

Board Meeting Minutes – 12/11/2023 - DRAFT

The meeting started with an invocation and then the Pledge of Allegiance (Item 3).

Item 1- Call to Order: The meeting is called to order at 10:09 AM.

Item 2- Members Roll Call: Present are Board of Trustee member Matt Morris, Board of Trustee member Dee Mounts, Board of Trustee member Dave Ochenreider, Vice Chairman Brian Shoemake, and Chairman John Shewalter. Also present are Library Director Vanja Anderson, Assistant Director Shanna Gibbons, Head of Youth Services Alysha Wogee, Head of Reference Services Andrew Karneges and Michelle Nelson from the District Attorney's office. In addition, members of the public are present.

Item 3- The Pledge of Allegiance was recited prior to the call to order.

Item 4- Trustee/Director/Liaison Comments:

Dee Mounts provides an update to the Reading with Rover program saying that she and Library Director Vanja Anderson met with the obedience club. Everyone is excited and the program is moving forward.

Brian Shoemake says that John Shewalter has been doing a fantastic job as Chairman of the board for the past few years. And for his commitment to make the library a safe and comfortable work environment for everyone who works here.

John Shewalter says he appreciates Brian Shoemake's comments.

Item 5- Approval of the Agenda: Item 7 (Emergency Items) is stricken from the agenda. The agenda is approved.

Item 6- General Public Comment:

Helen Schneider- She says that she has taught her fellow government officials open meeting law. When you work in government things should be done right, not the way you may want to do them. She said her law professor used to teach that, if you obey the law, fine, if you do not obey the law, accept the consequences. Next, she says she wants to talk about the constitution. She says the person who lectured us on the constitution last time forgot a few things. She says that one of the things he forgot to mention was that there were five members who left without signing it even though they had written it. And there were others, who, when they went back to their state, said let's not ratify it. Why would they not want to ratify something they signed? Because something was left out. One of the first things they wanted in the Constitution was freedom of speech, press, assembly, and religion. She says when she teaches history, she teaches her own family history as part of it. She says she knows her history.

Carolene Logue- Thanks the staff of the library for their hard work. Without their skills and abilities we wouldn't have the library that we presently have. She mentions the shooting that happened at UNLV and says that she was at a meeting with some of the youth who were present during that attack. She says we need to change so events like this don't happen and children aren't traumatized by experiencing events like this. We are responsible for making sure that our youth have a better life and we need to work together to make sure those changes happen.

Kelly Green- Asks the board what their exact guidelines are for relocating books into the adult section. John Shewalter asks her to hold her comments about this because this issue is on today's agenda and she needs to wait until the agenda item comes up to deliver her comments. She says she has other

remarks and she mentions that a library in Ohio changed their selection policies which took 600 man hours to evaluate each book, additional personnel had to be hired, and \$300,000 was spent. Ms. Green goes on to start talking about a library in Utah before she is interrupted by Michelle Nelson who says Ms. Green is talking about an item on the agenda and she needs to hold her comments until this agenda item comes up.

Item 14- For Possible Action: Discussion and deliberation to (1) approve, amend and approve or reject retaining Cardinal Law Office, LTD to investigate allegations concerning a hostile work environment; and (2) execute the agreement.

Rebecca Bruch from Cardinal Law Office connects to the meeting via Zoom.

John Shewalter announces that he will be recusing himself from this item and that vice chairman Brian Shoemake will take over. Shewalter then leaves the room.

Dave Ochenreider makes a motion to approve retaining Cardinal Law Office, Ltd to investigate allegations concerning a hostile work environment and execute the agreement. Matt Morris seconds the motion.

Public comments:

Carolene Logue- She says anyone who is confronted with discriminatory or negative attitudes among staff or someone who is above them in rank should not be allowed. There needs to be unity in a workplace. This library has a staff of dedicated, trained people. Those that supervise the staff should not restrict them in how they should act. A hostile work environment should not be allowed. It should be recognized and dealt with.

Kelly Green- She says that the way that some members of the board speak to the staff raises her anxiety. Michelle Nelson interrupts, saying that this item is about hiring an investigator for the library and Ms. Green's comments are off topic.

Board comments:

Matt Morris says that if there's a complaint, it should be dealt with internally and not taken to a lawyer. He says he is not familiar with the hostility in this situation but says we probably will have to hire a lawyer to do an investigation and deal with whatever problem there may be.

Dee Mounts says we need to go through the ropes of what we've been told and hire the lawyer.

Dave Ochenreider has no comment.

Brian Shoemake says he believes there are constitutional issues with this whole situation and that his vote will reflect that.

The board votes and all are in favor except Brian Shoemake. The motion passes 3-1.

