MINUTES FOR THE REGULAR MEETING OF THE BOARD OF LIBRARY TRUSTEES OF THE VILLAGE OF CAROL STREAM

Carol Stream Public Library 616 Hiawatha Drive Carol Stream, IL 60188

DATE: July 20, 2011 TIME: 7:30 p.m. PLACE: Library Meeting Rooms

I. CALL TO ORDER

President Douglas called the Regular Meeting of the Board of Library Trustees to order at 7:30 p.m.

PLEDGE TO THE FLAG

President Douglas led those in attendance in the Pledge of Allegiance to the Flag.

II. ROLL CALL

Secretary Hudspeath called the roll.

Present: Trustees DeRango, Jeffrey, Wade, Arends, Bailey, Hudspeath, and Douglas

Absent:

Also Present: Library Director Ann Kennedy, Assistant Director Pam Leffler

III. PUBLIC PARTICIPATION

There were approximately 45 people in attendance to address the Board. Over twice as many people spoke in favor of selling the Kuhn Road property than those who spoke for the board to hold onto the property. The reasons given for selling the property were: The cost of buying and maintaining the property is to high; Since not once but 3 times referendums were voted down to build a new library. The Board of Trustees should not disrespect the wishes of the voters who placed their trust in the board to follow their wishes. Also, by selling the property in these economic times, some of the tax burden could be taken off the taxpayers of Carol Stream; The board was told to get out of the Real-estate business and sell the Kuhn Road property. It is ridiculous that the board persists in wanting to expand the library for the benefit of a few and costing everyone; It was stated if the Library did not tie up their money in Kuhn Road land, they could use that money for future raises for employees; The library should stop burdening the taxpayer with property the taxpayers told the Library they can't use. In the last 3 years in an economy where the Library has raised taxes 4%, the taxpayers suffer with the value of their homes declining by 35%; In this bad economy where people have been forced to sell their homes at a loss, it seems the Library should make an effort to

cut their losses and sell the Kuhn Road property; Since the Library Board spent over \$1 million dollars on remodeling the Library, \$800,000 on Kuhn Road property, further expense to clean up asbestos contamination, and future expense to clean up ground contamination, the Kuhn Road property should be sold. People pointed to surveys taken from the public, which pointed to the public wanting a new library. This speaker stated (when she was a reporter for a local newspaper) that she was told by Trustee Douglas that the attendance at the surveys varied between a maximum of 2 to 10 people. This is not a good representation of the community and the Kuhn Road land should be sold because transferring the annual costs of maintenance and repair from the Library to the Park District will still costs taxpayers tax money to keep it up; One individual noted that libraries will be going out of business soon as indicated by the bankruptcy filing of Borders book store and therefore we will never need another library. This speaker also said he would like to see Carol Stream become more like rural Indiana where he had once lived and where property taxes were only between \$900 and \$1000 per year.

Those who spoke in favor of holding onto the Kuhn Road property gave the reasons of: The real-estate market is currently bad and the property could be worth considerably more in the future; Surveys of the Carol Stream public showed support for a new library. Since the board had the authority to purchase the land, the board should hold onto Kuhn Road property if that is their decision. There were approximately 6 people with neutral comments stating their points of view were already expressed and some asked for more transparency as to the costs involved in both selling or keeping the land.

ADOPTION OF CONSENT AGENDA

Trustee Wade moved and Trustee Bailey seconded to establish a consent agenda for the Regular Meeting of July 20, 2011. Motion carried.

Ayes	7 Trustees DeRango, Jeffrey, Wade, Arends, Bailey, Hudspeath, and Douglas
Nays	0 None
Absent or	
Not Voting	0 None

Trustee Hudspeath moved and Trustee DeRango seconded to put the following items on the Consent Agenda for the Meeting. Motion carried.

