

Oscoda County District Library Board

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OFFICIAL MINUTES

July 8, 2024

A REGULAR MEETING OF THE OSCODA COUNTY DISTRICT LIBRARY BOARD WAS
HELD ON MONDAY, JUNE 10, 2024 AT 5:00 P.M.
AT THE MAIN BRANCH OF THE OSCODA COUNTY DISTRICT LIBRARY.

Call to order: 5:02 p.m. by President Stenzel.

Members Present: Stenzel, Rooker, McCauley, Benefiel, and Shumaker

Member Absent: None

Others Present: Anne Seuryneck and Michael Blum (Attorneys-Foster Swift), and Community Members

President Stenzel read aloud the mission and vision statements.

The Pledge of Allegiance was recited.

Approval of Agenda

McCauley/Rooker Motion to approve the agenda with the following additions to New Business:

- Authorization for additional staff member to make deposits and pick up bank bag
- Board members' questions to attorneys

5 Ayes : 0 Nays. **Motion Carried.**

Consent Calendar Items for June 10, 2024

Item #1: Unofficial minutes for May 13, 2024

Item #2: Unofficial Closed Session minutes for May 13, 2024

Item #3: Credit Card Payment from May 2024

Item #4: Huntington Bank Reconciliation May 2024

Item #5: Mercantile Bank MCA Reconciliation March 2024

Item #6: Mercantile Bank PFMMA Reconciliation March 2024

Item #7: May Profit and Loss statement (budget report)

Item #8: Mercantile Bank MCA April 2024

Item #9: Mercantile Bank PFMMA Reconciliation April 2024

Benefiel/Rooker Motion to approve the consent calendar for June 10, 2024.

Roll Call:

Benefiel: Aye

McCauley: Aye

Rooker: Aye

Shumaker: Aye

Stenzel: Aye

Motion Carried.

Old Business

POL 1.005 - Freedom to Read Statement

This is a 2nd reading.

Benefiel/McCauley Motion to approve POL 1.005 – Freedom to Read statement

5 Ayes : 0 Nays. **Motion Carried.**

POL 1.010 - Library Bill of Rights

This is a 2nd reading.

Shumaker/Benefiel Motion to approve POL 1.010 – Library Bill of Rights

5 Ayes : 0 Nays. **Motion Carried.**

New Business

Set Date and Time for Budget Hearing

The Board must have its budget hearing prior to June 30, 2024.

Rooker/Benefiel Motion to have its budget hearing for the 2024-2025 fiscal year on Monday, June 24, 2024 at 5:00 p.m. at the Main Branch of the Oscoda County District Library.

5 Ayes : 0 Nays. **Motion Carried.**

POL 4.065 – Social Media Policy

Board members received a copy of the policy in their packet.

Secretary Shumaker asked the attorneys to define “manager” in section VI (General Complaints). After discussion, it was decided that the term “manager” can be struck from this policy. Also, a correction should be made to the spelling of “Endorsemet” in section IV.3

Stenzel/Benefiel Motion to move POL 4.065, Social Media Policy, to a 2nd reading with corrections.

5 Ayes : 0 Nays. **Motion Carried.**

Policy 4.075 – Telework Policy

Board members received a copy of the policy in their packet.

Rooker/Benefiel Motion to move POL 4.075, Telework Policy, to a 2nd reading.
The attorneys explained that telework has expanded. Work can be other than from home (e.g. cabin, etc.). Telework must be done in a safe work environment. Also, telework must be deemed appropriate.

Secretary Shumaker asked the attorneys the context of “manager” in this policy as the Library does not have any managers. It was decided to change any instances of “manager” to “direct supervisor”.

McCauley/Benefiel Motion to rescind the previous motion. New motion to move POL 4.075, Telework Policy, to a 2nd reading with a change of the word “manager” to “direct supervisor” in the policy.

5 Ayes : 0 Nays. **Motion Carried.**

Policy 6.005 – Programming Policy

Board members received a copy of the policy in their packet.

Secretary Shumaker asked the attorneys if the criminal background check needed to be done only on the leader of the presentation or should a background check be done on everyone if there are multiple members of a presentation. The attorneys suggested that all members should have a background check.

Benefiel/Rooker Motion to move POL 6.005, Programming Policy, to a 2nd reading.

5 Ayes : 0 Nays. **Motion Carried.**

Authorization for Additional Staff Member to Make Deposits and Pick Up Bank Bag

There should be an additional staff member authorized to make bank deposits and pick up bank bags if the director is unavailable.

Benefiel/McCauley Motion to authorize Matt Belanger, programming clerk, to make bank deposits and pick up bank bags.

5 Ayes : 0 Nays. **Motion Carried.**

Board Members’ Questions to Attorneys

Q1. Does the Library have to purchase materials requested by a patron?

A1. The attorneys explained there is no legal obligation to purchase requested materials. The professional staff should refer to the Library’s Materials Selection Policy when purchasing materials.

Q2. Can childrens’ books be moved to the adult’s section of the Library?

A2. The attorneys responded that children have a 1st amendment right just as adults do. Parents need to accompany their child/children to the Library and decide what is appropriate for their child/children to read. Who decides what is appropriate? As a public entity, the Library cannot make those decisions. The attorneys cited a court case in which the court ruled the books could not be moved to another section of the Library.

Q3. What should the Library do if a child comes to the Library without a parent and checks out a book that could be considered controversial?

A3. As explained by the attorneys, it is not a decision for the library staff to decide what a child checks out. The parent must be responsible. Again, the professional library staff is making selections based on its Materials Selection Policy.

Q4. The child checks out a controversial book and the parent has signed for the child's library card.

A4. The attorney reiterated it is the parent's responsibility as to what their child checks out. The Library is not a baby-sitter. And, it does not act in Loco Parentis as a school does.

