

MINUTES OF THE CHURCHILL COUNTY LIBRARY BOARD OF TRUSTEES

155 N. Taylor St., Fallon, NV 89406

August 22, 2024

Call to Order:

The regular meeting of the Library Board of Trustees was called to order at 3:00 PM on August 22, 2024.

Pledge of Allegiance:

The Pledge of Allegiance was recited by the board and public.

Public Comment:

Chair Rowe asked if there was any public comment. Deputy Clerk Moore introduced Crystal Muschetto, the new Deputy Clerk in her office.

Roll call of members:

PRESENT: Trustee Jessica Rowe, Chair
Trustee Ryan Swireczek, Vice-Chair
Trustee Sari Koehler, Secretary
Trustee Jo Petteruti
Trustee Sue Segura
Library Director Carol Lloyd
Civil Deputy District Attorney Jeff Weed
Deputy Clerk of the Board Pamela D. Moore
Deputy Clerk Crystal Muschetto

ABSENT: Commissioner Myles Getto

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk of the Board, that the Agenda for this meeting was posted on the 15th day of August, 2024, between the hours of 9:00 and 11:00 AM at all of the locations listed on the Agenda, in accordance with NRS 241.

Consideration and possible action re: Approval of Agenda as submitted or revised:

Trustee Sue Segura made a motion to approve the Agenda as submitted. Trustee Sari Koehler seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Approval of Minutes of the meeting held on:

A- July 25, 2024.

The Minutes of the meeting held on July 25, 2024 are presented for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Trustee Ryan Swirczek made a motion to approve the Minutes of the meeting held on July 25, 2024 as presented. Trustee Sue Segura seconded the motion, which carried by unanimous vote.

Library Board of Trustees' Report:

Trustee Sari Koehler said I have been at the library quite a bit since the last meeting. J. had a Homeschool Program on Tuesday, which was amazing. It was well attended and she was so professional. J. had everything we could partake of and online she showed everything the library offers. I was very impressed by her at story time and how she fluctuates her voice and really gets the kids involved; it is really amazing. Maria is lovely. She is so helpful to the new staff, helping them get acquainted with the programming and I wanted to give a shout out to her. These kids the other day were getting excited as they were playing computer programs. They used a little bit of foul language and Lilli confronted them. She was firm and gentle. I think she talked to them in a way that was more on their level. They could understand they should not do this and it is not okay. Magdalena, I love her. She set up the Steam Program and wanting to help any little kid she could but stayed enough in the background so she was not forcing herself upon them. If they needed any help, she was there. Cady is super cute. She helped this older gentleman who wanted to write about his adventures. He said I need markers. She went in the back and found him markers and a certain sharpie, I think. That was wonderful. Carol is wonderful, as always. I really appreciate Carol going through all the Minutes with me and answering all the questions that I have. Jessica is a new hire. I ran into her this morning and she seems lovely, as well. Trustee Jessica Rowe said excellent, I appreciate that. Does anyone else have anything they would like to talk about?

Trustee Petteruti said I do. The first thing that I would like to point out is that, on Friday, September 6th, the Churchill Library Association is sponsoring the annual Books, Bikes and Beverages Event. I have copies of the advertisement that will be going in the Fallon Post for you folks. All board members are encouraged to attend and we can use volunteer help, if you are so inclined. Trustee Rowe said I am looking forward to it. Just as a point of clarification, where would I purchase tickets? Trustee Petteruti said you can get them from Digitex, me, Zip Upham, or you can buy them at the door. I just have one other thing. I joined this board seven (7) years ago and it was an autonomous board, at that point. I am the last of the old dogs from that group. Things are much different now. Quite honestly, I was disheartened with the way Tara Price-Gritzmacher and Ashlee McGarity were treated with their reappointments when they were rescinded. They did as they were asked on May 31st and, one week later, they were terminated and told they could reapply. I do not know what else to say about all of that but things are much different and I think it's time for me to move on. As such, I respectfully resign as of now. Trustee Rowe said thank you for everything that you have done for us, Jo, I really appreciate it. I know you have been an influence on me and I appreciate you, thank you.

