



**LIBRARY BOARD OF TRUSTEES MEETING
AGENDA**

April 9, 2024

5:15PM

BLOOMFIELD PUBLIC LIBRARY

- I. Call to Order and Welcome Guests**
- II. Public Comments**
- III. Approve Consent Agenda**
 - A. Approve last month's minutes**
 - B. Claims as presented**
- IV. Unfinished Business**
 - A. After hours access/keys discussion**
 - B. Board member updates**
- V. New Business**
 - A. Tomi Jo: Budget**
- VI. Reports**
 - A. Budget/Finance**
 - B. Building & Grounds**
 - C. Nominating**
 - D. Personnel**
 - E. Policy**
 - F. Public Relations**
 - G. Technology**
- VII. Adjournment**

The agenda for the BPL Board meetings is made public 24 hours prior to the meeting. By adding "Public Comments" to the agenda, this will allow citizens a chance to voice any comments they have. Those wishing to address the Board, must sign in, giving their name and address, and limit their remarks to 3 (three) minutes. The library reserves the right to limit the total public comments period, this will be at the discretion of the presiding officer.

Bloomfield Public Library
Library Board of Trustees Meeting

Meeting Minutes
March 12, 2024

Present

Marty Hudson
Lindsey Garmon
Marilyn Piper
Shannon Vesely
Sheila Westegard
Amy Tyson
Roger Wuthrich
Anne Tews, Library Director
Robert VonBon, Library Employee
Josh Husted - City of Bloomfield Representative

Absent

Rhonda Eakins
Russ Mikels

The meeting was called to order at 5:15

- **Public Comments**
 - None
- **Approve Consent Agenda**
 - It was moved by Marilyn and seconded by Marty to approve the consent agenda. It passed unanimously.
 - It was moved by Shannon and seconded by Marilyn to approve the December and February minutes. It passed unanimously.
 - It was moved by Roger and seconded by Marty to approve the claims as presented. It passed unanimously.
- **Unfinished Business**
 - Keys Discussion
 - Tabled until next month
- **New Business**
 - Insurance
 - The board agreed to turn them into insurance

Reports:

- Budget/Finance
 - None
- Building & Grounds

- None
- Nominating
 - Shannon Vesely will not be serving another term on the board of trustees. We need a city patron to fill her vacancy.
- Personnel
 - None
- Policy
 - None
- Public Relations
 - None
- Technology
 - None

A motion was made by Amy and seconded by Roger to adjourn. It passed unanimously.
The meeting ended at 5:42 PM.

Respectfully submitted,
Lindsey Garmon

Invoice		Budget Category	Line item	Reason	Amount
City of Bloomfield		Utilities	6371 utilities		\$ 1,018.50
Citizens Mutual		telephone	6373 phone and internet		\$ 290.21
Visa April 2024		loaning items	6502 D.M. Register subscription		\$ 34.44
T&A					
Visa April 2024		training	6230 State Library of IA-youth conference		\$ 175.00

