



Agenda  
Bondurant Community Library - Library Board of Trustees  
104 2<sup>nd</sup> Street NE  
Bondurant, Iowa 50035  
Bondurant Community Library – Group Study B  
6 pm  
Wednesday, April 3, 2024

A virtual meeting is being offered. Participants wishing to speak on a topic should message the meeting moderator. All participants are asked to mute their individual computers at times when they are not speaking to minimize background noise.

To connect to the virtual meeting please use the following link

<https://us02web.zoom.us/j/86028164551?pwd=RE16V2RTVmVsdFhzU0x0ZUFSZGN1Zz09>

To phone into the meeting please call the following number: 1 312 626 6799 US (Chicago)

Meeting ID: 860 2816 4551 Password: 666649

Roll Call

Call to order

- 1) Guests Present
  - 2) Perfecting and Approving the Agenda
  - 3) Approval of Consent Agenda
    - a) Approval of Minutes from past meeting –March 2024
    - b) Financial Report
    - c) Approval of Warrant List/Authorize expenditures
    - d) Staff Report -- March
    - e) Director Report -- March
    - f) Statistics
  - 4) Public Comments
  - 5) Foundation Update
  - 6) Friends of the Library Update
  - 7) City Council Liaison Report
  - 8) Old Business
  - 9) New Business
    - a) Trustee Training – Chapter 13
    - b) Discuss/Decision Expenditure of Enrich Iowa Funding
    - c) Review/Approve Patron Behavior Policy
  - 10) Board President Items
  - 11) Adjournment
- Next meeting May 1, 2024

Any person with a disability who requires a modification or accommodation in order to participate in the meeting, or any person with limited English proficiency (LEP) who requires language assistance to communicate with the Library Board of Trustees during the meeting, should contact the Library Director, (515) 967-4790 or [jills@bondurantlib.com](mailto:jills@bondurantlib.com), no fewer than two business days prior to the

meeting to enable the Bondurant Community Library to make reasonable arrangements to assure accessibility or language assistance for the meeting.



**Meeting Minutes**  
**Bondurant Community Library | Library Board of Trustees**  
**Wednesday, March 6, 2024**

**Call to order:** Meeting called to order at 6:01 PM by President Bryant.

1. **Roll Call:** *Members Present:* Josh Bryant, Sue Ugulini, Mike Kramer, Amber Flinn, Travis Appelgate and Jen Keeler. Assistant Director Klinker-Feld and Library Director, Jill Sanders.  
**Guests present:** Marketa Oliver, City Administer, and Tara Cox city Council Liaison.
2. **Perfecting and Approving the Agenda:** Motion to approve the agenda as by Ugulini, seconded by Keeler. Motion carried.
3. **Approval of Consent Agenda:**
  - a. Minutes of past meeting – February 2024
  - b. Financial Report
  - c. Approve Warrant list / authorize expenditures
  - d. Staff Report – February 2024
  - e. Director’s Report – February 2024
  - f. Statistics

Motion to approve the above consent agenda by Keeler, seconded by Flinn. Motion carried.

4. **Public Comments:** None.
5. **Library Foundation Update:** The Mini –Golf event was well attended, with great sponsors. Considering there were many events going on in the community, it was nice everyone fit this event into their day. The Foundation paid for ½ of the nine new chairs that were ordered.
6. **Friends of the Library Update:** Upcoming Book sale the first weekend in May will need volunteers. The Friends paid ½ of the cost for the nine new chairs that were ordered.
7. **City Council Liaison Report:** Liaison Cox reported that the signage code is being updated. International Pi Day will have city staff at the Pie Shop with budget Pie charts. Exemplar Care is one of the new businesses going into the strip mall by Brick House Fitness. New parking spaces are being added by ReMax Realty. Edward Jones is holding a ribbon cutting in their new offices in the new building across from Reclaimed Rails. Emergency Services building is slowly moving along, currently waiting for DOT approval. City Park renovation is being worked on again now that the weather is improving. The Famer’s Market is planning to be hold in the street in the downtown area this spring, since the City Park is being renovated.
8. **Old Business:** None.