Ayes	7 Trustees DeRango, Jeffrey, Wade, Arends, Bailey, Hudspeath, and Douglas
Nays	0 None
Absent or	
Not Voting	0 None

- A. Approve Disbursements of the Regular Meeting of July 20, 2011 in the amount of \$100,594.79
- B. Receive Monthly Report of the Library Director
- C. Receive Monthly Staff Reports

- D. Receive Report of RAILS (Library System)
- E. Receive Report of the Friends of the Carol Stream Public Library
- F. Receive Communications

Trustee Hudspeath moved and Trustee Bailey seconded to approve the Consent Agenda for this Meeting by omnibus vote. Motion carried.

The following is a detailed description of various items placed on the Consent Agenda:

Report of the Library Director

In addition to the three employees celebrating significant anniversaries this month, the following staff members are also celebrating employment anniversaries: Cathy Medearis -3 years, Kathie Menzer -3 years, and Kate Kennedy -1 year.

Report of RAILS

The merger of the five systems was made a reality on July 1, 2011 with the first meeting of the RAILS Board. The new officers are:

- John Chrastka (Trustee, Berwyn Public Library), President
- Alan N. Davidson (Trustee, Princeton Public Library), Vice-President
- Victoria A. Haines (Trustee, St. Charles Public Library), Treasurer
- William N. Coffee (Trustee, LaGrange Public Library), Secretary

Michael Piper has been appointed Interim Director while a full director search is conducted.

Report of the Friends of the Carol Stream Public Library

The Friends of the Library are planning a major membership drive for the month of September. This drive will conclude with a special program on October 1.

Communications

- A. Thank you from Pat Roche for Anniversary Recognition
- B. Thank you from Ron Anderson for Anniversary Recognition
- C. Thank you from Kayla Cardinal for use of Meeting Room
- D. Praise from patron Sabiha
- E. Praise from patron Lauren Brenner

Regular Meeting

IV. APPROVAL OF MINUTES

A. Minutes of Regular Meeting of June 15, 2011

Trustee Hudspeath Moved and Trustee Wade seconded that the Minute of the Regular Meeting of June 15, 2011 be approved. Motion carried.

Discussion:

Trustee Arends asked that an additional sentence be added to the discussion held under Unfinished Business.

V. MONTHLY REPORT OF THE TREASURER

A. Accept the Monthly Financial Statements of the Treasurer for the Period Ending June 30, 2011

Trustee Bailey moved and Trustee Hudspeath seconded that the Board accept the monthly Financial Statements of the Treasurer for the period ending June 30, 2011. Motion carried.

Not Voting 0 None

Discussion:

Trustee Wade enquired about the cash balances of the checking account being \$2,247,323, library account was \$1,699, payroll account was \$11,449, Illinois Money Market was \$552,371, Illinois prime fund was \$2,029,686, Illinois e-pay investment was \$67,095, and CD investment of \$249,637 for a total in cash of \$5,159,456. Director Kennedy explained that the Illinois Funds accounts were held at the US Bank in Springfield and run by the Treasurer of the State of Illinois. The Illinois Funds contain the Library's reserve funds, and they are the equivalent of a savings account. Trustee Wade stated that the Library had \$5,159,456 cash in the bank at the end of June and that, according to the April minutes, the Library's average monthly expense is \$262,000. Trustee Wade then stated that based on these figures the Library has the equivalent of 19.7 months of reserves in cash. Director Kennedy clarified that in the month of June the Library received 50% of its yearly income, and that as the year progresses that money is spent down. Trustee Arends stated that one cannot equate reserves with cash without looking at tax receipts. He cautioned that drawing conclusions based on the numbers presented by Trustee Wade was not reflective of accounting standards. Trustee Arends asked that the auditors be asked for clarification on the reserves when the audit is presented. Director Kennedy clarified that of the \$5,159,456, investments were \$3 million, and the remainder is operating funds.

VI. COMMITTEE REPORTS

A. Finance Committee

There was no report of the Finance Committee

B. Human Resources Committee

1. Recommendation, Re: Employee Anniversary Recognition

Trustee Hudspeath moved and Trustee Wade seconded that books be dedicated in the collection to Ellen Marchessault in recognition of her 30th employment anniversary, to Pat Roche in recognition of her 20th employment anniversary, and to Ron Anderson in recognition of his 5th employment anniversary and in gratitude for their years of service to the Library and the community. Motion Carried.