Expenses	FY 2024 City	FY 2024 Library	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
Total available	\$ 150,000.00	\$ 150,000.00						
Salaries	\$ 115,000.00	\$ 115,000.00	\$ 7,905.13	\$ 4,263.61	\$ 4,296.31	\$ 4,178.91		
Training/Travel	\$ 100.00	\$ 100.00			\$ 185.00		\$ 560.04	
Building Repair/Maint	\$ 3,000.00	\$ 3,000.00	\$ 660.00		\$ 33.05			
Building Repair/Grounds	\$ 1,000.00	\$ 1,000.00		\$ 350.99				
Equipment Repair/Maint	\$ 3,000.00	\$ 3,000.00				\$ 638.65	\$ 1,024.09	\$ 416.00
Utilities	\$ 10,500.00	\$ 10,500.00	\$ 644.92	\$ 754.83	\$ 720.00	\$ 986.50	\$ 635.00	\$ 653.50
Telephone	\$ 4,000.00	\$ 4,000.00	\$ 299.53	\$ 305.34	\$ 263.13	\$ 256.45	\$ 262.46	\$ 289.14
Insurance	\$ 6,000.00	\$ 6,000.00						
Advertising/Legal	\$ -	\$ -						
Technology Services	\$ 2,800.00	\$ 2,800.00	\$ 2,409.22		\$ 442.35		\$ 2,222.12	\$ 360.06
Books, Films, Records	\$ 1,000.00	\$ 1,000.00	\$ 43.98	\$ 228.13	\$ 34.44	\$ 85.74	\$ 236.04	\$ 34.44
Office Supplies	\$ 1,500.00	\$ 1,500.00	\$ 78.44			\$ 202.98		
Program Supplies	\$ 250.00	\$ 250.00	\$ 163.40	\$ 64.23				
postage/shipping	\$ 175.00	\$ 175.00						
Misc Supplies	\$ 175.00	\$ 175.00					\$ 71.68	\$ 142.08
Capital Equip/Imp	\$ 1,500.00	\$ 1,500.00						
Total	\$150,000	\$150,000	\$12,204.62	\$5,967.13	\$5,974.28	\$6,420.91	\$4,939.75	\$1,895.22

5/5/2023	T&A Savings	\$ 30,175.71
6/15/2023	memorial end of year	\$ 10,000.00
6/30/2023	withdrawal	\$ (9,265.99)
7/5/2023	T&A balance	\$ 31,744.83
8/3/2023	T&A balance donation	\$ 30,911.00
10/3/2023	T&A balance	\$ 200.00
	Direct State Aid	\$ 31,416.24
11/6/2023	T&A balance	\$ 2,006.00
		\$ 33,299.68

Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Totals
\$ 445.97	\$ 804.00	\$ 80.00	\$ 175.00			\$ 1,804.04
	\$ 24.99					\$ 2,943.06
\$ 440.00	\$ 1,696.00					\$ 375.98
\$ 810.00	\$ 1,175.00	\$ 1,760.50	\$ 1,018.50			\$ 4,214.74
\$ 314.28	\$ 286.50	\$ 296.35	\$ 290.21			\$ 9,181.44
						\$ 2,863.39
		\$ 358.50				\$ 5,792.25
	\$ 157.50	\$ 58.65	\$ 34.44			\$ 913.36
\$ 62.70		\$ 38.50				\$ 382.62
	\$ 6.00					\$ 233.63
\$ 75.00	\$ 2.43	\$ 23.98				\$ 243.49
						\$ 71.68
\$ 2,147.95	\$ 4,152.42	\$ 2,616.48	\$ 1,518.15			\$ 29,019.68

**Director's Report
April 2024**

Patron Headcount

July 2023: 795	August 2023: 927	September 2023: 791	October 2023: 817	Nov. 2023: 801	Dec. 2023: 640
Jan. 2024: 638	Feb 2024: 652	March 2024: 724	April 2024	May 2024:	June 2024:

Alright!! Topping 700 again!

April 7-13 is National Library Week "Ready, Set, Library!"

<https://www.ala.org/conferencesevents/celebrationweeks/natlibraryweek>

April 8: National Right to Read Day

April 9: National Library Workers Day (a day to recognize the valuable work done by all staff)

April 10: National Library Outreach Day

April 11: Take Action for Libraries Day

In the board packet I am enclosing two pages regarding trustee ratios and recruitment. One page is from the Trustee Handbook on the State Library's website, the other is from the State Law Librarian's FAQ, also on the website.

I spoke with Brothers about being a "round up" recipient and put the Library on the list. Unfortunately, it'll be April 2026 before it's our turn.

On March 23 we, along with the Welcome Center, hosted Enfis McMurry who spoke about her book ([Disaster at 39,000 Feet](#)) and signed copies for those who purchased copies. She donated a copy to us and it's already on hold for patrons. The event was a success; we had about 40 people in the room! At the end of April, probably, the Iowa Gallivant may be here for a discussion and signing of his book about Iowa Sausage. Who knows, he may feature the library on his website as a result.