Trustee Rowe said I want to make sure I did not let the trustees report close without thanking the county and thanking Carol for the help that I received this week. I met with Carol on a couple of occasions. I received clarification on the hiring process and how we will conduct the day's events. I just want to say that I appreciate the intentionality the county has shown to that process and to me as I wanted to learn more about it. This has been very helpful to me.

Library Director's Report:

A- The Library Director will provide an update on staffing, statistics, calendar, Summer Reading Program, and other matters pertaining to Library functions.

The Library Director will provide an update on staffing, statistics, calendar, Summer Reading Program, and other matters pertaining to Library functions.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Library Director Carol Lloyd said I would like to thank Jo Petteruti for all her work on the Library Board. I appreciate those conversations we have. I am always available to show you how the process works. This is what I am there for.

What you have in-front of you are statistics. July was the first of the new fiscal year. Director Lloyd said you will notice that we do not have a gate count and still do not have WhoFi, which is responsible for counting our wireless hits and we use that for reporting to the state library. This ties back into our funding from LSTA, which we have the possibility of securing. We are in the process of trying to get that fixed. You have physical circulation, which are things you can touch and feel. The list of items after that are Kanopy, Sora, Hoopla, Mango, Creative Bug, and Libby, which are all downloadable resources. You can see the statistics there and the total. The items mentioned at the beginning of the programming section are due to the reporting requirements for Bibliostat, which is mandated by the state. We keep detailed records on the backend for your purposes. I think this gives you a good idea of what is what. Does anyone have any questions about the statistics? Trustee Segura said why don't we have the gate count? What is holding us up? Director Lloyd said because the gate is broken. Trustee Segura said what do we need to do to help you with that? Director Carol said I'm trying to get it fixed. I am working with the I.T. Department and working with Invisionware. I am doing everything on my end to get it fixed. We need those statistics.

The Summer Reading Program is finished. We had four hundred and one (401) signups, one hundred ninety two (192) active readers, which are readers who have turned in their logs more than once. We gave away seven hundred and seventy seven (777) books into the community. I love that number. Anytime we can push stuff out to people's homes is always a good thing. We did a post-Summer Reading Program survey. The results have come back positive and a lot had to do with patrons interactions with staff. They were very appreciative and positive. The Summer Reading Program is a core library programming function and encourages reading to promote literacy, particularly during summer when school might not be in session. Libraries,

traditionally, do Summer Reading Programs; it is a big deal and a big part of what we do. It is also laborious but pretty awesome all the way around. You also have the September calendar in your packet, which is straightforward.

We have recently hired a part-time Page position, who is Jessica Hahn. Jessica started on the 20th and her hours are 14 hours a week in a part-time position. We hired the Digital Information Services Librarian. His name is Banner Thomas Patterson. Part of his childhood was spent in Fallon and he is excited to be back. Mr. Patterson will be starting mid-to-late September. His only heartburn is that he cannot be here in time for the Cantaloupe Festival, which he remembers as a child. He has a Master's Degree in Library and Information Science. We are very happy to have him. I think he is going to be a good fit, as are all the people that we have hired in the last couple of months.

We did the Homeschool Workshop on August 20th and it was very well received. That was one of those things where J. came to me and said are we going to be able to this? I indicated that I do not know, as we had a lot of other stuff going on and had not been adding new programming. She did it and it was really wonderful. I don't think there was anyone who walked away without something they didn't know, even people that use the library all the time. All those databases are really important for any school child, or particularly, the homeschooled. Trustee Segura said how many homeschoolers attended? Director Lloyd said we had twenty two (22) people, parents and kids. It was good and I think it was a very positive thing.

Set date and time of regular/special Library Board meetings:

The board set a special meeting for September 9, 2024 at 10:30 AM and the next regular meeting will be held on September 26, 2024 at 3:00 PM.

Old Business:

A- Consideration and possible action re: Discussion, direction, and approval of the next steps for selecting, interviewing, and appointing/hiring the Churchill County Library Director.

