

**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: January 16, 2013 TIME: 7:30 p.m. PLACE: Discovery Room

I. CALL TO ORDER

President Wade called the Regular Meeting of the Board of Library Trustees to order at 7:31 p.m.

PLEDGE TO THE FLAG

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

II. ROLL CALL

Secretary Hudspeath called the roll.

Present: Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade

Absent: None

Also Present: Interim Director Marilyn Boria, Attorney Britt Isaly and visitors.

III. PUBLIC PARTICIPATION

Suzanne G. Hlotke, a resident since 1979, thanked the Board for moving the flag to the front to the room. She then stated that she valued the freedom of political speech, and urged the Board not to censor free speech.

There was no other public participation.

IV. ADOPTION OF CONSENT AGENDA

Trustee Bailey moved and Trustee Jeffrey seconded the establishment of a consent agenda for the Regular Meeting of January 16, 2012. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade

Nays 0

Absent..... 0

Trustee Bailey moved and Trustee Jeffrey seconded that the following items be included on the Consent Agenda. Motion carried.

Ayes 6 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade

Nays 0

Absent..... 0

A. Approval of the Minutes of the Special Meeting of December 15, 2012

- B. Approval of the Minutes of the Regular Board Meeting of December 19, 2012
- C. Approval of Minutes of the Facilities Committee Executive Session of October 16, 2012
- D. Approval of Minutes of the Executive Session of October 17, 2012
- E. Approval of Minutes of the Executive Session of October 22, 2012
- F. Approval of Minutes of the Executive Session of November 5, 2012
- G. Approval of Minutes of the Committee of the Whole Executive Session of November 12, 2012
- H. Approval of Minutes of the Executive Session of November 17, 2012
- I. Approval of Minutes of the Executive Session of November 19, 2012
- J. Finance Committee Report
- K. Human Resources Committee Report
- L. Facilities Committee Report
- M. Recommendation, Re: Approval of Additional Hours for Interim Director
- N. Recommendation Re: Approval of Revised Grievance and Appeal Procedure (Section XV of Personnel Code)
- O. Report of the Library Director
- P. Monthly Staff Reports
- Q. RAILS Library System Report
- R. MAGIC Consortium Report
- S. Friends of the Carol Stream Public Library Report
- T. Communications
- U. Announcements

Trustee Hudspeath moved and Trustee Jeffrey seconded that the Consent Agenda be approved by omnibus vote. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
 Nays 0
 Absent..... 0

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

Approval of Minutes

The Board of Library Trustees approves the minutes of the December 15, 2012 Special Meeting, the December 19, 2012 Regular Meeting, the Executive Session of the Facilities Committee of October 16, 2012, the Committee of the Whole Executive Session of November 12, 2012, and the Executive Sessions of October 17, October 22, November 5, November 17, and November 19, 2012 as presented. All of the Executive Session minutes should remain closed.

- Finance Committee – No Report**
- Human Resources Committee – No Report**
- Facilities Committee – No Report**

Approval of Additional Hours for Interim Director

The Board of Library Trustees approves allowing the new Director to work with the Interim Director for up to 25 hours.

Background Information:

To smooth the transition for the new director, it is proposed that the Interim Library Director be retained on staff to work with her for a maximum of 25 hours with the exact number of hours to be determined by the new director.

Approval of Revised Grievance and Appeal Procedure

The Board of Library Trustees approves revisions to the Grievance and Appeal Procedure which identifies the Grievance Committee as the Board of Library Trustees.

XV. GRIEVANCE AND APPEAL PROCEDURE

A. Definitions

1. Grievance is defined to mean a complaint arising out of an alleged violation or misinterpretation of the provisions of this Personnel Code.
2. An appeal is the procedure which arises as a result of a grievance.
3. The Grievance Committee is made up of the Board of Library Trustees.

B. Appeal Procedures

The formal chain of command shall be utilized in the review of any grievance. Grievances which have not been resolved by the immediate supervisor or the Department Head may be presented by the employee in writing to the Library Director. If the grievance is not resolved by the Library Director, the employee shall have the right to appeal to the Grievance Committee, provided that such appeal is made in writing. The Grievance Committee will hear and investigate all sides of the case and make its decision based upon all facts presented. The Grievance Committee's decision concerning any grievance shall be final.

Background Information:

This change brings the Library's Policy into agreement with the Board Bylaws which were revised recently.