## 9. New Business:

a) **Discuss/approve Revised budget Proposal FY 2024-2025.** Director Sanders and City Administrator presented changes the City Administration feel need to be made to previously passed budget request from the Library Board. These included additional FT and PT funding in anticipation of Sanders retirement and additional PT staffing, additional funding for rural circulation from Polk County, additional technology amounts Decrease in the computer support line item. Director Sanders expressed concerns on this item, as the projection has no contingency for unexpected expenses. Motion by Kramer, seconded by Appelgate to approve presented changes. Motion carried.

b) **Trustee Training – Chapter 12 Trustee Handbook: *Problem Solving and Decision Making*.** Reviewed and discussed this chapter.

c) **Review/Approve Patron Behavior policy.** Several suggestions and additions were made. Motion to table and re-present at April meeting, by Ugulini, seconded by Keeler. Motion carried.

**10. Board President Items:** None.

**12. Adjournment:** Motion to adjourn at 6:40 by Keeler, seconded by Kramer. Motion carried.

**Next Meeting:** April 3, 2024 at 6 PM.



# Budget Report Account Summary

For Fiscal: 2023-2024 Period Ending: 03/31/2024

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 001 - GENERAL FUND</b>						
<b>Department: 410 - LIBRARY</b>						
<a href="#">001-410-1-4500</a>	FINES & FEES	4,000.00	4,000.00	483.35	4,153.02	153.02 103.83 %
<a href="#">001-410-2-4465</a>	CO CONTRIB LIBRARY-POLK CO AUD	33,000.00	33,000.00	0.00	58,014.00	25,014.00 175.80 %
<a href="#">001-410-2-4710</a>	REIMBURSEMENT-LIBRARY GRANTS	1,000.00	1,000.00	0.00	0.00	-1,000.00 100.00 %
<a href="#">001-410-6010</a>	SALARIES	330,886.31	330,886.31	24,602.22	233,325.45	97,560.86 29.48 %
<a href="#">001-410-6020</a>	SALARIES-PART-TIME	76,633.81	76,633.81	5,769.81	56,667.49	19,966.32 26.05 %
<a href="#">001-410-6210</a>	ASSOCIATION DUES	1,500.00	1,500.00	400.00	735.00	765.00 51.00 %
<a href="#">001-410-6220</a>	SUBSCRIPTIONS & ED MATERIALS	0.00	0.00	0.00	36.36	-36.36 0.00 %
<a href="#">001-410-6230</a>	TRAINING	2,997.86	2,997.86	0.00	2,630.91	366.95 12.24 %
<a href="#">001-410-6240</a>	MEETINGS & CONFERENCES	5,000.00	5,000.00	446.51	2,722.19	2,277.81 45.56 %
<a href="#">001-410-6310</a>	BUILDING & GROUND MAINTENAN...	15,000.00	15,000.00	0.00	8,095.37	6,904.63 46.03 %
<a href="#">001-410-6340</a>	OFFICE EQUIPMENT REPAIR	200.00	200.00	0.00	0.00	200.00 100.00 %
<a href="#">001-410-6350</a>	OPERATIONAL EQUIPMENT REPAIR	1,000.00	1,000.00	0.00	636.05	363.95 36.40 %
<a href="#">001-410-6371</a>	ELECTRIC / GAS	24,000.00	24,000.00	2,025.00	18,045.00	5,955.00 24.81 %
<a href="#">001-410-6373</a>	TELECOMMUNICATION EXPENSE	42,000.00	42,000.00	3,285.32	27,357.56	14,642.44 34.86 %
<a href="#">001-410-6411</a>	LEGAL EXPENSE	1,500.00	1,500.00	0.00	492.50	1,007.50 67.17 %
<a href="#">001-410-6419</a>	COMPUTER SUPPORT	8,000.00	8,000.00	0.00	9,682.99	-1,682.99 -21.04 %
<a href="#">001-410-6499</a>	CONTRACT SERVICES	33,500.00	33,500.00	1,138.00	16,304.56	17,195.44 51.33 %
<a href="#">001-410-6502</a>	PRINTED MATERIALS	49,000.00	49,000.00	11,143.08	42,023.50	6,976.50 14.24 %
<a href="#">001-410-6503</a>	DIGITAL MATERIALS	21,000.00	21,000.00	1,009.47	22,575.30	-1,575.30 -7.50 %
<a href="#">001-410-6504</a>	MINOR EQUIPMENT	2,500.00	2,500.00	0.00	526.70	1,973.30 78.93 %
<a href="#">001-410-6506</a>	OFFICE SUPPLIES	6,000.00	6,000.00	148.22	4,578.91	1,421.09 23.68 %
<a href="#">001-410-6507</a>	OPERATING SUPPLIES	1,000.00	1,000.00	150.41	1,371.59	-371.59 -37.16 %
<a href="#">001-410-6508</a>	POSTAGE-SHIPPING	1,500.00	1,500.00	140.32	1,447.10	52.90 3.53 %
<a href="#">001-410-6580</a>	MISCELLANEOUS	1,000.00	1,000.00	0.00	227.65	772.35 77.24 %
<a href="#">001-410-6599</a>	LIBRARY PROGRAMS	11,000.00	11,000.00	464.85	5,054.31	5,945.69 54.05 %
<a href="#">001-410-6725</a>	TECHNOLOGY REPLACEMENT	9,000.00	9,000.00	110.44	5,744.85	3,255.15 36.17 %
<b>Department: 410 - LIBRARY Surplus (Deficit):</b>		<b>-606,217.98</b>	<b>-606,217.98</b>	<b>-50,350.30</b>	<b>-398,114.32</b>	<b>208,103.66 34.33%</b>
<b>Fund: 001 - GENERAL FUND Surplus (Deficit):</b>		<b>-606,217.98</b>	<b>-606,217.98</b>	<b>-50,350.30</b>	<b>-398,114.32</b>	<b>208,103.66 34.33%</b>

