

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES MEETING
LAS VEGAS, NEVADA
January 13, 2005
(approved February 10, 2005)

ITEM III.

The Board of Trustees of the Las Vegas-Clark County Library District met in the Las Vegas Library, Las Vegas, Nevada, at 5:00 p.m., Thursday, January 13, 2005.

Present: Board: E. Sanchez L. Overstreet
V. Hoggard F. Sponer
A. Arthurholtz, Treasurer A. Aguirre
K. Carter
M. Pohl

Counsel: G. Welt

Absent: T. Wong
K. Benavidez

Staff: Daniel L. Walters, Executive Director
Numerous Staff

Guests: Ron Dubberly

E. Sanchez, Chair, called the meeting to order at 5:00 p.m.

Roll Call All members listed above represent a quorum.

Agenda Trustee Carter moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Personnel Session (Item III.) Executive session discussion regarding the character and professional competence of District employees and a report from Counsel Welt was given.

Ron Dubberly presented a salary study to bring Trustees up to speed regarding national trends.

Being a closed session, no action was taken.

Chair's Report (Item V.) Chair Elaine Sanchez invited former Board Chair Ricki Barlow to join the Executive Director at the podium to be acknowledged for his service, guidance and leadership during his four years as Trustee for the LVCCLD. Mr. Barlow served from February 16, 2000 to May 14, 2004, during which time the District was the recipient of *Gale/Library Journal's* 2003 "Library of the Year" Award.

Upon receiving a beautiful clock designed to appear as a book, Mr. Barlow expressed his pleasure with serving on the Board and stated that he would be open to serving again in the future.

Unfinished Business (Item VI.) None

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Discussion and possible Board action regarding the lawsuit Jackson et al. v. Las Vegas Clark County Library District and a report and recommendations by Counsel pertaining to the court directed mediation and recommendation to settle. (Item VII.C.)

With the Board's approval, Chair Sanchez asked that action items be taken out of order since some Trustees may need to leave early. There were no objections.

She asked Library Counsel Jerry Welt to present background information on Item VII.C., regarding the lawsuit and court directed mediation. Mr. Welt outlined a recent federal court directed mediation process to resolve a lawsuit that was filed over alleged incidents that occurred prior to most Trustees' appointments to the Board as well as the hiring of the current administration. He outlined proposed mediation settlements for Trustee consideration.

Chair Sanchez asked if there were any questions. Hearing no questions, Trustee Pohl moved that in accordance with Counsel's recommendation and as a result of the court directed mediation, that the lawsuit Jackson et al v. the Las Vegas Clark County Library District be settled by the payment of the following amounts: \$33,425.00 to plaintiff Deborah Jackson, \$33,425.00 to plaintiff Vanessa Halsell, \$33,425.00 to plaintiff Emma Hobbs and \$79,725.00 to plaintiff's council Kirk-Hughes & Associates for attorney's fees and costs. The motion carried with Trustee Overstreet in opposition.

**New Business
Consent Agenda
1. Discussion and possible Board action regarding authorization for the Executive Director to execute amendment to the appointment agreement of Robert L. Morss to provide for temporary duties and attendant compensation for serving as Acting Deputy Director, COO. 2. Discussion and possible Board action to change the District's Benefits Policy to reduce the minimum amount of time a part-time employee must work to be eligible for educational assistance. 3. Discussion and possible Board action to increase**

Trustee Davis-Hoggard moved to accept the Consent Agenda, Item.VII.A.1-5., in its entirety. There was no opposition and the motion was accepted.

the mileage rate from \$0.375 cents per mile to \$0.405 for employee reimbursed mileage.

4. Discussion and possible Board action regarding a proposed revision to the District's Travel policy addressing submission of staff driving records. 5. Discussion and possible Board action regarding a proposed revision of the District's policy on work breaks. (Item VII.A.1-5.)

Discussion and possible Board action regarding a proposed amendment to the internet use Policy to provide wireless access to the internet in designated community libraries. (Item VII.B.)

Deputy Director Nancy Ledebor presented this item. The Library District is now prepared to offer wireless access to the Internet to patrons using their own equipment in all urban branches. Access will be subject to the same conditions of use that apply to Internet use on District computers.

Chair Sanchez congratulated staff and expressed her thanks for wireless access to the internet being provided, as it will be a great service for the residents.