Report of the Library Director

Staff members celebrating employment anniversaries this month are: Kathy Kalvig – 26 years; Barbara Boucher – 13 years; Laura Hays – 11 years; Karen Morley – 6 years; Jennifer Woods – 3 years; and Bindiya Patel – 1 year.

Other Reports

RAILS Library System – No Report

MAGIC Consortium – No Report

Friends of the Carol Stream Public Library – No Report

Communications

- A. Thank you letter from Alice Calabrese-Berry
- B. Thank you letter from Jessica Hubinek for 5-year anniversary celebration
- C. Thank you letter from Gayle Weyland for 5-year anniversary celebration

Announcements

There were no announcements.

Regular Meeting

V. MONTHLY REPORT OF THE TREASURER

Trustee Hudspeath expressed concern that the Library was two-thirds of the way through the year and the line item for attorney fees was 208% overspent. Interim Director Boria reported the budget was an estimate which the Board will consider revising next month. Trustee Hudspeath asked that this line item be discussed in more detail in February.

Trustee Hudspeath moved and Trustee Jeffrey seconded that the Board of Library Trustees accepts the Financial Statements of the Treasurer for the Period Ending December 31, 2012.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
 Nays 0
 Absent..... 0

VI. UNFINISHED BUSINESS

A. Resolution Censuring Trustee Bailey

1. Discussion of newspaper article.

President Wade asked for a discussion of a Daily Herald newspaper article entitled “5 Carol Stream Library Candidates Stay on Ballot” which was published in the online edition of the paper on January 8, 2013. Trustee Bailey immediately suggested to President Wade that this discussion be stopped because the Board meeting was an inappropriate forum and the discussion violated Trustee Bailey’s freedom of speech. Trustee Bailey noted that what he says outside of the Board meeting has no bearing on the business of the Board and is not appropriate for the Board to discuss. Attorney Britt Isaly was consulted and noted that it could be discussed if the Board agreed.

President Wade asked Secretary Hudspeath to take a roll call vote to determine if the Board wanted to continue to discuss this article. Roll Call passed.

Ayes 5 Trustees Clark, DeRango, Galle, Jeffrey, Wade
 Nays 2 Bailey, Hudspeath
 Absent..... 0

Trustee Bailey asked that Attorney Isaly represent his interests. Mr. Isaly noted that he could represent only the interests of the Board as a whole. Mr. Isaly advised the Board not to take any formal action against words that were printed in the newspaper. Trustee Clark noted that he thought this was a continuation of previous actions. President Wade warned Trustee Bailey to allow Trustee Clark to speak and ruled Trustee Bailey out-of-order for not treating Trustee Clark with respect while he had the floor, not following procedural rules, and interrupting Trustee Clark in his presentation. Trustee Bailey responded that he thought the discussion was inappropriate because the censure motion had been tabled and he had done nothing to bring it back. President Wade reminded Trustee Bailey we are not discussing the censure.

President Wade then went through the newspaper article asking Trustee Bailey whether or not he had made the comments listed. Trustee Bailey denied making the statements that the newspaper placed in quotes and told President Wade that he hopes he has a lot of money and hopes the Library has lots of money. Trustee Bailey responded by asking President Wade whether or not he had made certain newspaper comments in 2009.

Trustee Galle expressed concern about the negative comments about the Board that Trustee Bailey made in newspaper blogs. Trustee Bailey noted that he did not have a blog. After discussion, it became clear that Trustee Galle was referring to online comments in the newspaper. President Wade read what the newspaper placed in quotes from Trustee Bailey “This is all Mr. Wade trying to engineer the board.” “Elaine is a patsy.” Trustee Bailey agreed this was his opinion.

Attorney Isaly reminded the Board that they were not here for a hearing on the truthfulness of statement. He noted that it doesn't matter whether it is the truth, a lie or an opinion under the 1st Amendment of the Constitution.

President Wade noted that the Board had Bylaws which require that Board members treat co-workers and other colleagues with respect, fairness and good faith. President Wade thought that the comments in the newspaper article were not respectful.

President Wade warned Trustee Bailey to allow the President to speak and ruled Trustee Bailey out-of-order for not treating President Wade with respect while he had the floor, not following procedural rules, and interrupting President Wade in his presentation. Trustee Bailey noted that the Bylaws did not apply to speech outside the Board Room. President Wade emphatically stated that he did not have any prior knowledge that the candidates petitions were going to be challenged and that he in no way engineered the challenge which conflicted with the newspaper statements in quotes made by Trustee Bailey.

After much discussion an agreement was not reached.