**Budget Report**

**For Fiscal: 2023-2024 Period Ending: 03/31/2024**

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 167 - LIBRARY GRANT</b>							
<b>Department: 410 - LIBRARY</b>							
<a href="#">167-410-2-4440</a>	LIBRARY STATE AID	4,500.00	4,500.00	0.00	6,259.76	1,759.76	139.11 %
<a href="#">167-410-2-4705</a>	T/A-LIBRARY DONATIONS	1,500.00	1,500.00	1,022.25	26,900.57	25,400.57	1,793.37 %
<a href="#">167-410-4-4300</a>	INTEREST - LIBRARY T&A	0.00	0.00	0.00	249.66	249.66	0.00 %
<a href="#">167-410-6450</a>	REFUNDS/REIMBURSEMENTS	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">167-410-6506</a>	TRUST & AGENCY LIBRARY EXPENSE	20,000.00	20,000.00	482.30	16,538.48	3,461.52	17.31 %
<b>Department: 410 - LIBRARY Surplus (Deficit):</b>		<b>-15,000.00</b>	<b>-15,000.00</b>	<b>539.95</b>	<b>16,871.51</b>	<b>31,871.51</b>	<b>212.48%</b>
<b>Fund: 167 - LIBRARY GRANT Surplus (Deficit):</b>		<b>-15,000.00</b>	<b>-15,000.00</b>	<b>539.95</b>	<b>16,871.51</b>	<b>31,871.51</b>	<b>212.48%</b>

