

**Commission Meeting
Minutes for August 13, 2003
Helena, MT**

Attendees:

Commissioners: Bruce Morton, Al Randall, Gail Staffanson, Toni Broadbent, Donald Allen, Caroline Bitz

Staff: Karen Strege, Darlene Staffeldt, Barbara Duke, Kris Schmitz, Anastasia Burton, Christie Briggs, Aaron Mook, Janet Hunter, Sue Crispin, Suzy Holt

Guests: Mike Hamlett

The meeting was called to order at 9:05.

Announcements and Introductions

Darlene Staffeldt introduced Aaron Mook, the new network manager who replaced Mike Carroll. Aaron has been with the Library a little over two months and has been very busy keeping the systems running. Christie Briggs introduced Janet Hunter, the new reader advisor in TBL, who started at the beginning of July. Janet has a degree in elementary education with a minor in library science and she is catching on quickly to her new duties. Staffeldt added that Janet worked with LISD a few years ago and we're pleased to have her back.

Approval of Minutes

Al Randall asked that the sentence on page three that states, "The Library is moving in the direction it should," be changed to read, "Randall feels that the Library is moving in the right direction." Bruce Morton made a motion to approve the June minutes with the noted change. Donald Allen seconded the motion and it passed unanimously.

State Librarian's Report

Karen Strege stated that she has a very busy schedule for the next two months. She will be giving a presentation on the state of state libraries at the Pacific Northwest Library Association meeting in Boise tomorrow. September 4-5 she will be at the MGIC meeting and retreat. September 6-9 she will attend the COSLA meeting, which is being held in conjunction with the Western Council meeting in Tucson. Strege has been invited by the Dean of Libraries in Missoula to participate in the Future Institute to discuss the future of state libraries on September 18-19. On September 25-26 Strege will attend the BCR meeting in Denver. Strege will attend federation meetings in Billings on October 4 and in Belt on October 9.

The deadline for the Staying Connected grant of up to \$200,000 from the Gates Foundation is September 1. Staff and Strege have completed a partial draft.

Chuck Swysgood, Director of the Governor's Office of Budget and Program Planning, met with Strege and Kris Schmitz last week to thank them for their hard work in managing the State Library during these tough times. His compliments were appreciated.

The evaluations of the long-range plan are overdue, but the process will start with TBL next Friday. Each department in turn will go through their section of the strategic plan to evaluate whether or not they are meeting their objectives. The commission will receive a report at the December meeting.

Anastasia Burton played the radio PSAs, which will begin airing September 1. She also demonstrated a website that was developed as a one-stop shop for libraries. Also as part of the campaign, a toolkit was prepared and will be distributed to all participating libraries. The kit contains the Montana media listing, sample postcards and bookmarks, a bibliography of different public relations resources and hints, facts about Montana's libraries and a sample press release. The kits will be sent out at the end of August to be timed with the start of the television and radio spots airing for three months beginning September 1. Strege added that along with this a marketing/public relation's workshop is being developed to be presented at the Fall Workshop and the federation meetings.

Strege said that the State Library has been invited to participate in the National Book Festival in Washington DC in October. The Library will be working with the Montana Committee for the Humanities to prepare a display. Bette Ammon from the Missoula Public Library will represent the State Library. Laura Bush, the Library of Congress and various private companies sponsor the Festival.

Randall asked if the remodeling is on hold. Strege replied that it is on hold due to budget constraints, but we have the architect's plan and we'll determine if we can do limited remodeling with this year's budget.

Mike Hamlett said that the NRIS report says their website now averages a million hits per month and he wondered how those were being counted. Sue Crispin said that the easiest way to measure is by hits, which counts each time a user moves from place to place on the site. Strege said that managers would study the collection of user statistics and change the reporting, if needed, to accurately portray use and value.

LDD and TBL Updates

Staffeldt reported that the Gates Summer institute is being held in Billings. Darby has poured the foundation for the new library building and needs only \$25,000 more to fund the entire project. Federation coordinators will meet on August 21 for a conference call to discuss the future of federations and possible alternative funding in these tight times.

Christie Briggs reported that the Talking Book Library was featured in a ten-minute segment as part of a Montana PBS program on the statewide summer reading program. The film crew spent about three hours at the Library interviewing Briggs, her staff and several volunteers. The program aired on July 10 and 13. Briggs played the segment for the Commission.