President Douglas thanked Ellen Marchessault for her 30 years of service to the Library and presented her with a crystal vase. President Douglas noted that the three employees celebrating significant anniversaries, represented 55 years of service to the Library and to the residents of Carol Stream.

C. Facilities Committee

1. Report, Re: Follow up on the Facilities Committee discussion of the Kammes House

Director Kennedy summarized her report for the Board. Krueger Appraisal Services appraised the Kammes house at \$35,000. This brings the value of the property with the house on it up to \$615,000. Midwest Environmental Consulting Services does not provide estimates for asbestos removal. For \$1,800 they will draw up a plan for the scope of work and containment, put the project to bid, and review the bids. Director Kennedy is attempting to locate companies that can give an estimate for asbestos removal.

During a meeting with the Library's insurance agent the Kammes house was discussed. The agent said that because of the low value of the house his company would not insure the structure, though we do still have liability. If the house is not demolished, the insurance agent recommends putting a fence around it to reduce our liability exposure.

Trustee Wade asked if Camosy could conduct the asbestos removal. President Douglas stated that there are several companies which do asbestos removal and an estimate will be sought directly from one of those companies.

Trustee Hudspeath asked for clarification if asbestos remediation were necessary before destruction. Director Kennedy relayed information from the insurance agent that in his experience asbestos removal is expensive and time consuming, but it can be done as part of demolition. President Douglas stated that even with demolition the asbestos would have to be contained and removed as a part of demolition.

Trustee Arends asked if in the opinion of Krueger Appraisal Services the house contributes \$35,000 to the value of the property. Director Kennedy clarified that the house was appraised to be worth \$35,000 which contributes \$35,000 to the value of the property. Director Kennedy also stated the house would have a negative impact on the value of the property, if a buyer wanted a discount on the price to cover the cost of demolition of the house.

VII. UNFINISHED BUSINESS

A. Recommendation, Re: Acceptance of Guaranteed Maximum Price for Roof project as presented by Camosy Construction

Trustee Bailey moved and Trustee Hudspeath seconded that the Library Board of Trustees accept the Guaranteed Maximum Price of \$228,332 for the Roof project as presented by Camosy Construction. Motion carried.

Discussion:

Trustee Wade asked for clarification on how the \$190,032 price for the Asphalt Built Up Roofing was determined. Director Kennedy explained that it included the \$171,782 base bid plus the \$18,250 for Roof area 2 which was bid separately since it contains the air conditioning units. This quote includes the 20 year warranty. Trustee Wade enquired about the performance bonds. Director Kennedy responded that Camosy gets the bond and it is part of the base bid. Trustee Wade also enquired about wording for the Prevailing Wage Act compliance. Director Kennedy explained that the Prevailing Wage information was in the contract with Camosy. The Library hires Camosy and Camosy hires the roofers.

VIII. NEW BUSINESS

A. Recommendation, Re: Approval of revised Board Policy 6.A. Purchasing and Contracting

Trustee Jeffrey moved and Trustee Wade seconded that the revised Board Policy 6.A. Purchasing and Contracting be approved lowering the spending limit for the Library Director from \$10,000 to \$5,000. Motion did not carry.

Discussion:

Trustee Jeffrey stated that the federal, state and county governments are all implementing more spending oversight and that the Library should do so also. Trustee Jeffrey stated that

expenditures of \$10,000 should be discussed by the Board before a check is written without approval. Trustee Jeffrey stated that the Board was elected for oversight and the citizens would approve of this. Trustee Jeffrey also stated that any expenditure over \$5,000 could be taken care of without a problem throughout the month, but that possibly the director would have to manage her time differently in order to come to the Board more frequently.. President Douglas stated that the previous policy was \$7,500 and asked Trustee Jeffrey if he was aware of any problems under that policy. Trustee Jeffrey stated he was not. President Douglas stated that the new policy had gone into effect in April and asked if Trustee Jeffrey was aware of any problems since then. Trustee Jeffrey said that he felt it was a bad policy for the Board to raise the limit instead of lowering it.