Trustee Aguirre inquired whether there were plans to provide training to patrons who are not familiar with using the service. Ledebor answered that the service will be marketed to the public and by virtue of the fact that they have already purchased compatible equipment, they will have at least a minimal working knowledge of wireless access.

Executive Director Walters added that if there is a demand for more information, a special session could be held in the computer labs to give further instruction on how wireless technology works.

Trustee Spomer moved to amend the Internet Use Policy to include wireless Internet access in a Wireless Internet Access Policy. There was no opposition and the motion carried.

Discussion and possible Board action adopting Resolution 2005-01 augmenting the District's budget for FY 2004-05. (Item VII.D.)

Deputy Director, C.F.O., Fred James presented this item. He noted that this is the second year that the District has been able to transfer a higher than expected ending fund balance into the capital reserve programs project fund. The District's actual ending fund balance for FY 03-04 is \$5,718,780, which is \$2,986,108 above the budgeted ending fund balance of \$2,732,672. The increase in fund balance is attributed primarily to a combination of expenditure controls during the fiscal year and revenues exceeding budget estimates. As a result of the proposed transfer, the revised 2005 projected ending fund balance for the

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General Fund will be \$2.48 million, or 5.1% percent of appropriations. An ending fund balance between five and ten percent is recommended to provide for adequate cash flows and emergencies.

Trustee Sponer moved to adopt Resolution 2005-01 augmenting the District's fiscal 2005 General Fund Budget from \$45,926,359 to \$48,926,359 for the purpose of transferring an additional \$3.0 million to the Capital Reserve Programs in the Capital Projects Fund. There was no opposition and the motion was carried.

Executive Director's Report (Item VIII.A)

Executive Director Walters announced that as a result of the weather conditions, a number of power outages have occurred in Laughlin affecting library operations. The library service has been disrupted but has not been closed down. As of today, Metro asked that the Mt. Charleston Library be closed because Old Town is being evacuated due to avalanche warnings. Flood water came up to the edge of the parking lot at the Moapa Valley Library in Overton, but no damage occurred there.

Walters stated that in the midst of the weather challenges, there was also some good news to announce. Nancy Ledeboer has accepted the position of Library Director of the Tucson Pima Public Library. This is a wonderful career opportunity for her and her contributions to the Executive Director and the District are gratefully acknowledged and appreciated.

Salvador Avila has been promoted to the position of Adult Services Coordinator and Felton Thomas has been promoted to Branch Services Administrator.

Trustee Pohl moved to accept Reports VIII.A. 1-7. There was no opposition and the reports were accepted.

Public Services and Security Report (Item VIII.A.1.)

Accepted.

Business Office Report (Item VIII.A.2.)

Accepted.

Human Resources Report (Item VIII.A.3.)

Accepted.

Technology Report (Item VIII.A.4.)

Accepted.

General Services Report (Item III.A.5.)

Accepted.

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Marketing Report Accepted.
(Item VIII.A.6.)

Development Accepted.
Report (Item
VIII.A.7.)

Approval of Chair Sanchez moved to approve the Minutes of the Board of Trustees
Proposed Minutes Meeting held November 18, 2004. There was no opposition and the
Regular Session, motion carried. Chair Sanchez moved to approve the Minutes of the
November 18, 2004 Legislative Committee Meeting held December 9, 2004. There was no
and Legislative opposition and the motion carried.
Committee Meeting,
December 9, 2004.
(Item IV.)

Announcements Chair Sanchez called attention to a letter written to Colleen Bell, the
(Item VIII.) Chair of Henderson District Public Libraries Board of Trustees. There is
still the hope that the situation can be resolved locally instead of
legislatively.

Executive Director Walters noted that Trustee Davis-Hoggard had set
up a meeting with Commissioner Williams, Trustee Overstreet has set
up a meeting with Commissioner Atkinson-Gates for next week and
Trustee Wong has set up a meeting with Commissioner Collins. Walters
thanked Chair Sanchez for all the work that she has done in her efforts
to get the situation with Henderson resolved.

The next Board Meeting will be held Thursday, February 10, 2005 in the
Las Vegas Library at 6:00 p.m.

Public Comment None
(Item IX.)

Adjournment (Item Chair Sanchez adjourned the meeting at 6:40 p.m.
X.)

Respectfully submitted,

Ken Carter, Secretary