On September 16, Briggs will give a presentation to the Governor's Aging Conference. In October, Aging Horizons will focus on the Talking Book Library. That program reaches about 120,000 households in Montana. Briggs added that TBL is in the process of producing some three-minute book review segments.

Briggs presented a proposal requesting money from the State Library trust fund to upgrade the Keystone Library Automated System server. No action is expected until the October meeting. The amount requested is approximately \$35,000, but that amount may be adjusted as more information is received from the KLAS technicians about licenses and maintenance fees. There is about \$90,000 in the trust fund. By policy, the money the trust fund must be used for enhancements to the services to blind and physically handicapped, not day-to-day operations. The trust fund is for the whole Library, but the bulk of the money is from donations from TBL patrons. The trust fund money is in a short-term investment pool managed by the Board of Investments.

Randall asked whether the recently purchased SAN would help with TBL's storage needs. Briggs replied that she checked into that and into offsite support by ITSD, but since the system is a UNIX system, neither of those options is feasible.

Morton said that an opportunity exists to seek more donations. When people send a memorial or a donation to TBL they are saying they care and they have means. The State Library should follow up to encourage inclusion in estate planning and annual giving. The Commission suggested that Burton design a brochure to use in seeking funds.

Strege said that the Commission would review the trust policy at the next meeting rather than wait until June 2004 as originally scheduled.

Digital Library Updates

Jim Hill was detained in Missoula, so Strege gave the updates for him.

The planning for the digital library is going slowly. Staff has agreed on 10-15 assumptions in what they expect their services to be. The SAN that was purchased has been delivered and is being installed. The air conditioning project in the server room has been completed, but the room still needs a fire suppression system, a second Internet connection and secure back up.

NRIS is completing a grant project to serve GIS information in a more effective way over the Internet. The grant was awarded by the Institute of Museum and Library Services and runs until the end of September. NRIS has applied for another grant for next year, but grant announcements have not yet been made.

In the Library Information and Services Department, the deselection of federal documents continues. Suzy Holt reported on a Foundation Center workshop held at the State Library. The Center helps grant seekers succeed by providing them the necessary tools to identify funding sources and help them to understand philanthropy and foundation giving. There are five cooperating collections in Montana, including one at the State Library. 60 people from nonprofit organizations in the area attended the workshop to learn how to use the resources and write grant proposals. Randall added that by partnering with nonprofit organizations in the community to pay the membership fee, Libby was recently able to establish a cooperating collection.

Sue Crispin provided Commission members with the recently completed 6th Edition of the Montana Bird Distribution publication that Heritage produced in partnership with Audubon. The manual is a summary of what is in the Montana bird distribution database. Another report recently completed with support from the US Forest Service is a summary of the conservation status of terrestrial mollusks in the state. Heritage often focuses on groups of plants and animals that are not well known and studied is an effort to make information available to resource managers.

LSTA Report

Staffeldt reported that LSTA for 2004 did pass the Senate and will hopefully pass in the House in September. There may be more money available for '04. The Fall Workshop will be held September 26-27 in Lewistown. Included will be sessions on marketing, training on the statewide database and budgeting for trustees. The petition to form a Lake County library district is still circulating and petitioners hope to get the issue on the ballot in November.

Financial Reports

The FY03 4th quarter report closes out the FY02/03 biennium. During the biennium, MSL had two programs - Program 1 and Program 7 for legislative purposes. Internally, the budget is broken down to a lower level to track how each department is doing. There were two changes in the

budget to close out the fiscal year. MSL moved some LSTA grant funds into projects that are tracked internally. Miscellaneous balances left from LSTA FY02 and FY03 projects were moved into MLN. The other change was to move \$33,000 out of operations and some grants and into the equipment budget so Program 1 could help purchase the SAN and the digital recording equipment. For FY03, Program 1 reverted \$4,607 of general fund money.

Program 7 had two changes in its core level budget. An operational plan change moved \$6,500 out of personal services to pay temporary employees. The other change was moving miscellaneous savings of \$28,000 from the operational budget to the equipment budget for their portion of the SAN. The total general fund reversion for Program 7 was \$206.

Schmitz said she would add a handout to the financial reports that shows the monthly deposits and the balance of the trust fund.