Trustee Arends asked Trustee Wade what his reasons were for voting to lower the limit after voting to approve the new policy with higher limits in April. Trustee Wade stated that he agreed with Trustee Jeffrey that the Board has an obligation to provide oversight and that stricter oversight gives a second pair of eyes to dollars being spent.

Trustee Arends stated that there are at least five invoices every month that are over \$5,000. The Library Board reviews the payments and the policies under which they are made. Trustee Arends stated that to hold those invoices for Board review may expose the Library to penalties for late payments. Trustee Arends stated that the Library Bylaws entrust the Director with the financial responsibility of the Library, and that he has seen no problems with this. He reiterated what President Douglas said that there is no practical rational to cut the limit in half. Trustee Arends further stated that the Board should see how the policy works, that other libraries have similar policies with similar limits, it isn't good policy to reduce the limit in half and that there is no evidence of real or potential abuse.

Trustee Jeffrey stated that the city, mayor, and chief of police don't write checks for \$10,000.

Trustee Arends stated that the Library Director will not exceed what is budgeted. He further said that individual Board members have disagreements on some budget lines but the director comes to the Board for permission to expend those funds. Trustee Arends stated that the Board will look closely at expenses between \$5,000 and \$10,000.

Trustee Wade stated that he had previously used information from other libraries on transactions compared to salaries but this information was ignored when the library wanted to hire new people. Trustee Wade stated that the Board can't sometimes use information from other libraries and sometimes not. Trustee Wade further stated that the Library's fiscal policy should be consistent and the Board should not shrug off the responsibility of oversight.

President Douglas agreed that what others do is irrelevant and asked Trustee Wade if he was aware of any problems under the old policy. President Douglas stated that in looking at only the Carol Stream Public Library policy he sees nothing to warrant a change.

Trustee Arends stated that he was not saying that the Library should change because of other libraries. Trustee Arends stated that Illinois Statutes may define limits of spending and gives the Board the authority to set limits. Trustee Arends said it is good to look at common ground with other libraries in policies and procedures, as recommended by ILA and ALA.

B. Recommendation, Re: Place the Library's Kuhn Road Property up for sale

Trustee Wade moved and Trustee Jeffrey seconded that the Library Board place the Kuhn Road property up for sale by authorizing the Director to request from the Library's attorney a draft of an Intergovernmental Agreement with the Village of Carol Stream that would place the Kuhn Road property up for sale by utilizing the Village's statutory privileges to list the Kuhn Road property with a real estate agent and to place the property up for sale at \$750,000 dollars and not to accept less than \$550,000 dollars or 80% of its MAI appraised value whichever is higher. Motion did not carry.

Discussion:

Trustee Wade read from the background section of the Board Packet prepared by the Director and given to the Trustees, "The original proposal from Trustee Wade was to enter into a contract with a nationally recognized real estate agency." Trustee Wade stated that his original June email was to authorize the Library Director to contact a nationally recognized real estate agency. In the second part, and receive their listing contract to place the Library's Kuhn Road property up for sale. Trustee Wade's email further stated that the Library Director forward the listing agreement to our attorney for review and recommendation. Trustee Wade stated that he felt it is important for the entire motion and specifically points concerning attorney review and recommendations be included in the Trustees background Preparation packet. Trustee Wade found the information the Director included in the Board's preparation packet to be somewhat misleading. What the Director distributed to the entire Board of Trustees was a July 11th letter on statutes from attorney Britt Isaly which commented on Trustee Wade's motion. Britt stated "and actually you should not use a listing agent in this case because I do not believe the law permits it." What the Director never forwarded to the entire Board of Trustees in their preparation packets was a July 13th letter from Stewart Diamond which stated Trustee Wade's motion would not be difficult to draft using an intergovernmental agreement between the library and the Village of Carol Stream who has the powers to use a listing agent. Trustee Wade stated that in the minutes of the February 16, 2011 Board meeting there was a statement about a conversation between the Library Director and Park District Executive Director Arnie Biondo, "that the Park District would be happy to consider a partnership which keeps the property as green space until the Library is ready to build a new facility." Trustee Wade stated that he realizes that putting the land up for sale doesn't mean it will be sold soon, and that it will take years to find a buyer, which is why he wanted to start now to find a buyer.

