

II. APPROVAL OF MINUTES

A. Minutes of the June 12, 2009 Commissioners Meeting

Suggested motion: I move that the minutes of the June 12, 2009 Board of Library Commissioners meeting be approved as distributed in Board Document 09-67.

MSC _____

**DRAFT MINUTES OF THE
IDAHO BOARD OF LIBRARY COMMISSIONERS
June 12, 2009 MEETING**

The Idaho Board of Library Commissioners meeting was called to order at 10:00 a.m. on Friday, June 12, 2009 at the Idaho Commission for Libraries. Participating were: Larry Weeks, Chair; Pete Black, Vice-Chair; Sara Staub; Bruce Noble; and John Held. Also attending the meeting were: Megan Olmstead, Governor's Office; Marjorie Hooper, Associate State Librarian; Richard Wilson, Associate State Librarian; Teresa Lipus, Public Information Specialist; and Betty Hoffman, Office Services Supervisor serving as recorder.

I. Call to Order, Revisions to Agenda, Announcements

A. Introductions

Hooper introduced Megan Olmstead from Governor Otter's Office.

B. Revisions to Agenda

There were no revisions to the agenda.

C. Announcements

There were no announcements.

II. Approval of Minutes (Board Document 09-55)

MSC/Staub/Black that the minutes of the April 10, 2009 Board of Library Commissioners meeting be approved as distributed in Board Document 09-55. Noble abstained due to his absence from the April meeting.

III. Open Forum

Noble noted that Kelly Caldwell went beyond the call of duty by bringing home-baked refreshments to the Board meeting.

IV. Legislation – Policies – Rules

A. Legislation – Information Item (Board Document 09-57)

Bills passed by the 2009 Legislature that affect the Commission for Libraries or the Idaho library community include:

- SB1013.** Places the Commission for Libraries within the Department of Self-Governing Agencies and revises provisions relating to the appointment, removal and terms of the Board of Library Commissioners.
- SB1227.** Addresses Budget Stabilization Fund and Public Education Stabilization Fund (federal stimulus) moneys and makes null and void all references to salary reductions in fiscal year 2010 appropriations.
- SB1243.** Appropriates \$4,995,600 to Idaho Commission for Libraries for fiscal year 2010; limits full-time equivalent positions to 45.5; provides legislative intent on personnel costs; and directs salary reductions (the latter provision is overridden by SB1227).
- SB1142.** Amends existing provisions of the open public meeting law relating to notice requirements for meetings and agendas, the written minutes of meetings, executive sessions, and to violations.
- HB102.** Adds to IC 31-857 to establish a standard seven year statute of limitations for procedural and jurisdictional challenges to the creation of governmental districts to eliminate unreasonably delayed legal challenges to the procedures used by the county commissions. Partially addresses the issue **SB1060** (developed and introduced via the Idaho Library Association to provide a clear process for the dissolution of a library district but was held in committee) was intended to solve.
- HB160.** Amends IC 33-2728 by increasing the bonding authority of library districts from .4% to 1%.
- HB372a.** Amends, adds to and repeals existing law to limit elections to two dates in each calendar year, and provides that the county clerk shall administer all elections on behalf of any political subdivision. Effects on library districts: trustee terms will increase from 5 to 6 years, elections will be held in odd-numbered years, and counties will pay all election expenses.

Regarding HB372a, Staub mentioned that the counties are glad to be administering the elections.

Hooper noted that HB160 was produced and carried by the Idaho Library Association and that the library community did a very good job in getting the legislation passed.

Weeks asked whether SB1142 will affect the Board when it goes into effect July 1, 2009. Wilson assured the Board that ICFL staff will comply with the new open meetings law on behalf of the Board. Weeks asked that Joslin provide the Board with

the details of the specific changes covered in the legislation by the next Board meeting. It was suggested that Steve Vinsonhaler, Deputy Attorney General, be asked to speak to the Board about the legislation.

B. Policies – none

C. Rules

Wilson noted that the Digital Repository rules did not receive comment during the legislative session and therefore became effective when the legislature adjourned. The TBS Loan Guidelines are still in progress.

V. Library Services and Technology Act (LSTA)

A. Finances – none

B. Program

1. Advisory Council appointments (Board Document 09-58)

Hooper gave a brief description of the charge of the LSTA Advisory Council.