The FY04 start-up budget is from HB2. The Commission and the legislature approved the Library reorganization, so there is now only one budget as far as the legislature is concerned and four budgets for internal purposes.

The Montana Digital Library budget is a combination of the LISD and NRIS budgets. We are still in the process of figuring out how the budgets will roll together and how they will be tracked. NRIS has some restrictive funding sources, which are contracts for specific services provided.

The current budget funds 28.5 FTE, which is two less than the FY03 budget because MSL lost two FTE during the legislative session. The general fund budget is back at the FY00 level. However, MSL received more coal severance tax funding, which is restricted.

Commission Policies

Strege mentioned that some changes had been made to the review schedule. The waste reduction and recycling plan is very out of date and needs a lot of work, so it will not be reviewed today. And as mentioned earlier, the trust policy will be discussed in October rather than next August.

The incentive award program policy is state policy that the Library adopted. Strege suggested the Library replace the policy with a one-paragraph statement saying that the Library will follow state policy. If the Library had more employees it might make sense to tailor a policy to each department, but with only 28 employees it makes sense to just follow state policy. The incentive award program is not used very often because if an agency gives an employee an award for saving the state money, the agency must pay for the award out of its own budget. Randall suggested the word shall be changed to may in the first sentence of the paragraph and the last sentence be changed to say that the Commission complies with the state requirement that there be an incentive award policy.

The per diem policy is not required by the state. The changes Strege made to the policy were to remove references to specific amounts and some editorial changes to make it clearer. Randall suggested the second sentence in paragraph two of the revised policy be changed to read, Commissioners who represent the University System, the office of Public Instruction, or who receive their normal salary while attending commission meetings normally do not receive per diem. Allen suggested changing the term current law to Montana law.

The grievance policy is a required state policy. Strege suggested leaving the state policy in place with no changes. The Library has had two grievances in the past four years and this policy worked well.

The alternate work schedule policy is not required by the state, but it was adopted so each employee would be treated the same and would understand the rules of work schedule policies. Strege made some revisions for the sake of clarity and eliminated the language referring to reasonable accommodations, since that is covered under state and federal laws. Staffanson mentioned that the word approval should be changed to approve in the second paragraph of the revised policy. Randall said that the revised policy refers to employees negotiating a schedule with their program manager and he wondered how many program managers there are. Strege said she and staff would discuss how they want to handle the reorganization and manager issue and bring the results to the next commission meeting. Morton suggested adding that the State Librarian has the final approval on schedules.

Children's Internet Protection Act & the Patriot Act

In 1999 Congress passed the Children's Internet Protection Act. CIPA requires public and school libraries that receive federal funding for Internet access through the e-rate program or from LSTA to shield children from harmful depictions of pornographic material by filtering their computers, including staff computers. Over the past seven years, the Montana legislature has heard and rejected similar legislation. The ALA and the ACLU have fought the legislation, but in June the Supreme Court upheld CIPA. The Supreme Court has also said that the filter must be disabled if a patron requests it. The Act is very confusing to everybody involved and librarians are struggling to decide whether it's worth getting a small amount of federal money and then having to pay for filtering software. Strege feels that many public libraries in Montana won't accept the e-rate funds for Internet access, but will accept it for telecommunication services. Some libraries already use filtering software. Library staff met and decided the State Library's role is to provide unbiased, objective information about libraries' choices and what filtering software is the best to use if they do choose to filter. Strege sent out the first of two documents to public library directors and their boards explaining CIPA and providing some frequently asked questions and answers.

Congress passed the Patriot Act about 18 months ago. The FBI can now compel libraries to turn over their records under a subpoena grant by the Foreign Surveillance Intelligence Court. Before this law was passed, Montana law allowed law enforcement to get library records with an order from a competent court. When presented with such an order, the librarian would generally ask their attorney if the subpoena is valid and, if so, turn the records over. The Patriot Act trumps state law. The FBI can now request records from libraries and bookstores under FSIC and the librarian or any other individual is under a gag order and cannot say anything about the subpoena. The ALA and other organizations are very concerned about this act and have lobbied Congress to amend it. Three bills have been introduced in Congress to change the Patriot Act to ensure that people who use libraries and bookstores are exempt from the act. Strege's suggestion is for the commission to lobby its congress members and urge them to take a look at the legislation and make good choices for Montana's libraries.