Trustee Wade read the May 15, 2011 editorial in the Carol Stream Press. A copy of the editorial is attached to these minutes. Trustee Wade also recapped the results of what the voters said in the 2004, 2005 and 2007 referenda that showed in 2004 52% of the voters said no to a new Library and 62% voted no to funding a new Library. In 2005, 60% of the voters said no to a new Library. In 2007, 70% of the voters said no to a new Library. Trustee Wade said that he is getting a clear message from constituents that they do not want a new library. Trustee Wade said that he doesn't want to see tax dollars tied up in the land, when that the money could be used to provide better services in the present library or lower taxes to the taxpayers of Carol Stream.

President Douglas read aloud a letter written to the Library Board by the President of the Park District Board, Brenda Gramman, which is attached as a part of these minutes.

Trustee Wade questioned the letter in that it appears to be contrary to what the Library Board passed as minutes in February. Trustee Arends stated that the statement from Arnie Biondo was included in the February minutes at the request of Trustee Wade. President Douglas stated that the Executive Director of the Park District does not speak for the Park District Board. Trustee Arends stated that the sale of the land has always been discussed as an option, as has the option to hold the land for a future building. Trustee Arends stated that now is not the time to sell the land. Trustee Arends further stated that this Library Board has never adopted a resolution or strategy to build a new building. Trustee Wade stated that the Board has always been in favor of building a new library at some point in the future on the land. Trustee Arends said that the current Board has never said that they would move forward with a referendum, only that sometime in the future it may be an option, and that the word "caution" has been used in discussing whether or not to sell the land. Trustee Arends stated that it is important to monitor what the price would be. He also reiterated that by entering into an agreement with the Park District the Library could eliminate paying taxes on the land by keeping it in public use. Trustee Arends further stated that he is open to a discussion of the options but the Board has to proceed cautiously.

Trustee Jeffrey stated that the property could depreciate more and become a liability instead of an asset. Trustee Jeffrey also stated that the Library has already spent money on consulting fees and now needs to spend money on asbestos removal or building demolition.

Trustee Arends stated that the Library's financial position is strong and the tax levy is constant. Trustee Arends stated that other taxing bodies have to sell assets because they are in a difficult financial position. Trustee Jeffrey stated that the land could put the library in a bad financial position, that the Library could lose money by sitting on it, that so far there has been a loss of 30% of the value. Trustee Arends stated that the land was bought before the referenda with recognition of the need for a new library building. Trustee Arends further stated that no one foresaw the reduction in the property values, and with other pieces of vacant land presently on the market the Library may be in a diluted market to sell the property.

President Douglas stated that people are not selling land at a loss unless they have to. President Douglas asked Trustee Wade if he was proposing that the Library request a purchase price 35% less than what was paid for the land and then accept an offer at 20% less than that. President Douglas stated that this would be throwing away tax payer money. Trustee Wade corrected Trustee Douglas that the motion does not state a sale price for a loss of 35% and then 20% below that 35% loss. Trustee Wade stated that he was requesting that the property be listed at \$750,000 to break even or to consider selling the property at \$550,000 or 80% of appraised value whichever is higher. Trustee Arends asked if Trustee Wade was proposing that the Library investigate sale options or actually going forward with a real estate contract with an agent. Trustee Wade stated that the Library has overtaxed the taxpayers every year. Trustee Arends asked Trustee Wade if the Library would be running a deficit in the future if changes weren't made. Trustee Arends stated that the Library needs to project out scenarios on the value of the land. Trustee Arends again stated that the Board should move with caution in considering the sale of the land and that he would like to see the land kept as public use.

Trustee DeRango said that the Library will have to remove house and barn because of their possible danger and these represent potential costs to the Library. Trustee Arends stated that any potential buyer would have to incur the cost also.

Trustee Bailey stated he felt it would be foolish to sell the property at this time, and he agrees with Trustee Arends that it makes good sense to proceed with caution.

