

Keene Memorial Library Board Meeting
Library East Building
1030 N. Broad St., Fremont NE
6:30 P.M.
July 20, 2020

AGENDA

Join Zoom Meeting

<https://zoom.us/j/93895076386?pwd=RkRzNHVSOTlxWUdBcEEeVUxrN1UzUT09>

Meeting ID: 938 9507 6386

Password: 062406

One tap mobile

+16699009128,,93895076386#,,,,0#,,062406# US (San Jose)

+12532158782,,93895076386#,,,,0#,,062406# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

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Meeting ID: 938 9507 6386

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Find your local number: <https://zoom.us/j/93895076386?pwd=RkRzNHVSOTlxWUdBcEEeVUxrN1UzUT09>

1. Call to Order/Notice of Meeting
2. Roll Call
3. Motion to adopt current agenda for July 20, 2020 regular meeting agenda
4. Dispense with and approve June 29, 2020 minutes. (attachment)
5. Unfinished Business
 - a. Library Board Appointment – Recommendation of Amanda Moenning
 - b. County Wide Cards- update
 - c. Policy Manual update
 - d. Strategic Planning – need to plan sessions
 - e. Technology 3-Year Plan – combine with Strategic Planning
6. New Business
 - a. Sign off on consent form to close out the Trust & transfer funds to Foundation for benefit of the library (attachments)
 - b. Building Issues – Phones

- c. Covid-19 and the library – Changes to hours
- d. Staffing Update
- 7. Reports
 - a. Friends of the Library Report
 - i. Book Sale
 - ii. Expansion Project
 - b. Finance-Library Expenditures Report

Next Meeting August 17, 2020 6:30pm – location - Library East Building

Agenda posted online at www.fremontne.gov/library and emailed to Library Board members on July 14, 2020. This meeting is preceded by publicized notice in the Fremont Tribune and the agenda is displayed in the Administration Office at Keene Memorial Library, 1030 North Broad Street. A Copy of the Open Meeting Law is posted at the entrances of the meeting rooms. The Library Board reserves the right to go into Executive Session at any time. The Library Board reserves the right to adjust the order of items on this agenda.

June 29, 2020

Held at City Council Chambers and online via ZOOM. Board President Larry Jirsak called the meeting to order at 6:33 p.m. in the City Council Chambers.

Roll Call

The following members were present: Larry Jirsak, Earl Underwood, Tom Adamson and Shari Kment (online via Zoom). Also present was Library Director Walker. Director Walker will be recording the meeting minutes.

Notice of Meeting and Agenda

The meeting was preceded by publicized notice in the Fremont Tribune and the agenda is posted in the Administration Office at Keene Memorial Library, 1030 North Broad Street and online at www.fremontne.gov/library and distributed. A copy of the open meetings law is posted continually for public inspection and is located near the entrance of the meeting rooms.

Agenda

Motion to adopt current agenda for June 29, 2020 regular meeting. Board Member Adamson moved, seconded by Board Member Underwood to adopt the agenda for June 29, 2020 Library Board Meeting. Ayes: Jirsak, Kment, Underwood, Adamson. Motion carried.

Reading of Minutes

Board Member Underwood moved to dispense with and approve the February 17, 2020 and the March 9th, 2020 minutes, seconded by Board Member Adamson. Ayes: Jirsak, Kment, Underwood & Adamson. Motion carried.

Unfinished Business

1. **Ordinance 5518 update** – Director Walker advised that Ordinance 5518 changes were approved at the last council meeting and if anyone wishes to see the changes, to review the ordinance changes from the minutes. Molly Miller, attorney advised these changes took effect in May 2020.
2. **Library Board Appointment** – Director Walker advised that both nominations for Susan Allen to join the board have been declined by the mayor. The mayor put forth another candidate that the Library Board didn't approve of, and City Council voted that name down. Board Member Jirsak advised they could either submit more names for recommendation or wait until new mayor was seated to try to nominate someone else. Brian Newton, City Administrator said the mayor was open to hearing more nominations. The board members will consider new names and revisit this item at the next meeting.
3. **County Wide Cards** - Director Walker advised she reached out to Bob Missel from the county board to start the conversation but COVID hit and the conversation hadn't happened yet. Director Walker advised she reached out to other Dodge County libraries and found that Fremont is the only city that doesn't already have free county-wide cards for Dodge County. Most libraries don't limit card access based on residence. Some said, "anyone can get a card". Discussion occurred about what non-resident cards were and how much they cost. Board Member Jirsak advised the city code had language allowing non-resident cards. Director Walker advised the last time a request was made to remove the non-resident fee, it went to city council and then to the public for a vote. It was voted down. Board Member Adamson asked why people voted it down, and Director Walker advised it was related to tax collection and those not paying property taxes that fund the library should not get a free card. So the \$35 pays for the taxes they don't normally pay. Board member Jirsak advised to hold this item over to the next meeting so some research could be done on the ordinance.
4. **Policy Manual update** – Director Walker advised that the policy manual was sent to legal for approval and now Laura England-Biggs is in the process of editing the documents with updates. Once these changes are made, the entire manual will come back to the board for approval to move on to City Council for approval.