<https://theiowagallivant.com/>

In case you'd like to know:

Interlibrary Loan Report (January 1, 2024-March 28, 2024)

Our patrons borrowing books: 142

Books we are loaning to others: 37

Out of State items requested & received: 19

Patrons adore the ILL program.

FY 2024

	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Total
Adult F	480	441	393	358	360	333	472	563	489				
Non-F	89	89	50	56	63	75	142	124	106				
ILL	77	70	69	78	79	60	59	47	67				
DVD	27	23	14	31	19	13	8	18	19				
A/V	44	40	35	25	15	18	28	26	44				
Mag	16	5	1	11	9	0	1	7	7				
Total	825	718	609	591	602	559	760	819	769				
YA-already	45	29	27	20	22	17	38	16	17				
Library of	47	21	20	12	35	13	12	18	20				
Juv. F	698	547	457	455	478	341	546	579	679				
Non-F	103	70	72	47	62	26	54	54	81				
A/V	1	0	2	4	1	3	1	4	2				
Misc. - bac	36	20	16	21	17	8	20	20	21				
Total	838	637	547	527	558	378	621	657	783				
Grand Tot	1663	1355	1156	1,118	1,160	937	1381	1476	1552				
Bridges - T	589	584	652	642	547	937	677	599	642				
e-books	268	241	244	262	253	584	313	251	249				
audio boo	296	321	378	299	236	283	301	293	346				
magazines	25	22	30	81	58	70	63	55	47				

Beginning patron #													
Beginning barcode													
WIFI,													
sessions	427	388	496	80		486	364	449	477				
visits	354	354	442	67		429	318	395	423				

unique visitors	97	133	105	40		103	98	115	119				
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adopted, the director and staff carry it out as they operate the library.

- ❖ The board hires and evaluates the library director, while the director hires and evaluates other staff.
- ❖ The library director typically drafts the yearly budget proposal, but it's the board that officially adopts the budget based on money allocated by the city and county.
- ❖ The city appoints and approves members of the library board, allocates taxation to the library's budget, and handles the bill paying process.

Recruit New Trustees

A good partnership between the library board and city government is to work collaboratively on filling board vacancies. In Iowa, mayors appoint library board members, followed by council approval. The mayor's office is happy to take suggestions, and that's where the current board can be a partner in these ways:

- ❖ Develop a list of potential board members to fill vacancies ensuring the list reflects:
 - Gender balance
 - A variety of ages
 - A variety of occupations and knowledge bases
 - Participation in community groups and organizations
 - Includes library users and non-users
- ❖ Be proactive in looking ahead to expiring terms and providing the mayor with the list well in advance.
- ❖ Create a brochure for prospective trustees summarizing library board member responsibilities including education expectations and make available as needed.
- ❖ Develop a library board application and make it available in paper and posted on the library and city websites.

While board members are not compensated for their time, they should be reimbursed for any expenses. Prospective library trustees need to understand that while this is a voluntary position, there is significant responsibility and a time commitment required that is more than other volunteer activities.

"Alone we can do so little, together we can do so much."

Info from the Library Law FAQ (re: trustee membership)
By Mandy Easter, State Law Librarian
515-281-6191, mandy.easter@iowa.gov

What is the basis for the prohibition on putting more than one or two county residents on library boards? I have far more county residents than city residents interested in being trustees. What about residents of other cities in the county—can they be on the board?

We here at the State Library have been told repeatedly over the years by the Iowa Attorney General's Office, the Iowa Department of Management and the Iowa League of Cities' General Counsel that a clear majority of a municipal library's board must be residents of that library's city, while one trustee may be from the unincorporated area of the county. It has always been emphasized to us that no trustee on a city library board can be a resident of another city or incorporated area. The reason one trustee can be from the unincorporated area of the county is because in Iowa, most public libraries are significantly supported by county funding in order to serve county residents. Legal experts tell us that only city residents can decide how their tax dollars are spent (and the county trustee looks after the spending of the county's contribution to the library's budget). They said that if a resident of another city were to be seated on the library board, the residents of the city in which the library is located would have a cause of action to sue the mayor and council for allowing a resident from another city to decide how their dollars were spent on one of their city agencies.