After seeing that the motion passed, Rebecca Bruch asks that the contract be signed and returned to her. She then closes her Zoom link to exit the meeting.

John Shewalter returns to the room.

Item 13- For Possible Action: Discussion and deliberation to adopt, amend and adopt, or reject amendments to the Statement of Concern About Library Resources form by omitting the request for reconsideration.

Brian Shoemake asks for clarification on this item. John Shewalter refers to page 32 of the backup which shows the original Statement of Concern About Library Resources form and says that the phrase "if you wish to request reconsideration of a resource" being stricken from the form is what this item is about. Page 31 of the backup shows the new version of the Statement of Concern About Library Resources with the phrase removed.

Brian Shoemake asks what the rationale is for removing that statement. Michelle Nelson explains that the rationale is that if someone has concerns about library materials, this form would be completed and submitted to the library director to follow the policies and procedures of the library as opposed to simply if there is a request for reconsideration. This is the initial first step to make a complaint about library materials.

Brian Shoemake then asks what is wrong with the sentence in question. Why does it need to be stricken? Michelle Nelson explains that the sentence should be stricken because it is a request for reconsideration as opposed to this form being the initiation of the process. There was no form for an initial complaint. This form was only for reconsideration. This way the patron would be able to fill out the form for the initial complaint.

John Shewalter makes a motion to adopt amendments to the Statement of Concern About Library Resources form by omitting the request for reconsideration. Brian Shoemake seconds the motion.

Public comments:

Kelly Green- She says in the library world these kinds of forms are called requests for reconsideration forms. She says she thinks it's a polite part of the sentence that is being stricken.

John Shewalter says to Ms. Green that "we (the current board members) did not create this form. This form existed." Shewalter goes on to explain that the form is just being amended to be more efficient in its application.

Ms. Green responds that it seemed efficient the way it was and doesn't understand the need for striking those words. The words are respectful to the person making the complaint.

Carolene Logue- She says if reconsideration is taken away that limits the input for any particular decision. If there's no option for reconsideration that's taking away the public's right to have their voice heard for a particular book not being included in the library's collection. The library should oppose any attempts by individuals or groups to censor items in its selection. Selections should not be made on the basis of any anticipated approval or disapproval but should be made solely on the value of the works and building a collection to serve the community's interest.

Board comments:

Dave Ochenreider asks who makes the selection of the books that are in the library.

John Shewalter responds that the director and staff make the selections.

Vanja corrects him saying that she doesn't select books. The department heads are the ones who select the books.

Dave Ochenreider asks who decides what section of the library the books go in. Vanja says the books go through the cataloging process which determines where the books will go. Dave Ochenreider asks if this happens under the direction of Vanja and Vanja responds that yes it does. Dave Ochenreider says that it seems that the form was written for books that are already on the shelves, therefore to relocate it is the proper word.

Brian Shoemake says that the statement of concern about library resources should be a stand alone topic. If you have concerns about library resources, this would be the form that you fill out. If you request reconsideration of a particular resource that should be a separate document. Brian Shoemake asks that if there are library resources on the shelf, that a person has concerns about, is there a document that a person can fill out requesting reconsideration of the resources. Michelle Nelson says that this document is for the initial complaint. If the person is not happy with the outcome, there is a process to request further reconsideration.

Brian Shoemake asks Kelly Green if she would like to comment. Ms. Green says in the library world the request for reconsideration form is the first step and if the patron doesn't like the outcome there are additional steps up the chain of command.

John Shewalter reopens public comment but no one else wishes to speak.

The board votes and the measure passes 5-0.

Item 12- For Possible Action: Discussion and deliberation to adopt, amend and adopt, or reject amendments to the Pahrump Community Library's Library Policies, including amendments to the Materials Selection/Collection Development Policy by (1) removing the reference to The Library Bill of Rights in Section A; and (2) amending the policy for reviewing challenged materials by the library director and the Pahrump Community Library Board of Trustees in Section I.

Kelly Green asks if during public comment speakers will be allowed to speak on both points in this item. Michelle Nelson says yes, you can speak on both points as long as it is within the three minute time limit.

John Shewalter makes a motion to adopt amendments to the Pahrump Community Library's Library Policies, including amendments to the Materials Selection/Collection Development Policy by (1) removing the reference to The Library Bill of Rights in Section A; and (2) amending the policy for reviewing challenged materials by the library director and the Pahrump Community Library Board of Trustees in Section I.

Dave Ochenreider seconds the motion.

John Shewalter calls a 10 minute recess so the board members can review the information relating to this item in the backup (pages 26-30 in the backup is the redline, which is the original Materials Selection/Collection Development Policy document with the proposed changes, pages 21-25 is how the document would appear if the changes are approved). Time is 11:00 AM.