**Budget Report**

**For Fiscal: 2023-2024 Period Ending: 03/31/2024**

	<b>Original Total Budget</b>	<b>Current Total Budget</b>	<b>Period Activity</b>	<b>Fiscal Activity</b>	<b>Variance Favorable (Unfavorable)</b>	<b>Percent Remaining</b>
<b>Fund: 351 - LIBRARY CAPITAL</b>						
<b>Department: 410 - LIBRARY</b>						
<a href="#">351-410-6799</a>						
OTHER CAPITAL OUTLAY	130,000.00	130,000.00	0.00	0.00	130,000.00	100.00 %
<b>Department: 410 - LIBRARY Total:</b>	<b>130,000.00</b>	<b>130,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>130,000.00</b>	<b>100.00%</b>
<b>Fund: 351 - LIBRARY CAPITAL Total:</b>	<b>130,000.00</b>	<b>130,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>130,000.00</b>	<b>100.00%</b>
<b>Report Surplus (Deficit):</b>	<b>-751,217.98</b>	<b>-751,217.98</b>	<b>-49,810.35</b>	<b>-381,242.81</b>	<b>369,975.17</b>	<b>49.25%</b>

### Group Summary

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 001 - GENERAL FUND</b>						
410 - LIBRARY	-606,217.98	-606,217.98	-50,350.30	-398,114.32	208,103.66	34.33%
<b>Fund: 001 - GENERAL FUND Surplus (Deficit):</b>	<b>-606,217.98</b>	<b>-606,217.98</b>	<b>-50,350.30</b>	<b>-398,114.32</b>	<b>208,103.66</b>	<b>34.33%</b>



**Budget Report**

**For Fiscal: 2023-2024 Period Ending: 03/31/2024**

<b>Departmen...</b>	<b>Original Total Budget</b>	<b>Current Total Budget</b>	<b>Period Activity</b>	<b>Fiscal Activity</b>	<b>Variance Favorable (Unfavorable)</b>	<b>Percent Remaining</b>
<b>Fund: 167 - LIBRARY GRANT</b>						
410 - LIBRARY	-15,000.00	-15,000.00	539.95	16,871.51	31,871.51	212.48%
<b>Fund: 167 - LIBRARY GRANT Surplus (Deficit):</b>	<b>-15,000.00</b>	<b>-15,000.00</b>	<b>539.95</b>	<b>16,871.51</b>	<b>31,871.51</b>	<b>212.48%</b>

**Bondurant Community Library**  
**Library Board of Trustees**  
**April 3, 2024**  
**Warrant List**

<b>Company</b>	<b>Description</b>	<b>Budget Code</b>	<b>Invoice</b>	<b>Amount</b>
Friends of the Grimes Library	Adventure Pass software fee	001-410-6599	statement	<b>\$225.00</b>
Allegra	Carly, Business Cards	001-410-6580	209704	<b>\$57.07</b>
Baker & Taylor	Books	001-410-6502	2038083985	<b>\$81.59</b>
	Books	001-410-6502	2038103497	<b>\$825.14</b>
	Books	001-410-6502	2038118330	<b>\$281.94</b>
Dell Technologies	Laptops/desktops	001-410-6725	107360654092	<b>\$12,911.38</b>
Demco	Book Supplies	001-410-6506	7449366	<b>\$132.81</b>
Demco	Book Supplies	001-410-6506	7432350	<b>\$101.66</b>
Do Art Productions	Summer Reading performer	167-410-6506	1083	<b>\$250.00</b>
Driscoll, Pat	Program performer	001-410-6599	contract	<b>\$100.00</b>
Hoopla	Digital content	001-410-6503	505127976	<b>\$946.24</b>
Kadeth	Tech work	001-410-6419	6721	<b>\$1,062.92</b>
Kadeth	tech work	001-410-6419	6752	<b>\$166.67</b>
Konica Minolta	phone	001-410-6373	820014336	<b>\$282.29</b>
Library Furniture Intl	Mobile Desk	167-410-6506	9154	<b>\$3,163.50</b>
MicroMarketing	Audio CD	001-410-6502	948702	<b>\$50.00</b>
MicroMarketing	Large Print	001-410-6502	948235	<b>\$29.60</b>
MicroMarketing	Large Print	001-410-6502	948241	<b>\$27.20</b>
MidAmerican	Utilities	001-410-6373	549252980	<b>\$2,025.00</b>
Mi-Fiber	Internet	001-410-6373	11550718	<b>\$0.00</b>
Playaway	Wonder Books	001-410-6502	457231	<b>\$1,064.76</b>
Petty cash	Postage	001-410-6508	receipts	<b>\$161.46</b>
Provantage	new computer software	001-410-6725	9652798	<b>\$219.47</b>
Provantage	VM ware for server	001-410-6725	9654274	<b>\$937.44</b>