For large boards containing seven or more members, it is permissible, but not recommended, to have two trustees who are county residents. The "common-law" rule is that when there is only a quorum in attendance (for boards with seven members, that's four), if all the county-resident trustees are present, they should never outnumber the city-resident trustees. From a board of seven trustees comprised of five city residents and two county residents, if only four trustees show up to a meeting, the test scenario looks like this: assume the two county trustees are present, which means the other two are city trustees. The county trustees' votes tie the city trustees' votes, so while the county residents don't hold a majority, it's close, which is why even for boards of seven, it is recommended that only one trustee should be a county resident.

2 pages into the Policy manual of the Bloomfield Public Library

Facility Use Policy And Application

See Page 2 for Relevant info from library policy

1. Eligibility

Responsible applicant must be 18 years of age or older. Applicant takes full responsibility for the use of the BPL facilities according to this policy.

BPL may be authorized for use by non-profit community organizations whose purpose is to benefit the community, and other individuals or entities upon approval. All applicants must pay fees as shown in the Fees and Deposits Section.

A minimum of 24 hours' notice and a maximum of 3 months' notice for an application is recommended. The BPL will not remind you of your reservation. If your event is recorded as a "no show", access to the facility may be limited in the future.

BPL reserves the right to cancel a reservation at any time for any reason by notifying the applicant. Severe weather or other local emergencies may necessitate immediate cancellation.

2. Fees and Deposits

Generally, a damage and cleaning deposit will be required for all first-time users and may be required for subsequent uses. If deposits are required, there is a \$50 room-only user fee. An additional \$10 deposit may be required for kitchen use or a \$50 additional fee for any audio/video equipment needed. No food or drinks are allowed in carpeted rooms unless approved by staff. The deposit will be refunded if the facilities are left in as good or better condition and the key is returned. After the use of the BPL facilities during the business day, a BPL employee must inspect the premises.

For after hours use, a \$50 deposit is required. The facilities will be inspected the following regular business day. If policy is found to be broken in any way, the deposit will be retained by the library and a 6 month suspension will be in effect for the group. If rooms are found in order, deposit will be returned. For any recurring groups, the \$50 deposit will be held until the next scheduled quarter of meetings.

If any A/V equipment is needed, applicants must come in for instruction prior to room use.

All applicants must complete the application form and provide any requested identification.

Reservations are not considered set until the application form is signed, returned, fees and deposits are paid (if applicable) and the application is approved by the BPL.

3. Restrictions

Tobacco or tobacco products and gambling are strictly prohibited on the premises.

Alcohol is prohibited on the premises. Possession or use of alcoholic beverages, illicit drugs, or any illegal substances is prohibited. Persons under the influence thereof will not be allowed on the premises. Disorderly conduct, offensive or profane language, or acts of violence will not be permitted.

Animals are prohibited except for those aiding the handicapped.

No decorations of any kind are to be attached to the walls, doors, door trim, windows or ceiling.

No tape, tack pins or nails are allowed on the walls of the BPL. The use of candles is prohibited.

All decorating and/or room set up time is to be included in event time on application.

The maximum capacity of the Community Room is 45 and the Classroom is 29, with no tables.

The maximum capacity of the Conference Room is 9.

The Library must be vacated by 11:00 pm.

Applicant or any other party shall not conduct any unlawful business on the premises.

Parking is limited to on-street parking.

4. Responsibilities

Noise in the BPL shall be maintained at levels that allow surrounding business to proceed with normal activities.

The kitchen is for serving only, not for food preparation. Serving utensils are not provided.

The BPL main entrance door works using an electronic key fob. The key access times will be set according to the setup and cleaning times noted on your reservation form. The BPL key is to be picked up by 4:30 pm the day prior to room use. Following the event, the key shall be left in the room or returned by 4:30 pm the next business day with the BPL staff. If a key is not returned, the deposit may not be refunded or a charge assessed. All other doors will remain locked and closed. Premises are under surveillance.