New Business

1. **Strategic Planning** – need to plan sessions 2020-2023 Strategic Planning sessions. Director Walker will put out a poll to find a day the board members can meet for special meeting to do Strategic Planning.
2. **Technology 3-Year Plan** – The Tech Plan will be combined with Strategic Planning sessions.
3. **Appoint a Library Board Secretary** – After a debate, Board member Underwood nominated Board member Adamson for the Secretary position. Tracy Parr, Sr. Office Associate, will still be the designated minute taker for

the meetings. Board Member Kment 2nd the nomination. Board Member Adamson agreed to the nomination. Ayes: Jirsak, Kment, Underwood & Adamson. Motion carried.

Reports

1. Directors Report

- a. Building issues – Director Walker discussed several building issues: Cast iron pipe leak that caused the closure of the Circulation Desk for 2 weeks, a water leak in the Asst Directors office, problems with the HVAC requiring many new parts, an error with the Alarm panel, and landscaping being installed with Japanese beetles appearing 2 days later. Also discussed the amount of trash being found on the property from overnight visitors and the security gates have arrived and will be installed this week.
- b. Covid-19 and the library – Director Walker described the impact COVID-19 has had on the staff. Discussed losing 1 part-time Aide due to resignation over COVID-19. Staff members miss out patrons and getting to work with them daily, but at the same time, we each have our own health to worry about, so it's been tough to decide whether or not to open. Director Walker advised EAP sessions have been provided, open venting times, quarantining of all materials for 72 hours per ALA and the Library of Congress regulations and testing outcomes. The board discussed that the meeting rooms are not available at this time due to quarantining materials. Director Walker reiterated that there is a lot of anxiety, stress, and fear that the staff is working through right now.
- c. Staffing update – We have 4 open Library Aide positions and 1 full-time Library Technology Specialist position. The Aide positions have been interviewed for, but not able to fill all the slots. The LTS position posted last Monday and will be closing in 10 days so interviews can begin.

2. Friends of the Library Report

- a. Book Sale- The book sale for 2020 has been canceled and the sale will be held in March 2021 at Christensen Field. Also, Kim Wilch has joined the Friends Board and will serve as Treasurer.
- b. Expansion. Director Walker the expansion project and hiring of an Owner's Representative to help get through the project. RFQs will be going out soon. Then the Owner's Rep will help with RFQs for the architects. Director Walker discussed that the Friends and Director met with City Admin to discuss the Owner's rep and future of the project. Good encouragement was received all around on getting this project done. Strawhecker fundraising will start moving forward with asking for donations and meeting prospective donors. Director Walker discussed possible locations for a temporary library to be housed. If the library relocates, they can reduce the construction time and cost of the project.

3. **Finance-** Library Expenditures Report. Director Walker provided a detailed budget report that was current as of 6/11/2020. The Board requested a copy be emailed to them. For all future meetings a detailed report will be provided with the agenda. Discussion was held that the library is under budget again, partially due to COVID and vendors being closed.

With no further business, motion to adjourn was made at 7:35 p.m. with Board Member Underwood making the motion and Board Member Adamson seconding it. Motion carried.

Next meeting will be held at the library, in the East Building, on July 20, 2020 at 6:30 pm.

Prepared by Tina Walker, Library Director

Signed by Tom Adamson, Library Board Secretary

IN THE COUNTY COURT OF DODGE COUNTY, NEBRASKA

IN RE:) CASE NO.
)
)
) CONSENT AND WAIVER TO
) TERMINATION OF TRUST
FRIENDS OF THE LIBRARY, A TRUST)

COMES NOW the Board of Directors of the Keene Memorial Library, also known as Fremont Public Library, Fremont, Nebraska, as set forth in the Declaration of Trust for Friends of the Library, a Trust, and hereby consent to the termination of said Trust and that all remaining net Trust assets, less any fees and expenses incurred to terminate and wind down the business of said Trust, shall be distributed, transferred and paid over to the Keene Memorial Library Fund, in care of the Fremont Area Community Foundation. The Keene Memorial Library is the sole beneficiary of the above-referenced Trust and further the Board hereby waives notice of hearing and consents to the entry of the proposed Order terminating said Trust.