Q5. Should the Library post a sign that children must be accompanied by a parent?

A5. The attorneys suggested that the Library may wish to develop a policy for unattended children.

Q6. Can a commissioner serve on the Library's board?

A6. The attorneys explained there is a provision in Michigan's Constitution that permits a member of a board of a participating municipality to serve on the District Library's Board.

Q7. A former employee has been charged as a child sex offender. Can he be banned from the Library?

A7. The attorneys stated that according to the law, as an individual, the former employee has a right to be in the Library. Any individual cannot be banned from the Library unless there is a violation of policies. Would staff check all patrons to see if they are a sex offender? The attorneys also stated that employers do not have to do background checks but it is reasonable to do so.

Q8. If an employee has a conversation with a patron about concerns the patron has off Library property and the employee is not representing the Library but sharing his/her own personal views, could this be a disciplinary issue? Would this be a reason to offer training to the staff on talking to the public?

A8. The attorneys stated that employee policies should be reviewed. Was there a violation? Everyone should be clear on the details of the situation

before action is taken. The individual (employee) has a right to a personal opinion.

Q9. The Library hosts classes/programs which are paid for with tax dollars. But, what if the meeting room is used for a non-sponsored Library program and the staff and/or Board do not like the program content?

A9. The attorneys stated that Library programming should meet the same criteria as the Materials Selection Policy. Non-sponsored programs must follow the Meeting Room Policy.

Q10. Personal views cannot supersede the oath Library Board members have taken to the Michigan and United States Constitutions, correct?

A10. The attorneys answered that is correct. Board members have an obligation to uphold both Constitutions regardless of personal views.

Budget Report

Review of Budget

The Profit & Loss statement was available at the meeting.

Review of Transmittals

Transmittals will be presented at the July 2024 meeting.

Approval of Bills

Benefiel/McCauley

Motion to allow the Bill Paying Committee to approve the payment of bills for the June 10, 2024 meeting.

Roll Call:

Benefiel: Aye

McCauley: Aye

Rooker: Aye

Shumaker: Aye

Stenzel: Aye

Motion Carried.

Correspondence

President Stenzel read a letter from Director Knepp thanking the Board for their patience and understanding during her husband's recent medical emergency. She also thanked the staff for the great job they've been doing in her absence.

Board Member Comment

None

Public Comment – Limited to three (3) minutes per person

The public is to provide their name and address as per the Board's Public Comment Policy.

The following members of the public addressed the Board with their concerns and comments:

1. Arissa Handrich – Fairview. Mrs. Handrich expressed concern over the former employee with sex offender allegations against him being allowed in the Library. Can he be banned? She also wanted to know who gets to see the background checks. As a member of the Comins Township board (a Library partner), she wondered if the Township board can see background checks.

2. Jeri Winton – Comins Township. Ms. Winton asked how often the books in questions were checked out/used. She understood that the state required these books be purchased.

3. Deb Coulon – Luzerne. Ms. Coulon questioned the advertising of programs offered on the Library's Facebook page. Is this endorsing all programs Library sponsored or not? She also wanted to know if the outcome of the employee who spoke to a patron off Library property would be made public.

4. Lee Christenbery – Comins Township. Ms. Christenbery asked when will the termination occur of the employee who spoke to a patron off Library property and will it be done in a timely manner.

5. Rick Shepard – Mio. Mr. Shepard provided members of the Board with a document expressing his opinion about Library's policy on limits to the use of public computers. See attached document.

6. Katelyn Laban – Comins Township. Mrs. Laban asked if a policy can be created banning any registered sex offenders entering the Library. She also asked if there can be a time designated for answers to public questions. She suggested submitting questions ahead of time. She also requested that the Board continue doing background checks on future employees.

7. Jackie Bondar – Big Creek Township. Ms. Bondar received a letter from a Fairview resident and mother of 6 stating there were LGBTQ+ books on display in the Children's Section of the Mio Branch when she stopped in. Can those books be put on the shelf rather than displayed on a table?

8. Laurie Shea – Mio. Ms. Shea stated she saw a banned book display at the Library. These were books she read growing up, and was surprised that some of the titles were on a banned book list.

9. Rachel Barrett – Fairview. Ms. Barrett stated she felt there should be equal access to materials in the Library. The Library is a place to learn about things.

Director’s Comment

None

Benefiel/McCauley Seeing no further business, a motion was made to adjourn the meeting.

5 Ayes : 0 Nays. **Motion Carried.**

The meeting was adjourned at 6:35 p.m.

The budget hearing will be held June 24, 2024 at 5:00 p.m. at the Main Branch of the Oscoda County District Library. At that time, the 2024-2025 meeting schedule will be established.

Signature on file

Dawn Stenzel, President
Oscoda County District Library Board

Signature on file

Deb Shumaker, Secretary
Oscoda County District Library Board

Library Board Members:

This is to protest and appeal the current policy of forcing people to sign an agreement/contract just to use a public computer, the terms of which limit use to ONE TIME PER Day, & not more than 30 minutes for that ONE TIME and, during the summer month the one time may be shortened to 15 minutes!

These restrictions are unreasonable, arbitrary and repugnant because:

I can't accomplish much of anything in only 30 minutes!
A 15 minute limit is even more absurd.

Research, and especially legal research now can't be done per these rules.

I've never seen an instance where all computers have been in use at the same time.

I have been "kicked off" computers before when I was the only one using one.

This makes the preparation of legal forms sometimes impossible.

I've never heard of someone wearing out the internet.

The use of services provided by the general public should not be so restricted as they are part of our CIVIL RIGHTS.

The library computers must be used to print anything per more rules so the total effect prevents some necessary activity.