If an event is taking place outside of regular library business hours, the main entrance doors are NOT to be propped open. Propping doors open can potentially damage doors and allow people into building who are not part of scheduled events.

All cleanup (including the kitchen), vacuuming, sweeping and mopping shall take place immediately following use of the facilities. Trash must be removed. Clean trash bags should be placed in all waste receptacles.

The applicant shall turn off the lights and secure the doors upon vacating the premises. If there is any difficulty in doing so, please call Robert VonBon at 641-664-2741 or Anne Tews at 651-216-0792.

Applicant assumes all responsibility and risk for the care and supervision of children who may attend the event. Children shall remain inside the BPL during the event.

All rooms and equipment must be left in the condition as found. Any lost, damaged, or broken property must be paid for immediately. (WARNING- Remote controls for the projectors are VERY expensive!) No AV equipment may leave the premises.

If a scheduled meeting is cancelled, BPL should be notified at once. Failure to do so may result in limited access to the facility in the future.

A coffee maker is available for use, but you must provide your own coffee.

At the conclusion of use, applicants will return all furniture and equipment to the places they were found.

The BPL shall not be responsible for providing safe walking conditions to and from the facility for any events taking place outside regular library operating hours. If sidewalk snow removal is required, it will be done by the responsible applicant or group using the facility.

Use of the BPL is at your own risk. BPL is not responsible for accidents.

BPL is not responsible for any articles or items left or misplaced after the use of the facility.

ANY GUIDELINES BROKEN OR ABUSED WILL RESULT IN LIMITED OR DENIAL OF ACCESS.

2 pages

Library Talk feedback regarding key issue

Dyersville

- Don't do for one group what you wouldn't do for another. You can't treat one group differently. If word gets out that you do then you will constantly be making exceptions and then you run into the issue of someone thinking you are playing favorites. So if you are not prepared to give everyone a key who wants to use your room after hours then don't do it for one. I'm pretty sure there is a liability involved too if they have a permanent key

Ft. Madison:

- One thought, we have a key card entry system and we can set it so that when the key card is waved over the pad twice, the door is set as unlocked and it can be relocked by waving the card twice a second time. Does your system have this type of option? [Not that I'm aware of] It would let you keep using the key fob system and you wouldn't have to worry about checking out keys or dealing with lost keys or getting keys back.
- I would absolutely not have a drop box for the key. We make people bring in the key and hand it to a librarian because I've had too many people swear up and down they brought a book back and put it in the drop box and then find it in their house/purse/car the next day or week. I never want to deal with that with someone who swears they put the key in the drop box.
- I definitely agree with the special treatment concern. I get that it may not be super convenient for the group but you are, and should, treat them the same as any other group.
- We have a similar scenario - without the multi levels. The doors into the library are locked after hours but someone could (theoretically) break the glass in the door to get in. I also checked with our city clerk about liability with afterhours use and our insurance didn't seem to have an issue with it, so that may be accurate. If you think about it, it's not much different than people using enclosed shelters or other public property in town, if your city offers those.
- If they want to amend the policy, make sure that they understand the full extent of the can of worms they would be opening up with giving everyone the option of having a key to the building. A key was lost once and we did have to re-key the exterior doors whereas with key cards/fobs, we just turn off that card. Does the board want to risk the extra expense that would come with having to re-key the building? I don't know how your fob system works, but our key cards are day specific. With a key, patrons can come in at anytime they want, even during another person's event.

Cresco Library:

- I think it would be very easy to argue that you are discriminating against certain groups because they do not have unimpeded access like the church group would.
- If the board members would not make that accommodation for all people and all groups, they should not make it because they are a part of the church group and can ensure they will comply. That is differing treatment based on the individual and it is absolutely giving the board members special access to public property, which is a misuse of their position on a public board.
- I do not think it would be misplaced to remind them of their duty to the community as a whole and the duty to protect the library's assets. This is a HUGE liability issue.