DATED THIS ____ of _____, 2020.

KEENE MEMORIAL LIBRARY BOARD OF
DIRECTORS

By _____
Its President

IN THE COUNTY COURT OF DODGE COUNTY, NEBRASKA

IN RE:) CASE NO.
)
) PETITION TO TERMINATE TRUST
FRIENDS OF THE LIBRARY, A TRUST)

COMES NOW the Petitioner, Friends of the Library, a Trust, and, in support thereof, states and alleges as follows:

1. On or about September 20, 1968, various settlors established a Trust entitled “Friends of the Library, a Trust”. A copy of the Declaration of Trust is attached hereto as Exhibit A and incorporated herein by reference.

2. The Trustees of said Trust were to apply funds and income of the Trust to the support, improvement, upkeep and general purposes of the Fremont Public Library, Fremont, Nebraska, which library is also known as Keene Memorial Library.

3. Recently, a substantial portion of the Trust assets was used to purchase a residential property abutting and adjacent to the library property. The property was then conveyed to the City of Fremont, which is the owner of the Library, with the purpose and intent that the additional land would be available for use by the Keene Memorial Library Fund, in care of the Fremont Area Community Foundation, for an expansion project of the library. An additional residential property on the same block was also previously purchased and owned by said Trust and the same has also been conveyed to the City of Fremont. With the acquisition of the two residential real estate properties, the City of Fremont is now the owner of the entire block on which the library sits. The remaining assets of the Trust consist of the following:

- A. Friends of the Library, a Trust, Endowment Fund (Held and managed with Fremont Area Community Foundation) with a balance of \$18,772.21.
- B. Friends of the Library, a Trust, Investment Checking Account with a current balance of \$193,521.26. (Held and managed by the Trust)
- C. Friends of the Library, a Trust, Rental Checking Account with a current balance of \$33,483.71. (Held and managed by the Trust)

Balances listed in A and C are as of December 31, 2019.

The Trustees of said Trust are desirous of terminating the Trust and transferring all remaining funds to the Keene Memorial Library Fund to be applied toward the library expansion project. The Library is the sole beneficiary of the Trust.

4. Pursuant to Neb. Rev. Stat. § 30-3836 of the Nebraska Uniform Trust Code, no legitimate purpose remains for continuation of the Trust and the remaining funds are now better suited to be held by the Keene Memorial Library Fund in light of the proposed expansion project. The total cost of the proposed expansion project well exceeds the funds Petitioner proposes to transfer to the Keene Memorial Library Fund. The Fremont Area Community Foundation is in a better position moving forward to hold, maintain and manage the Trust assets.

5. Upon termination of the Trust, the Trustees propose that all remaining Trust assets be distributed and transferred to the Keene Memorial Library Fund in care of the Fremont Area Community Foundation. The Board of Directors of the Keene Memorial Library has further executed a Consent for the Termination of the Trust and distribution of the proceeds to the Keene Memorial Library Fund in care of the Fremont Area Community Foundation.

6. The Trustees of the Friends of the Library, a Trust, further pray for an Order of this Court that, upon transfer and payment of all its remaining assets to the Keene Memorial Library Fund, each and every Trustee be fully discharged and released from any further duties, obligations, and liabilities as Trustees of the Friends of the Library.

WHEREFORE, the Trustees pray for an Order of this Court terminating the Trust known as Friends of the Library, A Trust, which is attached hereto as Exhibit A, and an Order authorizing and directing distribution of all remaining Trust assets, as listed in 3A, B and C above, to the Keene Memorial Library Fund in care of the Fremont Area Community Foundation and to discharge and release all Trustees from any further duties, obligations and liabilities as Trustees of said Trust.

Dated this ___ day of _____, 2020.

FRIENDS OF THE LIBRARY, A TRUST,
Petitioner,

By _____

Timothy M. Schulz #21081

YOST, SCHAFERSMAN, LAMME, HILLIS,
MITCHELL, SCHULZ & HARTMANN, P.C.

A Limited Liability Organization

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