2. Motion to remove from the table the motion to censure Jim Bailey which had been tabled indefinitely in October. Attorney Britt Isaly explained if Trustees vote Nay the censure remains on the table and no discussion or vote would happen this evening. Voting Aye brings the censure off the table into a discussion.

Trustee Jeffrey moved and Trustee Galle seconded that the Board of Library Trustees removes from the table the censure resolution of Trustee Bailey. Motion carried.

Ayes 5 Trustees Clark, DeRango, Galle, Jeffrey, Wade
Nays 2 Bailey, Hudspeath
Absent..... 0

3. Motion to adopt a censure resolution of October 2012.

President Wade asked Interim Director Boria to distribute copies of the Censure Resolution which had been tabled indefinitely in October.

Trustee Hudspeath asked why this resolution was being re-considered again at this time since nothing has happened except the Board challenging Jim Bailey’s right of free speech. Trustee Galle disagreed. President Wade stated that everyone had freedom of choice. He noted that the point of this censure was that there were actions done in October and that this resolution is the opinion of the majority of the Board being expressed publicly. Lawyer Britt Isaly explained that a Resolution is the opinion of the Board expressed publicly.

Trustee Bailey noted that he had ceased and desisted in all of the actions as required in the resolution so there was no reason for this vote.

Trustee Wade then proceeded to read the resolution.

Trustee Hudspeath reiterated that she thought this resolution had nothing to do with anything except what Trustee Bailey said in a newspaper article. President Wade disagreed that this had to do with the newspaper article. He noted that this had to do with following procedures and not interrupting fellow Trustees when they were speaking – which had just occurred. We saw tonight how Trustee Bailey did not allow other Trustees to talk when they tried to talk. So this censure is applicable to tonight’s meeting. Trustee Hudspeath reiterated that she thought this was entirely about the newspaper article because this was written about an incident in October which has not been repeated. Trustee Galle thought that this was a cumulative effect. Trustee Clark was concerned about Trustee Bailey’s treatment of fellow Board members. Trustee Hudspeath asked what had triggered this vote. President Wade responded that there were many actions. President Wade agreed with Trustee Bailey that nothing in the newspaper has to do with this censure document. Trustee Bailey stated this will now become a legal challenge because there is no provision in our Bylaws dealing with censure. President Wade reminded Trustee Bailey that the question of censure has been asked and answered by the Library’s attorney.

Trustee Jeffrey moved and Trustee DeRango seconded that the Board of Library Trustees approves the attached motion to censure Trustee Bailey. Motion carried.

Ayes 5 Trustees Clark, DeRango, Galle, Jeffrey, Wade
Nays 2 Bailey, Hudspeath
Absent..... 0

This becomes Library Board Resolution #258.

VII. NEW BUSINESS

A. Response from the Park District on Use of Kuhn Road Property

Interim Director Boria reported that the response from the Park District had not yet been received. She indicated that she would forward it to the Board as soon as it was received.

B. Approval to Extend Interim Assistant Director Position through February

Trustee Hudspeath moved and Trustee Bailey seconded that the Board of Library Trustees authorizes Mary Clemens to serve as the Interim Assistant Library Director through the month of February 2013. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Background Information:

Mary Clemens will be responsible for a large portion of the training of the new director so it is recommended that she continue in her capacity as Interim Assistant Director for at least a month after the start of the new director.

C. Review and Approval of Web Time Parameters

Trustee Clark moved and Trustee Jeffrey seconded that the Board of Library Trustees approves the implementation of Paylocity’s Web Time as outlined in the background information below. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Background Information:

Administrative staff have reviewed implementation options for Web Time and the recommendations are 1) to pay non-exempt hourly employees the actual hours worked, 2) to pay non-exempt salaried full-time employees in 1/10 of an hour increments, and 3) to pay exempt staff their annual salary regardless of time actually worked. However, total hours worked each day will be reflected on exempt staff time sheets. All non-exempt

staff will be required to punch in/out for lunch. In addition, administrative staff recommends that the library policy on vacation, personal and sick time be revised to allow non-exempt staff to take benefit time in increments of ½ hour or more, and exempt staff would be allowed to take benefit time in increments of 2 hours or more.