Charles City

- We allow people who use our meeting room outside our hours to check out a key. The key only opens doors in the meeting room. They have to lock all doors when they are done. Then they drop the key in the drop box. If any of that policy is not followed to the letter, I keep their damage deposit and they are barred from using the room again. If they use it weekly (which 1 bible study does) then someone from the group has to pick up the key ahead of time so that they can have access to the room when they need it. We have 1 pseudo library book club that occasionally uses the main library after hours but they have a staff member who has been trained how to properly close the library in attendance and that staff person is responsible for taking the necessary precautions. All staff have a key. No board members do. The city and police department have keys, but I also have keys to the city hall as well.
- I'd check with your city, and with your insurance. My city and insurance company have strong opinions on access to the library, but I have an art gallery attached to me so that may make a difference. If your city will back you up then you could frame it as, we want to play nice with our city to keep good relations across departments.
- If you end up making keys for board members, make sure you keep track (a written record) of who has what key so that when your board turns over, you know you have everything accounted for.

FAQ Details

Question

*located at the State library of Iowa website
Silo.Knack.Com/legal#home*

Who should have keys to the library? Our mayor, council members, city clerk and trustees all think they should have keys to the library. What about groups reserving the library's meeting room after hours? Currently, they get a key from the city clerk and let themselves in and out when no staff are present. Is this even legal? What if a trustee is present during an after-hours meeting, rather than a staff member? What if a group offers to pay for staff presence during its after-hours meeting?

Answer

State law does not address these questions. Security procedures related to city building access are local matters sometimes dictated by cities' insurers. Typically, city halls have keys to all their buildings, with public works directors and police chiefs having access to master keys. Other than that, library directors usually give a key to custodial staff who clean after hours. There is no legitimate reason for mayors, city council members or library trustees to be inside public libraries when they are not open, unless there is some sort of emergency for which they must be consulted. Even then, for any given emergency, law enforcement or the public works director would be the first on the scene and then call the library director to survey the situation, so no keys would be needed by elected or appointed officials. Over the years, State Library consultants have heard from several library directors whose trustees had keys to their libraries and abused the privilege by rifling through directors' desks late at night, rearranging things, removing controversial books from their libraries or taking home brand-new uncatalogued books to read before anyone else got them, etc. Who knows what other things they did while they were alone in the library...? Library directors have also told us they felt obligated to change their libraries' locks after trustees cycled off their boards because they were afraid they'd copied the keys and still had unauthorized access to their libraries.

It is completely unacceptable for outside groups and ordinary citizens to have unsupervised access to the library for after-hours meetings. Which other city agencies allow people to use their facilities after hours? Can high school kids play basketball at the recreation center after it's closed? Can guys play poker in the Water Works offices on Saturday nights? Can teens have a party at the high school when no one's there? Governmental offices are locked at closing and people are allowed to enter only when accompanied by authorized staff. This is standard policy, procedure and practice.

The main reason not to allow people in the library when no staff are present is that the building is full of confidential information PROTECTED BY LAW (Iowa Code section 22.7, subsection 13). Even if you're pretty sure you can trust people not to rifle through patrons' records, you can't guarantee it unless a staff member is present to actually guarantee it. If private citizens even see for whom a reserved book is being held, it breaks the law. If they see the name on an unanswered reference question laying on a desk, the law is broken. If your patrons realize that people are often roaming around the building unsupervised, they will stop using the library for fear that visitors are getting a bit too nosy. It is the library director's and board's legal responsibility to guarantee patrons the confidentiality that the law promises them. What's to keep someone from digging through the library director's desk? No one is allowed to lurk around the city clerk's desk at night, so why should people be allowed to lurk around employees' desks in the library?

