – the issue is that the action was taken without discussion.
 - This devolves into discussion of the contract, open meeting laws, what “representing the Board” means, transparency, hiring committee, etc.
 - Grace calls a point of order - Joni wanted to read this letter, and I don't see how this devolved into discussing contracts, or open meeting law, if we want to discuss that then it has to go on an agenda for another meeting.
- New Business:
 - Draft budget – library employees are paid from the general fund, the director and treasurer draft a budget to present to the Board, Cori and Christine will present this at the November meeting.
 - Cori has last year's budget, but would like to have previous ones as well. Lyndsi points out that the document she sent has multiple years of information.
 - Employee handbook and employee and Board evaluations:
 - Lauren – evaluations are fundamental for so many reasons, we need to be on top of this. Do we have an employee handbook?
 - Harley – is the employee one of the policies we are reviewing?
 - Yes, so this should jump to the front of the list, we need to have clear method.
 - Harley – the VT Department of Libraries has a Director evaluation outlined, he recommends adopting/adapting this.
 - What would the Board evaluation look like? Is there community input?
 - Lauren – voting is community input, that should suffice.

- Sue suggests self evaluation. Lauren agrees, has seen that work well and thinks that would be a very helpful practice.
- Employee handbook will be part of the policy review.
- For the Board self-evaluation, we should have
- Cori points out that Christine's evaluation is in December, so we need to have a procedure in place before then.
- Harley will bring the information from the VT Department of Libraries to the November meeting so we can discuss and vote on it. He will send it out to the Board prior to the meeting for review.
- Joni also has some documents she can distribute.
- Public Comment:
 - Joanne – is very concerned and disturbed about the situation with the accessibility grant. Without a Director, it was the Board's responsibility to follow up on that. Hopefully Christine will be able to salvage this. The community should be told what the results are.
 - Also, there is still the question of if we can access the computer. We have gone months without valuable information that the Board should have and that should be available to Christine. This was a mistake that should have been taken care of a long time ago.
 - Harley took the computer, but hasn't found someone able to do it. The computer is at Harley's house.
 - Sue – it should be in the library.
 - Lauren – the person who works on the town computers, Vinny Covino, is very good and should be able to come to the library.
 - Harley plans on taking the computer to someone in Granville, who charges \$75/hour, and will also reach out to Vinny Covino.
 - Lauren – why not bring it back to the library?
 - Should the board vote to pay up to \$300 or \$500 to get it fixed and get the data from it?
 - Harley -I have another piece of information. I broke the computer. I dropped it. I didn't want to admit that I broke it.
 - It is unknown how much it will cost to fix it or to get information off the hard drive.
 - Cori – we had discussed taking it to Granville to get fixed/the information and you didn't tell us this?
 - Sue – you knew it was broken tonight and you didn't tell anyone here.
 - Lauren – I don't remember saying you could take the computer home, but that it would be fixed here.
 - Lauren makes a motion that Harley return the computer tomorrow (the 9th), that he contact Vinny Covino to come to the library, and spend up to \$500 to get it fixed/retrieve the information. Cori seconds, no further discussion, motion carries.
 - Sue – if you're talking about pay raises, reminder that Adelle doesn't want added responsibility, and is waiting to retire.
- Harley reads reflection of Operating Norms.
 - Sue asks about where the Operating Norms came from, they're different from what they used when she was on the Board.
 - Cori – did we obey our Operating Norms? We are lacking in transparency, it's very consistent, we're trying to get to a point of transparency. The idea that you would have this computer and no one knows that it is broken is frustrating.

- Sue would like to discuss talking to an attorney without talking to the Board first, about doing things in the right order.
- Harley – do I have a right to seek advice from VLCT without getting Board approval first?
- Joni – when are we doing work for the Board in good faith, and when does it become something that we need entire Board approval?
- Harley would like to ask VLCT about this question.
- Cori motions that Harley approach the VLTC lawyer and ask for clarification on whether he needs Board approval to consult with a lawyer or anybody, and/or if any Board member can consult with him without approval. Lauren seconds. Harley – can we add what does it mean to represent the Board. motion carries.
- Cori motions that the Board allow Harley to consult with VLCT regarding whether or not he or any Board member needs to get Board approval to get advice from VLTC and we would like a response in writing to the full board with that information and also what does it mean for a Board member to represent the Board outside of public meeting. Lauren seconds.
 - Harley – it is not always VLTC, it may be VT Department of Libraries, an attorney somebody know, somebody who's experienced with libraries, when can you talk to other people and get advice about being a board member?
 - Motion carries.
- Next regular meeting is November 12.
 - This will include the raffle.
 - Pawlet e-newsletter has the wrong date, Joni will make sure it is corrected.
- Lauren motions to enter executive session to discuss labor relation agreements with employees (1 V.S.A. § 313(a)(1)(B)), Joni seconds, motion carries.
- 8:13pm enter executive session after 5 minute break.
- 9:26pm Lauren motions to leave executive session, Joni seconds, motion carries.
- No decisions were made.
- Joni motions to adjourn, Grace seconds, motion carries.
- 9:29pm meeting adjourned.

Next regular meeting: November 12, 2024, 5:30 pm at the Pawlet Library.

Dated October 11, 2024, Grace Larson, Secretary.

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Ms. J. Eekhoff-Lee

Via Email

October 1, 2024

Re: Advisory Opinion Regarding Employment of the Library Director

Dear Joni:

I write this letter to clarify the status of my previous analysis regarding whether the Pawlet Library Board of Trustees is legally permitted to enter into an employment contract with the Library Director. I have previously answered this question in the affirmative on the basis of *Hartford Board of Library Tru. v. Town, Hartford*, 174 Vt. 598 (Vt. 2002). The case states in pertinent part that:

The fact that, for the sake of administrative efficiency, the library and Town have agreed to include the librarian as a town employee for purposes of providing employment benefits such as workers' compensation and unemployment insurance does not mean that the Board has relinquished its statutory authority to manage the library and thus set the librarian's compensation.

Hartford Board of Library Tru. v. Town, Hartford, 174 Vt. 598, 600 (Vt. 2002).

I understand that there was some confusion as to the status of my advice absent a written retainer. It is established law that if I choose to offer *pro bono* advice I will be held to the same standard as a lawyer providing advice for financial compensation.

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The professional rules do not differentiate between compensated and uncompensated advice regarding a lawyer's duty of competence. I am required to proffer good faith competent advice whether or not I am paid for it. Any doubt on this matter may be resolved by contacting Vermont Bar Counsel Michael Kennedy. He can be emailed at Michael.kennedy@vtcourts.gov or by telephoning him on (802) 859 3004.

Lawyers are encouraged to offer *pro bono* legal advice to their local community, and it is common for me to provide legal help to the local community without requiring compensation. It is true that I have a disclaimer block on my email but that is intended to let non-clients know that a random email from someone to whom I have not expressly agreed to advice does not create an attorney/client relationship.

I hope this information is helpful to you.


Sue Edwards, Esq.

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