D. Authorization to Replace Older Computers

Trustee Clark moved and Trustee Hudspeath seconded that the Board of Library Trustees approves the expenditure of \$40,724 of Per Capita Grant monies and up to \$40,000 of capital expenditure funds to replace 60 older model computers (including monitors, mice and keyboards) as well as memory upgrades and reconfiguration of existing computers. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Background Information:

Currently the Library has 84 computers (not counting the laptop lab) which were added in the following years:

2000	2 computers
2006	14 computers
2007	28 computers
2008	7 computers
2009	8 computers
2010	20 computers
2011	1 computer
2012	4 computers

Staff propose to replace all 59 computers added in 2009 or earlier and to purchase a desktop computer for the director’s office. The 2010 and later model computers will be used in staff areas. These changes are recommended so that the Library can continue to meet the needs of the many citizens of Carol Stream using our computers every day. Final price quotes for this equipment will be received by the end of the week but the price will be no higher than listed above. Although Per Capita Grant monies were originally targeted for a book kiosk, it is recommended that the decision on whether or not to proceed with this project be postponed until the Library has developed a strategic plan. Illinois State Library staff has indicated that they will approve this change in Per Capita Grant expenditures with a letter of request.

Trustees discussed what would be done with the older computers. Ms. Boria explained that staff from Computer View, Inc. would be responsible for wiping all of the software off the computers including the operating system. CVI also will recycle any computers the Library does not want. Staff will investigate whether or not it is feasible to offer these computers to the public.

E. Authorization to Upgrade the Wireless Network

Trustee Bailey moved and Trustee Jeffrey seconded that the Board of Library Trustees approves the expenditure of up to \$5,625 to upgrade the wireless network in the building. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Interim Director Boria reported that reduced pricing had been received so the actual cost would be approximately \$1,000 less than quoted above.

Background Information:

The wireless network no longer meets the needs of many of our users. The software cannot be upgraded to connect with newer devices, and the speed is slow by current standards. The new hardware and software will be much faster and connect with newer devices.

G. Authorization to Replace the Network Backup System

Trustee Clark moved and Trustee Jeffrey seconded that the Board of Library Trustees approves the expenditure of up to \$5,000 to replace the network backup system with a digital backup system. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Background Information:

The current backup system must be replaced because it fails on a regular basis. The new equipment will provide increased storage capacity and a reliable backup for library files.

H. Approval of the Library Portion of Invoice for Bridge Repair Engineering

Trustee Jeffrey moved and Trustee Bailey seconded that the Board of Library Trustees approves payment of \$1,816.66 to the Village of Carol Stream which is 1/3 of the cost of preliminary engineering services for repair of the pedestrian foot bridge between the library property and Armstrong Park. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Background Information:

Although the Park District and the Village paid for the repair of the foot bridge, the Library, the Park District and the Village agreed to split the cost of the preliminary engineering services which were contracted for last spring. The total cost of these services, which were approved by a purchase order on April 17, 2012, was \$5,450.

VIII. APPROVAL OF DISBURSEMENTS for the period December 1, 2012 to December 31, 2012, plus the Addendum for the Meeting of January 16, 2013.

Trustee Bailey moved and Trustee Jeffrey seconded that the Board of Library Trustees approves the disbursements of December 2012 plus the Addendum for the meeting of January 16, 2013 in the amount of \$156,838.04. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

IX. EXECUTIVE SESSION

Trustee Clark moved and Trustee Jeffrey seconded that the Board of Library Trustees convene in Executive Session under the Illinois Open Meetings Act for discussion of previous Executive Session Minutes under Illinois Open Meetings Act, 5 ILCS 120/2(c)(21). Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Accordingly the Meeting was closed to the public at 8:52 p.m. The Board discussed the aforesaid matters and no other matters in closed session. The Board returned to regular session at 9:14 p.m.

Trustee Bailey moved and Trustee DeRango seconded that the Board of Library Trustees approves the minutes of the Executive Sessions of December 15 and December 19, 2012 as presented, and that these minutes remain closed. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

Trustee Clark moved and Trustee DeRango seconded that the Board of Library Trustees refer the six-month review of Executive Session minutes to the Human Resources Committee for recommendation to the Board. Motion carried.

Ayes 7 Trustees Bailey, Clark, DeRango, Galle, Hudspeath, Jeffrey, Wade
Nays 0
Absent..... 0

ADJOURNMENT

There being no further business to come before the Board of Library Trustees, President Wade asked for a motion to adjourn. **Trustee Jeffrey moved and Trustee Galle seconded** that the meeting be adjourned. Motion passed and the meeting adjourned at 9:15 p.m.

February 19, 2013
Date Approved

Mary C. Hudspeath, Secretary
Board of Library Trustees