C. Discussion, Re: Library Governance and Administration chapter of Serving Our Public 2.0

Director Kennedy explained that the discussion of Chapter 2 of Serving our Public 2.0 is a requirement of the Per Capita Grant Application for the year. Chapter 2 refers to the Core Standards in Chapter 1. The Board concurred that the Library does all of the Core Standards very well.

Director Kennedy asked the Trustees to look at Library Governance and Administration Standard number 3, "Board members participate in relevant local, state, regional, and national decision making." Director Kennedy thanked Trustees who have attended Village Board meetings in the past and encouraged contact with State and Federal legislators as well. President Douglas stated that he has dealt with Randy Ramey and John Milner and talked with them about library issues on various occasions. President Douglas asked Director Kennedy to include in the monthly agendas information about any pending legislation so the Board could issue a statement or talk with legislators. Director Kennedy said that she would also forward legislative alert emails to Trustees.

Standard number 5 concerns continuing education activity for Trustees. Director Kennedy urged Trustees to take advantage of Trustee training opportunities and to attend Trustee Day at the ILA Conference. Trustee Arends asked if Trustee attendance at ILA was in the budget.

Director Kennedy said that ILA Conference attendance is one item in the budget and is not specified for staff or Trustees.

Standard number 6 states that the Library provides trustee membership in ILA and ALA. Director Kennedy stated that this has never been budgeted. President Douglas asked Director Kennedy to look for online webinars for continuing education.

IX. EXECUTIVE SESSION

- A. Approval of minutes of the Executive Session of April 20, 2011
- B. Semi-Annual Review of the Minutes of Executive Session
- C. Setting of price for the sale of real property
- D. Discussion of a Personnel Issue

Trustee Bailey moved and Trustee Jeffrey seconded that the Board of Library Trustees adjourn to Executive Session under the Open Meetings Act, 5 ILCS 120/2(c)21 to discuss the minutes of closed sessions and 5 ILCS 120/2(c)1 "the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body" and nothing else. Motion carried.

Ayes	7 Trustees DeRango, Jeffrey, Wade, Arends, Bailey, Hudspeath, and Douglas
Nays	0 None
Absent or	
Not Voting	0 None

The matter concerning setting of price for the sale of real property was taken from the agenda as it was no longer necessary.

Accordingly the Meeting was closed to the public at approximately 9:09 p.m. pursuant to the exception to the Illinois Open Meetings Act 5 ILCS 120/2(c)21 to discuss the minutes of closed sessions and 5 ILCS 120/2(c)1 "the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body" whereupon the Board discussed the aforesaid matters and no other matters in closed session. The Board returned to regular session at 9:40 p.m.

Trustee Bailey moved and Trustee Wade seconded that the minutes of executive sessions of the Library Board of Trustees for April 20, 2011 be approved as corrected. Motion carried.

Ayes	5 Trustees Wade, Arends, Bailey, Hudspeath, and Douglas
Nays	0 None
Absent or	
Not Voting	2 Trustees DeRango and Jeffrey (abstain)

Trustee Wade moved and Trustee Arends seconded that those portions of the minutes of the executive session of the Library Board of Trustees for January 26, 2011 not dealing with

litigation against the Library be released to the public and that all other minutes which are closed to the public remain so at this time. Motion carried.

Ayes	7 Trustees DeRango, Jeffrey, Wade, Arends, Bailey, Hudspeath, and Douglas
Nays	0 None
Absent or	
Not Voting	0 None

XIII. OTHER REPORTS

A. MAGIC Consortium

Trustee Arends asked if the new contract signed by the MAGIC Consortium with the RAILS System would have a different economic impact than what was in the intergovernmental agreement. Director Kennedy stated that the agreement is very similar to the one that was in place between MAGIC and the DuPage Library System.

XV. ANNOUNCEMENTS

There were no Announcements.

XVI. ADJOURNMENT

There being no further business to come before the Board of Library Trustees, President Douglas declared the Meeting adjourned at 9:43 p.m.

Mary C. Hudspeath, Secretary Board of Library Trustees

Minutes drafted by Ann Kennedy, July 25, 2011