The meeting reconvenes at 11:12 AM. John Shewalter asks the board if they have any questions regarding the proposed changes to the document.

Brain Shoemake asks who wrote the red line version of the document. Michelle Nelson responds that she wrote it. Brian Shoemake then asks if there's any consideration of age appropriateness in the document. Michelle Nelson responds that with respect to paragraph I, whether something is age appropriate would be governed by the other policies of the library regarding selection of materials.

Public comments:

Carolene Logue- She states that a Bill of Rights is a historic bridge between the past of a deeply divided society, characterized by strife and injustice and a future founded on the recognition of human rights, democracy, and peaceful coexistence. Preserving the Library Bill of Rights is crucial to maintaining the integrity of libraries as inclusive and intellectually free spaces. Regarding removing the Library Bill of Rights from the library policy, it's a threat to intellectual freedom, curtailing of diversity, infringement of First Amendment rights, diminished role of libraries, loss of public trust, strain on library professionals, undermining democracy, and legal and ethical implications.

Kelly Green- She asks the board whether they're just striking the term Bill of Rights or the principles within that document because they are based on the First Amendment and removing it would remove the protections that it gives both library patrons and library staff. If the board wants to remove the entire document of the Library Bill of Rights from the policy, she wants them to explain how that is not an act of a government entity imposing a curtailment of Freedom of Information on everyone else. Ms. Green goes on to state that the Library Bill of Rights clearly protects parental rights by upholding the rights of parents to choose the appropriate reading materials for their kids. If the board removes this document, which puts the responsibility of their children's choice of reading material on their parents, then that responsibility will be shifted to the library. That will create a liability issue and potential costs in the event of a lawsuit by a parent who didn't like the consequences of someone else being responsible for their child if their child gets materials they don't like. She says that libraries in some of the most conservative congressional districts in the country cite the Library Bill of Rights and she goes on to provide several examples until she runs out of time.

Helen Schneider- She doesn't like the idea of removing the Library Bill of Rights. It's not the responsibility of the library staff to determine what children should read, it's the parents' responsibility and it's time to put it back on the parents.

Bruce Hoffrichter- He states that the library board just passed Item 13 on the agenda and on the form relating to item 13 it states that "the ultimate responsibility for the selection rests with the Library Director." Item 12 says "amending the policy for reviewing Challenged Materials by the library director and the Pahrump Community Library Board of Trustees." He says he doesn't understand what the board's trying to do here.

Ginnie Okawa- Picking up where Kelly Green left off, Ms. Okawa provides several examples of libraries in some of the most conservative congressional districts that cite the principles of the Library Bill of Rights.

John Clausen- He states that he works for the Pahrump Valley Times. He asks the library board if section J of the Materials Selection/Collection Development Policy is in addition. He mentions item 3 in section J which states that "materials may be excluded if the format is unsuitable for library circulation: poor binding, loose- leaf, broadside, etc." He asks for clarification on what is unsuitable for library circulation. He then mentions item four in section J which reads "materials reviewed negatively in standard review publications may be excluded." He asks what the standard review publications are.

Michelle Nelson says that section J is not on the agenda and she recommends to the board that they stick to the agenda item.

Board comments:

Brian Shoemake asks why the Library Bill of Rights is being stricken from the Materials Selection/Collection Development Policy.

John Shewalter says the board is trying to address the complaints about books in the children's section. These items on the agenda are an attempt to address those issues.

The board votes and the measure fails 2-3. (Dave Ochenreider and John Shewalter voted in favor of the measure while Matt Morris, Dee Mounts and Brian Shoemake voted against the measure).

Item 11- Presentation of Librarian's Report:

Vanja reads her report that can be found in the backup. John Shewalter asks for clarification about the issue with T-Mobile mentioned in the Librarian's Report. Vanja responds that we used to be with Sprint but they got absorbed by T-Mobile and when that happened it messed up our account but it has been dealt with. Vanja states that the account was under Amy Bruno's name (an employee who no longer works at Pahrump Community Library) and no one was able to answer Amy's security question on the account. Vanja ended up having to set up a government account with T-Mobile and she put it under her name. Brian Shoemake asks if it's possible to put the account under the library's name as opposed to Vanja's name so a situation like this doesn't happen again in the future. Vanja says that both she and Shanna have the information to access the account. Brian Shoemake reiterates that he thinks it would be best if the account could be under the library's name and not a specific individual. Shoemake next asks if the library has gotten a teleconference system installed. Vanja responds yes, we have paid for a Zoom subscription. John Shewalter asks if there is a time frame on hiring a security person. Vanja says she can't provide a time frame. We are still receiving applications.