Pursuant to NRS 379.025, the Churchill County Library Board of Trustees appoints/hires, evaluates the performance of and, if necessary, dismisses the Churchill County Library Director. The Library Director position has been posted and staff is working on the hiring process approved at the last meeting. The appointment/hiring of the Library Director must be done in an open meeting. Under this agenda item, the Board of Trustees may discuss and approve additional steps in the hiring process for the Library Director.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Director Lloyd said, to recap from where we left off last time, the goal was to try and get the first round of interviews completed. We had eleven (11) people apply for the Library Director

position. Five (5) interviews were held yesterday, August 21st. We are recommending three (3) of those five (5) go to the Library Board of Trustees for interviews. The panel feels the recommended three (3) are very solid.

Trustee Rowe said excellent, this helps us understand how much time we will need. This also gives us information that we were looking for and the number of candidates that we will be interviewing. We need to have the discussion regarding the organization of that process, which is outstanding. We agreed to take on the county's traditional process from here. What other information do we have? Director Lloyd said I have some recommended dates, as a starting point. The questions came up last time for the second round, which have been developed and reflect conversations that I had with the board. One person sent in a list of recommended questions. None of those questions were anything new. With wording, I tried to incorporate HR and incorporate some of their verbiage into those questions. The feeling was that we would not be able to reduce the information that we needed. I feel that the questions are solid and will give you the information that you need to determine which person is going to be a good fit. Do you want my dates? Understand, too, that we are coordinating several people. The format will be: applicants will come to me and I will give a tour of the library and, during this time, the board will get an overview of the process from Jeff and Chris in HR, who will be present for those interviews. Once I am done with the library tour, candidates will be interviewed one at a time. This was a process we did in the past. I think it is nice they get a sense of what the library is and what it looks like if they haven't been here. Realize we will be coordinating what I think is going to be an entire day. We will also need to make sure these people can be here on the day we select. The board deliberated on their availability and settled on September 9, 2024 at 9:00 AM.

Trustee Sue Segura made a motion to conduct the interviews on September 9th or 16th, giving HR the directive to set the date according to the availability of the interviewees, starting at 9:00 AM with the tour and the first interview at 10:30 for an hour and 15 minutes, with a 15 minute break, 30 minute lunch, followed by the other two interviews, open discussion, and, hopefully, selection of a new Library Director. Trustee Ryan Swirczek seconded the motion, which carried by unanimous vote.

New Business:

A- Facilitated training by the District Attorney's Office on the Open Meeting Law and Ethics for the Library Board of Trustees.

Facilitated training by the District Attorney's Office on the Open Meeting Law and Ethics for the Library Board of Trustees.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Other

Civil Deputy DA Weed has the following presentation:



OPEN MEETING LAW & ETHICS

NRS CHAPTER 241 (OPEN MEETING LAW) – MEETINGS OF STATE AND LOCAL AGENCIES

NRS 241.010

- In enacting this chapter, the Legislature finds and declares that **all public bodies exist to aid in the conduct of the people's business.** It is the intent of the law that their **actions be taken openly and that their deliberations be conducted openly.**
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WHAT IS A MEETING THAT IS SUBJECT TO OPEN MEETING LAW?

- Gathering of members of a **public body** at which a **quorum** is present to **deliberate** toward a decision **or** to **take action** on any matter over which the public body has supervision, control, jurisdiction or advisory power.
- Quorum: a **simple majority** of the membership of a public body.
 - Example: 5 person board
 - Quorum = 3 members

ACTION AND DELIBERATION

- Generally, **action** is taken when:
 - A decision is made;
 - A commitment or promise is made; or
 - An affirmative vote is made.
- **“Deliberate”** means collectively to examine, weigh and reflect upon the reasons for or against the action.