The second reason not to allow anyone in the library after hours is that the building is full of taxpayers' property that they fully expect city employees to secure and protect. How can you do that if no one is there while private citizens are in the building unsupervised for hours on end? Again, even if you trust them, you cannot guarantee a thing if put on the spot by a taxpayer. Are townspeople given a key and allowed access to the city's garage full of equipment? Are the city's mowers, weed whackers, salt spreaders, shovels and trucks locked up at night? Sure, they are, because taxpayers would have a fit if they thought these tools in which they invested weren't secured. But somehow the thousands of dollars of books, computers and furniture in the library aren't considered to require the same protection...? Ridiculous. And what would the city's insurer say about this arrangement? If the insurance company knew that people were routinely given a key to a particular city agency, they'd surely clarify that their policy assumes common sense security precautions are being taken, including adequately staffing city buildings when they're open and locking them once staff leave.

■ An Iowa librarian recently reported to the State Library that her board quickly and unceremoniously ended their after-hours access because staff discovered that people attending these evening meetings were letting in anyone who knocked on the door—you know, because it was too uncomfortable to sit there while someone's face was pressed up against the window. So unauthorized visitors were using the library—returning and taking books and other materials and wandering around the building—while the meeting attendees went about their business!

The third reason you cannot allow this practice to continue is that as a governmental agency, the library absolutely cannot discriminate in its services to taxpayers. This means that you must allow any group that wants to use the library after hours to do so; you cannot tell your constituents that only certain groups get this privilege. Government must serve all its citizens equally and equitably. Are you truly comfortable with any group being in the library unsupervised after hours?

Only library staff members can be held legally liable for violating Iowa's confidentiality statute, which means that a trustee could be (not necessarily would be) less dedicated to upholding the law, since he or she is not technically responsible for enforcing it. Since library directors are in the legal hot seat with regard to confidentiality, the prudent director wouldn't take any chances and would insist that at least one staff member is present whenever members of the public are in the library proper, even if a trustee is among them. A trustee is a step up from a member of the general public keeping an eye on things, but a step down from a regular library staff member, so such a substitution should be made only when absolutely necessary in order to reduce the city's legal liability and to minimize the risk of adverse litigation.

The financial logistics of private citizens or nonprofit organizations paying a library staff member to sit in the library during after-hours meetings is uncertain. Where would the money end up? Would it go into the "donations" line of the budget? Would it be a fee to rent the meeting room? How would you make sure the money went to the staffing line of the budget and that appropriate payroll taxes were deducted and paid? The staff member assigned to work would technically be on duty and would likely perform work-related tasks during the after-hours event, so those hours would have to be added to his or her work schedule and would count towards overtime (according to the U.S. Department of Labor and the federal Fair

Labor Standards Act, such hours could not be counted separately from the hours the employee worked while the library was open that week). You would have to be very careful that normal part-time jobs didn't accidentally turn into full-time jobs or that full-time jobs didn't turn into mandatory-overtime situations.

If you had lots of requests for after-hours meetings, you couldn't really be selective; you'd have to either let all of them reserve the library or none of them, since government services can't be offered on a discriminatory basis. This could easily result in burning out your staff (or yourself) or effectively being open twice as many hours as your budget allows. Also, as long as someone is in the library, there are still lights and heating or air-conditioning running, water being used, toilets flushing, computers whirring away, etc., all of which costs money. And what about citizens seeing the lights on in the library and begging to get in because of that forgotten assignment suddenly due tomorrow, or because fines will start to accrue on a book unless it's turned in tonight, or because somebody really really needs to check out a DVD for the evening...? What kind of bad public relations will be created when the staff member on duty is forced to ignore them? You may as well just be open.

Many small cities have considered overwhelming needs for evening and weekend meeting spaces to be reason enough to build a community center. Alternatively, some cities build meeting rooms with separate entrances attached to their public libraries and ensure that the rooms can be securely separated from locked libraries during after-hours meetings. In this scenario, events could be held in attached meeting rooms without library staff present, since attendees couldn't get into the library proper, which renders the issues of confidentiality, security and discrimination moot.

Topic

Human Resources and Labor

Subjects

Hours of operation, Library buildings, Library staff, access

Tags

key, unlock