Alysha Wogee reports the statistics for November 2023 which can be found in the backup. John Shewalter asks if we are no longer tracking Mango Language users since we don't use Mango anymore. Alysha says that is a question that could be answered by Shanna Gibbons (Shanna left the meeting early and was not present during this part of the meeting). John Shewalter says that when Shanna explained that we were switching programs, he (John Shewalter) asked whether we would be able to track the number of users who use the new program and Shanna's response was that she didn't know. Shewalter asks if we're no longer using Mango Languages then why are we tracking it and putting 0. Alysha's response is that we will continue to track Mango until we are ready to switch over (she emphasizes that this is her best guess). Shewalter asks if we have switched over and Vanja says that we have switched over and we are no longer using Mango. John Shewalter asks about Special & Chess/NF/Comp and the 210 figure for the month of August being so different from the other numbers in this category. Andrew Karneges explains that that number is incorrect.

Dee Mounts asks about the eAudio and eBook numbers and asks if it's always that low or if it is because of the time of year. Alysha says her best guess is that it is probably because of the time of year.

Brian Shoemake asks what a Swap is. Vanja explains that we have a "swap" shelf where patrons can take books which are free for the taking, they just need to let the circulation desk know how many books they

are taking. Those numbers are added up at the end of the month and that's what the "Swaps" figure represents.

Item 9- Presentation of the Treasurer's Report: Library Director Vanja Anderson presents the treasurer's report on expenditures for November 2023, as found in the backup.

John Shewalter asks Vanja if she can add the year to date cumulative amount to the Salaries and Benefits category. Vanja confirms that she will do that.

John Shewalter praises Vanja for making sure that the numbers on the cumulative account and the monthly expense report match.

Brian Shoemake asks about the Communications category on page 10, asking why the figures for each month are "all over the board."

Vanja responds that the month closes right as she's putting in the bills. So some of the bills that she puts in won't show up until the next month. Brian Shoemake asks if it would be better if we could track it on a month to month basis, to have the total for each month individually as well as the cumulative for all months combined. Shoemake says it would help if they could do a comparison of the costs, month to month. Vanja says she will put something together.

Item 8- Approval of the Minutes:

John Shewalter makes a motion to approve the meeting minutes for November 13, 2023. Matt Morris seconds the motion.

There are no public comments.

Board comments:

Dave Ochenreider says the minutes are well done.

Brian Shoemake also praises the quality of the minutes.

John Shewalter tells Andrew Karneges, good job on writing the minutes.

Minutes are approved 5-0.

Item 10- Approval of the Vouchers

Brian Shoemake makes a motion to approve the vouchers for November 2023 through December 2023 and Matt Morris seconds the motion.

John Shewalter asks about petty cash. Vanja says there is nothing unusual.

Vouchers are approved 5-0.

Item 15- Trustee/Director/Liaison Comments:

Michelle Nelson thanks the staff and the board for always welcoming her at these meetings and wishes everyone happy holidays.

Matt Morris thanks everyone for coming and appreciates all of the public comments.

Dee Mounts thanks everyone for coming and says, (referring to the public) "your opinions matter."

Brian Shoemake says that he proposes for the January agenda that we remove the limitation to "announcements or topics/issues proposed for future workshops, committees and agendas" for the trustee/director/liason comments item during board meetings. John Shewalter asks Brian Shoemake if this is to give the board the ability to make general comments. Brian Shoemake confirms that yes, this is to give the board the ability to make comments without limitations. John Shewalter says he will run it by legal, to see if they can make something like that happen.

John Shewalter thanks everyone for coming and wishes everyone Merry Christmas and happy new year.

Item 15- Adjournment at 12:09 PM.

January 8, 2024

Authorization to Pre-Pay Pahrump Community Library Bills Under Specific Circumstances

To Whom It May Concern:

The Pahrump Community Library Board of Trustees ("Library Board") authorizes Nye County Finance to pay Pahrump Community Library District bills under the following circumstances:

A. All utility bills, ongoing contracts, and any bills that would incur a late fee if not paid before the next scheduled Library Board meeting.

B. All bills in the event that the Library Board is unable to conduct regular business due to a lack of quorum, or other circumstances. A notice explaining why there was no regular meeting of the Library Board, will be included with the bills submitted to Nye County Finance for payment.

Bills authorized for Pre-Pay will be formally approved during the next scheduled meeting of the Library Board.

Respectfully,

John Shewalter _____

Date _____

Brian K. Shoemake _____

Date _____

D.E. Ochenreider _____

Date _____

Mathew Morris _____

Date _____

Dee Mounts _____

Date _____