

**MINUTES OF A MEETING OF THE  
BOARD OF DIRECTORS**

Held on  
April 13, 2020

A meeting of the Library Board of Directors of the Kanawha County Public Library was held on Monday, April 13, 2020 at 4:00 PM via Zoom.

The following KCPL Board of Directors' present were Dr. Kenneth Bailey Dr. Mickey Blackwell, Mr. Thomas Hurney, Ms. Monika Jaensson, Mr. John Jarrett, Ms. Betty King, Ms. Brooke Lord, Ms. Cheryl Morgan, Ms. Jennifer Pauer, Ms. Susan Shumate, Ms. Anne Silbernagel, Ms. Debra Sullivan, and Mr. Benjamin Thomas

KCPL staff members present were Ms. April Wallace, Interim Library Director; Ms. Marsha Alford, Human Resources Manager; Mr. Teddy Claypool, IT/Automation Manager; Mr. Stan Howell, Marketing & Development Manager; Ms. Sarah Mitchell, Main Library Public Services Manager; Ms. Susan Murphy, Circulation Supervisor; Mr. Tim Venitsanos, Facilities & Security Manager; and Ms. Sara Caswell, Administrative Coordinator.

Also present were Mr. Dave Pray, Owner's Representative; Mr. Jim Sieffert, New Market Tax Credit consultant; Mr. Jody Driggs, Silling architect; Mr. Ryan Quinn, newspaper; and Mr. Christopher Winton, library counsel.

Ms. Jaensson presided and reported that a quorum was present. The meeting was then brought to order.

**Approval of Minutes**

The minutes for the regular and special sessions of the Board of Directors meetings on February 11, February 18, February 24, March 9, March 16, March 23, and March 27, 2020 were presented for approval Ms. Jaensson pointed out that at the March 27, 2020 meeting the resolution was that "the library system remain closed *to the public* for the duration of the Governor's stay-at-home order" and that staff still working. Upon motion made, seconded, and PASSED, the minutes of the March 27, 2020 meeting were amended to make the correction in the resolution. Upon further motion made, seconded, and PASSED, all of the minutes, as corrected, were approved.

**Approval of Bills**

General Bills and Book Bills: In accordance with Bylaws and on motion duly made, seconded, and unanimously CARRIED, the payment of General Bills in the amount of \$75,618.40 and the Book Bills in the amount of \$40,527.84 were approved and transmitted by the Library Director to the Board of Education of the County of Kanawha for payment.

Special Funds: The Library Director submitted bills to be paid from Special Funds in the amount of \$5,453.67 duly certified and approved in accordance with the Bylaws and on motion duly made, seconded, and unanimously CARRIED, the Board approved the payment of the bills set forth on the list.

Construction Fund: The Library Director submitted bills to be paid from the Construction Fund in the amount of \$36,232.33 duly certified and approved in accordance with the Bylaws, and on motion duly made, seconded, and unanimously CARRIED, the Board approved the payment of the bills set forth on the list.

At this point in the meeting, the item under New Business was brought before the board. Mr. Jim Sieffert, special tax counsel to the Library for New Market Tax Credits, gave a presentation to the Board about credits the library may have the chance to receive.

New Market Tax Credits are administered by the United States Treasury. They particularly look for projects in low income census tracks, which the Main Library renovation project falls in. Some CDEs (community development entities) have expressed interest in the library's renovation. It is possible that KCPL could receive an allocation in the amount of \$5.5 million. The library's project is very appealing to CDEs since we are "shovel ready" at the moment. There is also the possibility of an addition allocation if the CDE would receive them for 2019-2020. With the renovation project totaling approximately \$30 million, it is possible to receive up to \$30 million in credits.

After a lot of information about this process was shared with the Board of Directors, they decided to move forward with looking at the letters of intent from the interested CDEs.

#### **Reports of Committees:**

##### **1. Building Committee [Mr. B. Thomas]**

Mr. Thomas shared with the board a resolution to streamline the change order process. This resolution would authorize the Board President and possibly the Library Director to approve change orders, as long as they did not exceed \$50,000.00. Change orders between \$50,000.00 and \$125,000.00 would require the approval of the Building Committee. Any change orders exceeding \$125,000.00 would require approval by the entire Board of Directors. The Building Committee would continue to report to the Board at the monthly Board meeting. A motion was made and seconded. There was no discussion. The motion PASSED as follows:

WHEREAS, the Kanawha County Public Library (KCPL) has engaged Paramount Builders to undertake Construction of Additions and Renovations of the Main Branch building (the "Main Branch Project");

WHEREAS, the Board of Directors has received estimates that the total cost of the Main Branch Project, including but not limited to the construction costs, will be \$32,049,804 (the "Total Budget"), which can be broken into the following estimates: (a) construction: \$24,120,000; (b) relocation expenses inclusive of rent and moving expenses: \$993,169; (c) professional fees: \$3,678,325; (d) furniture, fixtures, equipment and audio-visual expenses: \$2,248,310; and (e) contingency reserve: \$1,000,000 (the "Initial Contingency Reserve", and as increased or decreased from time to time through actions taken under the authorization provided below, the "Contingency Reserve");