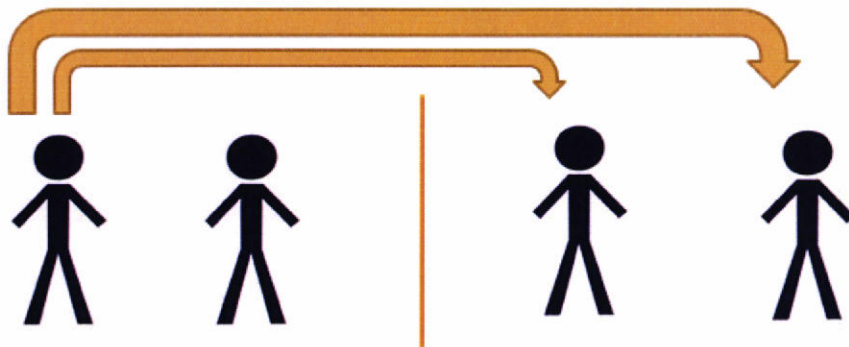
SOCIAL GATHERINGS AND CONFERENCES

- Social gatherings and conferences are not meetings subject to open meeting law even if a quorum is present **unless that quorum deliberates on a matter over which the public body has supervision.**

THINGS TO WATCH FOR

- Watch sidebars – no deliberation with a quorum off the record.
- Watch discussions on the bench during breaks.
- Watch rolling quorums, serial communications
- Watch emails.

SERIAL COMMUNICATIONS (WALKING QUORUMS/CONSTRUCTIVE QUORUMS)



Serial communication invites abuse of the Open Meeting Law if it is used to accumulate a secret consensus or vote of the members of a public body.

ELECTRONIC COMMUNICATION

- **A quorum of a public body using serial electronic communication to deliberate . . . Violates the Open Meeting Law.** That is not to say that in the absence of a quorum, members of a public body cannot privately discuss public issues or even lobby for votes. However, if a quorum is gathered by serial electronic communications, the body must deliberate and actually vote on the matter in a public meeting.

NEVADA SUPREME COURT

MEETINGS WITH ATTORNEY



- No Public Notice Required
- Can it be agendized and done during a meeting?
 - Yes
- What can you discuss?
 - Only to discuss potential or existing litigation
- Can you take action?
 - No

NOTICE REQUIREMENTS

- Posted **three working days** prior to the meeting, not including the day of the meeting, by 9:00 am.
- Must include **concise but informative notice** to the public of the items to be discussed.
 - (If you don't know what an agenda item means, neither does the public.)
- No **action may be taken** on items not on the agenda, or that are not marked for possible action.

THE AGENDA

- Stick to it.
- Items can be taken out of order unless there is a specific appointment time.
- Be careful with Staff Reports, Request for Future Agenda Items and Visiting before and after Meeting.



WHAT NOT TO SAY IN A MEETING



“I came today with my mind already made up.”

“There’s nothing you can tell me today that will change my mind about this situation.”

VIOLATION OF OPEN MEETING LAW

- Rehear action taken (actions taken in violation are void)
- Notice of corrective action included as agenda item at subsequent meeting
- For each member with knowledge and participation:
 - \$500 civil fine for first offense,
 - \$1,000 for second offense, and
 - \$2,500 for third or subsequent offense.
- Misdemeanor - \$1,000 fine, 6 months jail
 - With knowledge of the violation and participation in the violation.

PUBLIC COMMENT

- Legal Requirement: Once before any action item, and once after all other business OR after each action item on the agenda is discussed but before taking action.
 - Must allow the general public to comment on any matter that is not specifically included on the agenda as an action item at some time before adjournment of the meeting.
- Best practice: Once before any action item, once immediately prior to the end of the meeting. On each action item for which a public member wishes to speak that is not disruptive to the meeting process.

PUBLIC COMMENT CONTINUED

- Public Comment at the start and end of the meeting may be on any item over which the Board has jurisdiction, even if that item is not on the Agenda.
- Public comment may be limited to uniform periods of time. This applies to everyone! Failure to enforce this on any one speaker means it cannot be enforced on any other speaker.
 - 3 minute limit on Library agenda.
- Board members should avoid making public comment.