Morton felt an inquiry should be made to the State Justice Department about the legality of the Act. He feels the Commission is an oversight board, and as such, should not take the role of advocating changing the national security laws.

Federation Coordinator's Report

A teleconference is scheduled to discuss the future of federations.

In the Tamarack Federation, Darby started building its new library and the Missoula Public Library is hosting the ALA/NASA space exhibit. They will have a reception and a ribbon cutting for the new entryway on September 5.

The Miles City Public Library and the Glendive Public Library of the Sagebrush Federation have joined the shared catalog and are very pleased with it. Sagebrush is having its fall meeting in Baker on September 20. They will attempt to move future meetings around to different cities throughout the federation. The October Commission meeting will be held in Miles City.

Randall said he would like a Commission member to attend each federation meeting. He asked whether the Commission budget could be expanded to allow for more travel. Schmitz said there is some miscellaneous travel money built into the budget. She added that we have new commissioners this fiscal year, so that may change the travel and per diem budget.

Commission Goals and Objectives

One of the Commission's goals is to promote the status of libraries in Montana by increasing its activities on a local, state and federal level. Randall feels the Commission is doing pretty well at the state and federal level, but needs to do more at the local level, including attending federation meetings. Strege said she often receives invitations to area open houses and other events, and she will start passing those along to the Commissioners.

Randall added that the Commission has not been meeting with the Governor, or at least her budget staff, annually to report on the status of Montana libraries and that needs to start happening.

Randall suggested that two weeks before each Commission meeting, a message be sent out send out on Wired MT explaining what issues will be discussed, who the Commissioners are and to contact them if you have questions or concerns.

Staffanson will write an article for the next Commissioner's Corner for the next Big Sky Libraries newsletter.

A new commissioner of higher education has been appointed and Morton suggested that Strege establish a relationship, give her a tour of the State Library and remind her why there is a university appointment to the commission.

Randall recommended that Commissioners stop into libraries as they're traveling around the state and introduce themselves to the library directors and staff and find out what their concerns are.

Broadbent said she serves on other boards and she discussed the State Library with some of the people she serves with. She felt the tour of the Belgrade Library was a valuable one in showing how one person can make a big difference.

Allen met with Bill Cochran and visited the Polson Library.

Morton cleared paperwork with OPI to get continuing education credits for workshops for librarians.

Randall worked with the Networking Task Force on the contract for the new database.

Action Items

Morton made a motion to approve the FY03 4th quarter and the FY04 start up financial statements. Allen seconded the motion and it passed unanimously.

Staffanson moved to approve the recommendation by Strege to replace the state incentive award policy with a one-paragraph statement saying that the Library will follow state policy. Bitz seconded the motion and it passed unanimously.

Allen made a motion to approve the per diem policy with the discussed changes made. Broadbent seconded the motion and it passed unanimously.

The action Morton's library took in response to the Patriot Act was to release a statement saying, "Our library believes that there should be free and unfettered access to information and users of information should have their privacy respected. In accomplishing this, we are bound to comply with federal and state law." Strege said she agrees with Morton's statement, but said she would like to add that the Commission should advocate for revisions to laws that threaten the principle in the first sentence.

Morton moved to accept the statement he used, but leave off the second sentence referring to complying with state and federal laws. Allen seconded the motion and it passed unanimously.

State Librarian Evaluation

Two Commissioners, one new Commissioner and one who served during the previous evaluation, serve on a subcommittee to direct the evaluation and present it to the full Commission. Staffanson will have the role of contacting people, and Morton will lead her in what needs to be done. Evaluations should be sent to federation coordinators, lead staff at the State Library, Commissioners, state agency heads, and the president of MLA. The evaluation will be done in executive session after the October meeting and Strege has asked that it be closed.

Morton said they are using a form at the university that the Commission might want to consider using. It is an inventory of leadership skills and style. It is fairly lengthy, but goes quickly. He will check on whether it is copyrighted and let Staffanson know.

Literature Sampler

Strege pointed out the articles on the CIPA ruling and how libraries will cope with that. There is an article by Bridgett Johnson about the new catalog system at the Lewistown Public Library.

Other Business and Announcements

The meeting was adjourned at 2:30 pm and the Commission was given a tour of the new digital equipment in the Talking Book Library.