WHEREAS, the Board of Directors seeks to use any savings in the Total Budget to increase the value of the Contingency Reserve for the Main Branch Project;

NOW, THEREFORE, BE IT

RESOLVED, that the President of the Board of Directors, the Director, or other officers of KCPL, in consultation with KCPL's construction consultant, architect, and counsel, are further authorized and directed, in their discretion for the best interests of KCPL, to enter into and execute future Change Orders or similar ancillary contracts for the Main Branch Project as long as such orders or contracts (1) result in a net savings to KCPL when compared against the Total Budget (excluding the value of the Initial Contingency Reserve); or (2) are determined to be in the best interests of KCPL and do not exceed an aggregate total in excess of \$50,000 of the Contingency Reserve in any given period between meetings of the Board of Directors; or (3) if approved by the Building Committee are determined to be in the best interests of KCPL and do not exceed an aggregate total in excess of \$125,000 of the Contingency Reserve in any given period between meetings of the Board of Directors; and

RESOLVED FURTHER, that the President of the Board of Directors, the Director, the other officers and the Building Committee shall report to the Board all such orders or contracts at the next regular meeting of the Board, and the resulting adjustment in the Contingency Reserve as of such time.

A statue of Christine McCullough is currently located on the Carriage Trail. There is a possibility that it could be displayed at the newly renovated Main Library. The library would most likely be responsible for paying to have it moved.

**2. Finance Committee [Mr. J. Withrow]**

The library owns various pieces of artwork, and a decision needs to be made as to what to do with it, since the process of packing up the Main Library is set to begin. The library did receive an offer from the Huntington Museum of Art to purchase a Ruger Donoho painting. Originally, they made an offer of \$15,000.00. The library countered to ask \$19,000.00 for the painting. If the Board approves selling the painting for that amount, the Museum will be sent an invoice.

The collection of first edition Beatrix Potter books will be put on display in the newly renovated library.

The remainder of the paintings will be offered to local art groups.

A motion was made and seconded. There was no discussion. Motion PASSED authorizing the sale of the Ruger Donoho painting to Huntington Museum of Art in the amount of \$19,000.00.

Upon motion made, seconded, and PASSED the officers and staff of the Library were authorized to sell any and all of the Indian art works of the Library within their discretion upon reasonable terms in the best interest of the Library.

**3. Personnel Committee [Ms. J. Pauer]**

Ms. Pauer informed the Board that the new Library Director, Ms. Erika Connelly, would start at KCPL on May 11, 2020. Ms. Connelly would have an orientation meeting on May 19, 2020 with the Personnel Committee.

#### **4. Public Services Committee [Ms. M. Jaensson]**

Ms. Jaensson informed the Board that the Public Services Committee chairperson, Ms. Anne Silbernagel, would have a report for the Board later in the week.

#### **Report of the Director**

The recipient of the Directors' Award for April 2020 is Mr. Teddy Claypool! Mr. Claypool is the IT Manager for the library system, a member of the Morale Improvement Team, and is the lead staff contact person concerning technology with the Main Library renovation project. As IT Manager, he has played an instrumental role in bringing the wireless hotspot lending service to KCPL. As a member of MIT, Mr. Claypool has always been quick to assist when needed, whether that is helping to set up during Staff Development Day or assisting in planning staff events. With all of his roles at KCPL, you can see that he plays a big part in instituting new services for the system. He is a team player by his willingness to help out when needed, and he supports organizational progress by lending his knowledge to the technological needs for the renovation project. Mr. Claypool has been an invaluable asset throughout the crisis that we are currently working our way through, by being available to assist managers with technology questions, setting up meeting platforms for staff use, and developing tutorials to assist staff in learning these new platforms. He is very deserving of this award. His willingness to help, his leadership, and vital knowledge all make him the next recipient of the Directors' Award.

The Transition Team is a team of management staff from the Main Library, whose main task is to help coordinate the move from the Main Library to the Town Center Mall temporary space and back to the Main Library after the renovation is complete. Most recently, the team worked on designating a master list of furniture and equipment to determine what would be going to the temporary space, what could go into storage, and what could be discarded. We also received valuable assistance from MR. Dave Pray and the Silling architects throughout the process of sorting furniture.

On Wednesday, March 11, 2020 management at the Charleston Town Center hosted Main Library members for a brunch, orientation session, and tours of the spaces the library will inhabit during the renovation project. They provided us with a wonderful brunch, and important information about working at the Town Center. They were very welcoming. Our new Library Director was able to join us for a tour of the space.

Mr. Bill Overton met with members of the Transition Team and other Public Services staff on March 11 and 12, 2020. He toured the Library and the collection. He met with staff members as needed to get an idea of what our collection looked like, how it was laid out, and what we intended to take with us to the temporary space. Mr. Overton was also able to tour the temporary space, which gave him a better idea of the space we would have available.

