

**West Bend Community Memorial Library**  
**630 Poplar St.**  
**262-335-5151**  
**[www.west-bendlibrary.org](http://www.west-bendlibrary.org)**

**Library Board Minutes**  
**Tuesday, September 8, 2009**

The meeting was called to order by John Aynesworth, Board Vice Chairperson at 7pm.

Present: R. Lindbeck, D. Rakowski, J. Schaar, M. Burdge, J. Fowler, K. Engelbrecht.  
Also present: M. Tyree, S. Cantrell. Absent: P. Geidel, B. Deters

Mary Schanning, City Attorney presented a discussion re: Open Meeting Laws and Open Records Laws.

1. "Meeting" is defined as the "convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power, or duties delegated to or vested in the body. If one-half or more of the members of a governmental body are present, the meeting is presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegate to or vested in the body. The term does not include any social or chance gathering or conference which is not intended to avoid this sub-chapter."

Notice = what will be discussed at the meeting. Must be given 24 hrs in advance. Must include time and location of the meeting. Agenda must include specific items that will be discussed at the meeting. Only discuss items on the agenda, or agree to place additional items on the next meeting agenda.

Meetings must be held in a public place, start on time, and board/director must plan ahead for larger space if larger crowds expected.

Closed session - discuss contract negotiations, employee issues, or discuss pending lawsuits/get legal advice from City Attorney.

"Negative quorum" - Enough board members to prevent a motion from passing is a negative quorum. The Library Board has 9 members. A quorum to do business is 5 people. In a meeting of 5 committee members, only 3 are needed to prevent a motion from passing. Therefore, any gathering of 3 or more board members could be considered a negative quorum or a "meeting."

"Walking quorum" - Multiple small group gatherings of separate committee members who discuss committee business with the intent to gain a consensus or to determine the viewpoints of other members. A walking quorum occurs when a board member has multiple one-on-one meetings with different board members. One-on-one conversations between board members about Library business are permitted under the Open Meetings Law. However, if one of those board members discusses the same

topic with a third board member, then he or she has created a walking, negative quorum of 3 board members.

E-mail communications that are sent or forwarded to a number of committee members can create a walking quorum and is strongly discouraged by the Attorney General and District Attorney as a means of communication by board members.

Attending meetings of other committees, boards, commissions or the Common Council, even if no discussion occurs among the the committee members and it is just an information gathering session, can still be considered a meeting.

It is OK for the Board President to call board members re: scheduling future meetings, but best to work through library director.

It is OK for individual members to contact board president with ideas for future board meetings.

Any questions about violations should be presented to the City Attorney. Violations can result in fines.

2. Public Records Laws: Anything having to do with government. A record can include paper, electronic files, e-mail, photos. Two things of note: Records must be retained, and must be available for public viewing. Examples: personal notes taken at a meeting do not need to be shared, along with Birthday cards or personal letters received at home

Public records need to be retained for 7 years. Recorded (audio) items (ie. meeting minutes) should be retained for 90 days once minutes have been approved.

Some items that should not be released: information re: juveniles, medical info, employee info, security info, police investigations, personal e-mail/phones/addresses. City e-mail addresses do get released.

Forward records requests to Michael, then he will forward on to City Attorney. She will then photocopy and delete any personal info as needed. Person requesting info is charged for photocopying, postage, time. Posted on City website. Provide records promptly - within 10 business days.

Basic reminders: Keep records for 7 years, think before you delete or throw away, keep your records organized, think before you act.

**DIRECTOR'S REPORT:** Barbara Deters has a new Grandson!

Minutes from 8/4/09: Moved by R. Lindbeck, seconded by D. Rakowski. Motion carried.

**FINANCIAL SECRETARY'S REPORT:** No Report

## REVIEW OF LIBRARY REVENUES AND EXPENDITURES:

Approval of Library Expenditures/Vouchers for August 2009 - Motion to approve by M. Burdge, seconded by J. Schauer. Motion carried.

## OLD BUSINESS:

Building Update: Carpet should have lasted 8-10 years. It is showing wear and tear, especially on the stairs. M. Tyree suggests that individual squares be used for carpet replacement. Could then replace 1 section at a time and "patch" as needed. Will discuss again in spring of 2010. No leaks have been reported. Graffiti noted on mirror in men's room upstairs.

MID-WISCONSIN FEDERATED LIBRARY SYSTEM: No report

SEG: Roof - Would like to move on this soon. Michael to find out from Dennis Melvin and Mary Schanning re: when action will be taken. Concerns re: legal involvement causing continued delays. Board may have to take action, and be reimbursed later. 10 year warranty on roof is up at the end of October. City Attorney assures us that once legal action began, no need to worry about warranty expiration.

Concrete replacement bids: Have received 2 proposals - Duquaine and MRW. Motion to go with Duquaine by D. Rakowski, seconded by M. Burdge. Motion carried.

## NEW BUSINESS:

1. Completed 2010 Budget: Library budget scheduled to be reviewed by Michael and Dennis Melvin on 9/11/09, and Common Council in mid October.

2. Interlibrary Loan Policy: Policy reviewed. Inter library loan policy only addresses items that cannot be obtained within our 44 library consortium.

3. Limiting Holds for West Bend Patrons: Would require getting all 44 libraries to vote and agree to limit holds. Sue and Michael will research fines for not picking up holds. Consider limiting holds to 20. To discuss at a future meeting.

4. Summer Reading Statistics: Stats are slightly down from past years, but overall very good.

5. Library Board Reimbursements for Summer Reading Program Expenditures: Motion to approve \$300 WE Grant plus \$1,100.00 Board Money to be given to WBCML to cover \$1,400.00 costs - Moved by M. Burdge, seconded by K. Engelbrecht. Motion carried.

6. Recommendation for Citizen's Getting the Know the Library Training Sessions: Michael met with Nick Dobberstein recently. Planning 7 sessions, in the evening, the

first lasting 1-2 hrs, and successive sessions lasting 1 hr, involving 8-10 community members. Would involve a quick overview of all library services, tours, etc. Would hopefully start in early 2010.

7. Response to CIPA Request: Would need to apply for CIPA funding from the DPI. A motion to not apply for CIPA funding was made by J. Fowler, seconded by D. Rakowski. Motion carried.

8. Request for recataloging of Library Materials: Request by Mary Weigand to move some newly purchased books to Science section was denied by M. Tyree.

9. Payment of SEG Invoice: Motion to pay \$1,600.00 fee out of library building fund made by D. Rakowski, seconded by M. Burdge. Motion carried.

10. Request to purchase 4 computers through TKO: at the cost of \$254.00 each - Motion by M. Burdge, seconded by R. Lindbeck. Amended to include research bids for future purchases. Motion carried.

11. Request to purchase 3 Printers through CDW-G: at the cost of \$233.29 each - Motion by M. Burdge, seconded by D. Rakowski. Motion carried.

12. Request to Upgrade Minolta Microfilm Reader/Printers through MTM: at the cost of \$7,250.00 each - would also need a computer to go with it. Current models here are from 1999. Item tabled - motion to table item by R. Lindbeck, seconded by D. Rakowski. Motion carried.

Next Meeting date is 10/6/09 at 7pm

Motion to adjourn at 9pm by M. Burdge, seconded by D. Rakowski. Motion carried.

Respectfully submitted,  
Kathryn Engelbrecht  
Board Secretary