Academic Library Position Applicants:

Joslin received letters of interest from:

- Incumbent Diane Prorak, University of Idaho Library, has served 1 five - year term
- Sandra Shropshire, Associate University Librarian for Collections and Technical Services, Idaho State University Library, Pocatello

MSC/Noble/Held that Sandra Shropshire be appointed to the LSTA Advisory Council as an Academic member for a term ending June 30, 2014.

Special Library Position Applicants:

A special library is defined as a library that is not an academic, public, or school library, usually organized to meet a specialized mission and operating with a specialized collection, and/or to serve a specialized clientele. There are no incumbents for this position.

Joslin received letters of interest from:

- Joan W. Wilson, Clinical Reference Specialist, William T. Wood Medical Center, Coeur d'Alene
- Ruth Funabiki, Head of Technical Services, University of Idaho Law Library

MSC/Noble/Black that Joan W. Wilson be appointed to the LSTA Advisory Council as a Special Library member for a term ending June 30, 2014.

2. FY2010 Allocation Plan (Board Document 09-59)

The Federal FY2010 LSTA Allocation Plan is scheduled for distribution to the Idaho

library community in late June. The Plan provides for a competitive grant process and a “Just-in-Time” program utilizing remaining funds not awarded through the competitive process. Review by the LSTA Advisory Council identified no suggestions for substantive change.

MSC/Staub/Noble that the Federal FY2010 LSTA Allocation Plan be approved as distributed in Board Document 09-59.

C. Grants –none

VI. General Fund and Miscellaneous Revenue Fund

A. Finances

1. General Fund Status – information item (Board Document 09-60)

The FY2009 General Fund balances as of 06/1/09 and the FY2010 General Fund appropriations are listed below. Wilson noted that it is possible a budget hold-back will be required in the first 90 days of the new fiscal year. He mentioned the value of being a self-governing agency in submitting the ICFL budget request directly to the Division of Financial Management rather than to the Office of the State Board of Education.

Held commented that since the bulk of the projected balance in FY2009 General Fund is in Personnel, it was wise to keep positions vacant rather than having to let someone go in FY2010 due to lack of funding.

FY2009 General Funds as of 06/1/09

	Original Appropriation	Adjusted Appropriation*	Projected Balance	Projected Total Expenditures
Personnel	\$2,268,400	\$2,081,800	\$54,898	\$2,026,902
Operating	\$1,673,100	\$1,687,800	\$3,400	\$1,684,400
Capital Outlay	\$177,800	\$46,271	\$2,761	\$43,510
Trustee & Benefit	\$150,000	\$150,000	\$0	\$150,000
Total	\$4,269,300	\$3,965,871	\$61,059	\$3,904,812

* Includes the holdbacks and Board approved object transfers

FY2010 General Fund Appropriation

	SB 1243	% of FY2009 Original Appropriation	% of Projected 2009 Total Expenditures
Personnel	\$1,859,600	82.0%	91.7%
Operating	\$1,566,400	93.6%	93.0%
Capital Outlay	\$0		
Trustee & Benefit	\$0		

Total	\$3,426,000	80.2%	87.7%
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FY2011 Budget Request

In light of the state's current fiscal situation, Joslin has not asked staff to identify any enhancement requests for FY2011. If ICFL is allowed to request new funding, her current priorities are:

1. Transfer TBS back to the state general fund, and
2. Restore RTM funding to the level of our FY2009 request.

B. Program – none

C. Grants – none

VII. State Librarian’s Report

A. Operations – none

B. Management Team Members’ Reports – none

C. Personnel – information item (Board Document 09-61)

Hooper noted the following personnel changes since April 10, 2009:

New Hires

Eric Hildreth, Web Developer
Aubrey Ellis, Web Design Specialist

Terminations

Eric Hildreth, Web Design Specialist

Retirements

None

Reclassifications

None

Current Vacancies

Office Specialist 1 (held open)
Office Specialist 2, three & one quarter positions (held open)

Wilson said that the agency is 19.5 percent under the market line for salaries, causing ongoing retention issues. Weeks asked if there are circumstances under which ICFL can do advance-step hiring. Wilson explained that grade and step hiring is not used anymore; instead, pay ranges from 70 to 125 percent of market are used.