CONDUCTING A MEETING

- Chairperson is responsible for the orderly procession of the meeting. Including calling for a motion and voting, acknowledging speakers, and ensuring the meeting proceeds in a timely fashion.
- Chairperson may cut-off speakers and presentations that are redundant or irrelevant. Chairpersons may not limit public comment **based upon viewpoint.**

REMOVAL OF DISRUPTIVE PERSONS

- Chairperson may order that a person be removed from the meeting when they willfully disrupt the meeting **to the extent that the orderly conduct of the meeting is impractical.**
- For example, a person may be removed for intentionally making comments in the audience that are audible to the board and disruptive to the meeting. This includes things like clapping, whistling, stomping feet, etc.
- Best practice is to admonish then remove.

ETHICS FOR NEVADA OFFICIALS

- General Rule: Do not participate in any matter in which you have a personal interest.
- Do not approve, disapprove, comment on any matter in which:
 - You have accepted a gift or a loan
 - You have a pecuniary (economic) interest
 - The interests of a person to whom you have a **commitment in a private capacity** are at issue

If the above is true, then...

ETHICS FOR NEVADA OFFICIALS

- DISCLOSE THE INTEREST
- ABSTAIN IF THE INTEREST WOULD AFFECT JUDGMENT OF A **REASONABLE PERSON**
 - Disclose and do not participate at all.
- When in doubt – Disclose

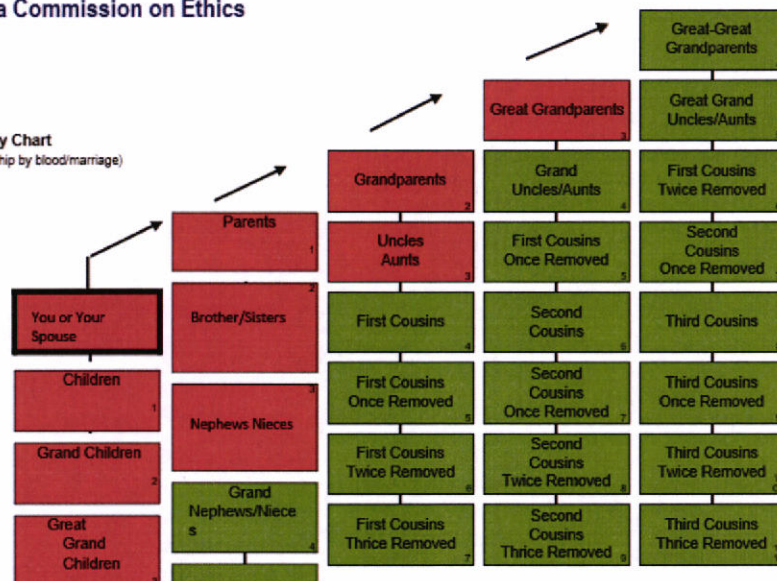
“COMMITMENT IN PRIVATE CAPACITY”

- Commitment to a person:
 - In your household
 - Related by blood or marriage within **third degree** of consanguinity
 - Employs you or a member of your household
 - You have a continuing ongoing business relationship
 - Other similar relationship

State of Nevada Commission on Ethics

Consanguinity/Affinity Chart

(Degrees of family relationship by blood/marriage)



Instructions:

For Consanguinity (relationship by blood) calculations:

Place the public officer/employee for whom you need to establish relationship by consanguinity in the blank box. The labeled boxes will then list the relationships by title to the public officer/employee. Anyone in a box numbered 1, 2, or 3 is within the third degree of consanguinity. Nevada Ethics in Government Law addresses consanguinity within third degree by blood, adoption or marriage.

For Affinity (relationship by marriage) calculations:

Place the spouse of the public officer/employee for whom you need to establish relationship by affinity in the blank box. The labeled boxes will then list the relationships by title to the spouse and the degree of distance from the public officer/employee by affinity. A husband and wife are related in the first degree by marriage. For other relationships by marriage, the degree is the same as the degree of underlying relationship by blood.