Ms. Wallace conducted a meeting with Cabinet (managers from the branches and Main Library) via Zoom. She is updating staff daily as to the status of things at the library. Staff seem to be very appreciative of this. She also continues to meet weekly with the Monday Meeting group, which consists of managers at the Main Library.

Management staff, along with Board guidance, made the decision to close the library system to the public on March 15, 2020. Prior to this decision, a team of staff met to discuss

procedures related to COVID-19. Even though the library has been closed to the public, staff has continued to reach out and interact with the public. Due dates on items checked out have been extended indefinitely. Overdue fines will not accrue during this time. Patrons can access their card accounts to use, whether they owe fines or not, right now. Marketing Staff, with Mr. Joshua Myers leading the campaign, have created another website for KCPL called *KCPL from Home*. This website is an easy way to access all of the online digital resources that KCPL offers, from WVDELI, Hoopla, Freegal, RBDigital, Tumble Books (for kids), and many others. Reference staff has been assisting library patrons via the chat feature through the library's website. Other staff are using this time to complete webinars and to brainstorm new ways to interact with library patrons. The library has received many kind comments from patrons who are appreciative of the efforts being made by KCPL to remain relevant during this new and uncertain time.

Managers at the branches are entering their buildings once about every 3-4 weeks, or when they go to process timesheets. When they go to their locations, they are to check the building for any maintenance issues. If any issues are found, they are to alert Mr. Tim Venitsanos, who will send out the maintenance crew. The Main Library is being cleaned and sanitized once a week by our in-house janitor. Before Governor Justice's most recent order, Mr. Seth Newell (Tech Services Manager) had been going to the library three times a week to pick up mail, packages, and to complete other tasks. Now he is going in once a week to take care of the mail and package deliveries.

### **Monthly Statistics**

Statistics from virtual programs and online assistance were presented to the Board.

### **Old Business:**

In light of the ongoing state of emergency from the coronavirus pandemic, the Board discussed conducting various meetings electronically. Motion was made, seconded, and PASSED that –

WHEREAS, a State of Emergency was declared on March 16, 2020 for all counties in West Virginia in order to allow State and Federal agencies to respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19;

WHEREAS, on March 23, 2020, in light of the State of Emergency, the Governor issued Executive Order 9-20 mandating that all individuals within the State of West Virginia are under a general stay-at-home order and are directed to stay at home or their place of residence unless performing an essential activity;

WHEREAS, by previous resolutions of the Library Board, all public operations of the Library have been closed for the protection of staff and the public and the Library is continuing all of its operations to the extent possible by remote means;

WHEREAS, as a governmental agency, the Library Board intends to and will continue to meet and perform all of its essential functions in delivering library services to the public consistent with the State of Emergency and Executive Orders of the Governor;

WHEREAS, Governor's Executive Order No. 11-20 entered on March 25, 2020, in Section 8 provides:

Any statute or rule that prescribes time limits or deadlines by which state agencies or political subdivisions or agencies thereunder must hold hearings, and allowing abeyance of such hearings or for such hearings to be conducted by telephonic means, at the sole discretion of the applicable state agency or political subdivision or agencies thereunder; provided, that where a deadline is constitutional, the agency shall conduct the hearing telephonically, through other remote technology, or in compliance with any court order.

WHEREAS, in light of all of the above, the Library Board wishes to clarify the provisions of its Bylaws and other applicable rules governing the notice and meetings of the Board,

NOW, THEREFORE, BE IT RESOLVED THAT, notwithstanding any provisions of the Bylaws of the Library or other applicable rules, the following rules shall supersede and apply to meetings of the Board of Directors until such time as the State of Emergency is lifted unless sooner rescinded or modified by subsequent resolution of the Board:

1. Regular and special meetings of the Board, and any committees, shall be held electronically by telephonic, video-communication, or other computer means, which shall be clearly specified in the notice of the meeting including with call-in number, web address, and meeting passcode, such that members of the Board, the general public, and media representatives may attend and participate.
2. Notice and agenda for regular meetings shall be given not less than two (2) business days prior to the meeting, and notice and agenda for a special meeting shall be given not less than one (1) business day prior to the meeting.
3. Notice to the public shall be published on the Library's website in a prominent location and, if feasible at other public locations. Notice to members of the Board of Directors may be communicated in person, by U.S. mail or other method of delivery, or by telephone, voice mail, or other electronic means (email), with preference being by email. Notice shall also be given to local media organizations, with preference being by email.

At the last special session of the KCPL Board of Directors, the Board agreed to continue paying staff for their budgeted hours. Before the health crisis, some part-time staff members had been working additional hours. Through the end of March 2020, those staff members scheduled for extra hours were paid for the hours that they had been scheduled. Starting in April all staff would be paid for the hours that their positions were budgeted. Most part-time staff work 20 hours per week. A majority of staff members are contributing ideas for virtual programming, attending webinars, and working as possible.

A motion was made to continue paying staff during this indefinite closure to the public. The motion was seconded, and after no additional discussion, the motion PASSED continuing the above policy.

**New Business:**

None.

There being no further business, the meeting was adjourned.

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President

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Secretary