D. State Librarian’s Travel Report – none

E. Other – none

VIII. Old Business

A. Board member appointment – information item (Board Document 09-62)

At the April meeting the Board asked to see the application for reappointment from Larry Weeks. No action is necessary. Noble thanked Weeks on behalf of the rest of the Board for going above and beyond the call of duty in his continued service to ICFL and specifically to the Talking Book Service.

IX. New Business

A. Digital Repository annual report (Board Document 09-63)

Wilson provided a brief history and statistical information to date on the Digital Repository. Noble asked for clarification on publications that contain copyrighted material. Wilson explained that public television is the major producer of these publications.

Background

Idaho Code 33-2505C states:

“In the interest of economy and efficiency, the board of library commissioners may exempt a given state publication or class of publications from the requirements of sections 33-2505, 33-2505A and 33-2505B, Idaho Code, in full or in part . . .”

The Commission’s rules (IDAPA 30.01.01.040) state:

04. Request for Exemption by State Librarian. The State Librarian may request the exemption of a specific publication or a class of publications based on the ability of the Commission to capture or process said materials.

06. Board Action on Exemption Requests. The Board shall grant or deny exemption requests, determine an expiration date, and provide written notification of its decision to the publishing state agency within thirty (30) days of its decision.

07. Annual Report. The State Librarian shall submit an annual report of all exemptions to the Board.

08. Review of Exemptions. Exemptions shall be reviewed by the Board at least sixty (60) days prior to the expiration date. State agencies shall be notified by the Commission of any change in exemption status within thirty (30) days of Board action.

Current Exemptions

At Joslin’s request, the Board approved the following exemptions at its April 2008 meeting because we did not then have the technology to capture or process these formats efficiently or cost-effectively:

- Dynamic websites
- Interactive websites
- Audio programs
- Video programs
- Publications that contain copyrighted material with no provision for access in a public archive or repository

To date, no state agency has requested exemption of a specific publication or class of publication.

Exemptions for FY2010

We now have the ability to capture both audio and video files so staff recommends removing those formats from the list of exemptions.

MSC/Staub/Held that the following classes of publications be exempted from the Digital Repository through June of 2010 because of the current inability to efficiently or cost-effectively capture or process these formats:

- Dynamic websites
- Interactive websites
- Publications that contain copyrighted material with no provision for access in a public archive or repository

B. FY2010 – 2013 Strategic Plan (Board Document 09-64)

The Management Team review of the agency strategic plan resulted in changes to the introduction addressing the economic downturn and the increasing use of libraries documented by public library statistics, several changes at the activity level, and updated web links to agency programs. The Annual Idaho Public Policy survey data was removed as a benchmark because the survey has been discontinued by Boise State University. The vision, values, strategic directions, and goals remain the same as in the plan for 2009-2012.

Because the Commission will become a self-governing agency on July 1, our plan and performance measures will be submitted along with our FY2011 budget request directly to the Division of Financial Management. The plan is due July 1, with the other documents submitted in early September.

MSC/Held/ Black that the vision, values, strategic directions, and goals of the 2010 - 2013 strategic plan as described in Board Document 09-64 be approved.

C. Election of officers (Board Document 09-65 rev.)

Nomination/Second/Noble/Held that Pete Black serve as Chair of the Board of Commissioners for SFY2010.

MSC/Noble/Held to close nominations.

Vote: Unanimous in favor.

Nomination/Second/Noble/Held that Sara Staub serve as Vice-Chair of the Board of Commissioners for SFY2010.

MSC/Held/Noble to close nominations.

Vote: Unanimous in favor.

X. Executive Session [IC 67-2345(b)]

A. State Librarian annual evaluation (Board Document 09-66)

MSC/Black/Held to go into Executive Session pursuant to Idaho Statute 67-2345(b), to consider the evaluation of a staff member. A roll call vote was held with Held, Black, Staub, Noble, and Weeks voting in the affirmative. The Board entered into executive session at 11:44 a.m.

MSC/Noble/Held to reconvene in regular session. The Board reconvened in regular session at 11:55 a.m.

The Board completed the State Librarian's annual evaluation and provided the written documentation to her.

XI. Adjournment

MSC/Noble/Black to adjourn the meeting at 11:56 a.m.