Revised 10/2010

OTHER ETHICAL RULES

- Do not seek/accept gifts, service, favors, etc.
- Do not use position to secure/grant unwarranted privileges.
- Do not use inside information.
- Do not use government time, equipment, property for personal use.
 - OK under certain circumstances if cost or value related to the use is nominal and does not create appearance of impropriety.

LIBRARY BOARD OF TRUSTEES

○ NRS 379.020

- Five competent persons who are residents of the county.
- Appointed by the board of county commissioners.
- May not hold office for more than two consecutive 4-year terms.
- May be removed by board of county commissioners if they fail, without cause, to attend three successive meetings of the trustees.

LIBRARY BOARD OF TRUSTEES

○ NRS 379.025: Powers and duties of trustees of county libraries

- Establish, supervise and maintain the library.
- Appoint, evaluate the performance of and, if necessary, dismiss the library director.
- Hold and possess the property and effects of the library in trust for the public.
- Submit annual budgets to the board of county commissioners, containing detailed estimates of the amount of money necessary for the operation and management of the library for the next succeeding year.
- Establish bylaws and regulations for the management of the library and their own management.
- Manage all the property, real and personal, of the library.
- Acquire and hold real and personal property, by gift, purchase or bequest, for the library.
- Administer any trust declared or created for the library.

LIBRARY BOARD OF TRUSTEES

- Appoint, evaluate the performance of and, if necessary, dismiss the library director.
 - Must be done in an open meeting
 - Can speak with employees, public, etc.
 - Cannot direct/compel the Director without board action.

CONCLUSION

- NRS 241.010: In enacting this chapter, the Legislature finds and declares that **all public bodies exist to aid in the conduct of the people's business.** It is the intent of the law that their **actions be taken openly and that their deliberations be conducted openly.**

This item was presented for informational purposes only and no action was taken.

B- Consideration and possible action re: Approval of the annual fiscal year end budget for FY24 and monthly budget report for July 2024.

The fiscal year end budget report for FY24 and monthly budget report for July 2024 will be presented for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Director Lloyd presented the year end reports for the FY24 and the monthly report for July 2024.

Chair Rowe asked if there was any public comment but there was none.

Trustee Ryan Swirczek made a motion to approve the budget reports as presented. Trustee Sue Segura seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Action to approve the Library Gift Fund Report.

The Library Gift Fund Report is provided for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Director Lloyd presented the Library Gift Fund Report for July 2024.

Chair Rowe asked if there was any public comment but there was none.

Trustee Sue Segura made a motion to approve the Library Gift Fund Report as presented. Trustee Sari Koehler seconded the motion, which carried by unanimous vote.

Public Comment:

Chair Rowe asked if there was any public comment but there was none.

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Adjournment:

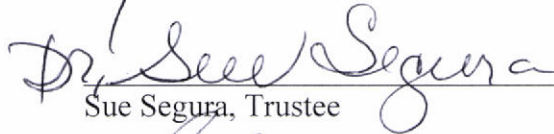
The meeting was adjourned at 4:31 PM.

Approved:



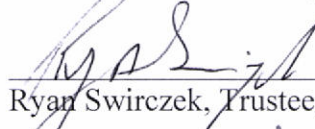
Jessica Rowe, Trustee, Chair

Approved:



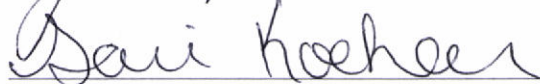
Sue Segura, Trustee

Approved:



Ryan Swirczek, Trustee, Vice-Chair

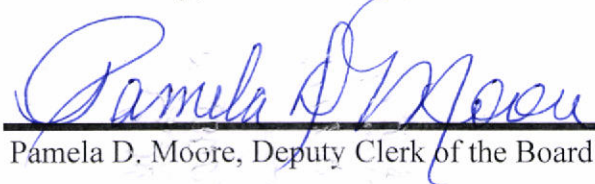
Approved:



Sari Koehler, Trustee, Secretary

ATTEST:

Linda Rothery, Clerk/Treasurer



Pamela D. Moore, Deputy Clerk of the Board