**Bondurant Community Library**  
**Library Board of Trustees**  
**April 3, 2024**  
**Warrant List**

Sanders, Jill	Mileage, UPS to return disc repair machine, program supplies, cleaning supplies	001-410-6240, 6599, 6507, 6508	receipts	<b>\$118.44</b>
Stratus	Cleaning Services, March 1	001-410-6499	6658201	<b>\$851.56</b>
Stratus	Cleaning Services, April 1	001-410-6499	6726365	<b>\$851.56</b>
Skold Door	Meeting room divider repair	001-410-6310	440866-mar24-1	<b>\$426.00</b>
STG	Summer Reading software	167-410-6506	14089	<b>\$495.00</b>
Unique	Collection Services	001-410-6499	6123490	<b>\$46.60</b>
US Cellular	Hotspot data service March	001-410-6373	642393012	<b>\$346.66</b>
US Cellular	hotspot data service - April	001-410-6373	636216478	<b>\$390.15</b>
Verizon	Hotspot data service	001-410-6373	9958333281	<b>\$3,003.03</b>
Visa	Books & Movies	001-410-6502	Statement	<b>\$565.12</b>
	Credit Book	001-410-6502	Statement	<b>-\$11.64</b>
	Misc case for new phone	001-410-6580	Statement	<b>\$17.99</b>
	Gas for city car	001-410-6240	Statement	<b>\$34.71</b>
	New computer equipment	001-410-6725	Statement	<b>\$1,390.95</b>
	Programming supplies	001-410-6599	Statement	<b>\$620.59</b>
	Office supplies	001-410-6506	Statement	<b>\$40.48</b>
	NAS and hard drives	001-410-6419	Statement	<b>\$90.74</b>
	Ice packs and bandaides	001-410-6507	Statement	<b>\$79.91</b>
	Monthly Zoom/Annual Go Daddy	001-410-6499	Statement	<b>\$1,062.16</b>
When to Work	scheduling software annual fee	001-410-6499	27951427-10-12-pro-24	<b>\$220.00</b>

**Bondurant Community Library**  
**Library Board of Trustees**  
**April 3, 2024**  
**Warrant List**

Total Operating Expenses	\$31,834.65
Trust and Agency Expenses	<u>\$3,908.50</u>
<b>Total</b>	<u><u>\$35,743.15</u></u>

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Bondurant Community Library Board President  
SIGNATURE

Date

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Bondurant Community Library Board Secretary  
SIGNATURE

Date

## STAFF REPORT MARCH 2024



### Michell:

- Attended Bondurant Chamber Dinner/Awards
- Presented “Dementia Friends” session to Bondurant Chamber members
- Iowa Small Library Association spring meeting
- Met with Easter Seals representative about Library of Things
- Webinar “Lunch with the State Library: Specialized Consulting”

### Megan S:

- Pop YS – Deaf Children in the Library
- Kids Lib
- Booklist: Readers’ Advisory
- Envisionware Mobile Printing training

### Carly:

- Kids Lib
- MLIS courses
- ESL Meeting with School District Office
- Co-hosted ESL Open House with the school

### Chantel:

- Adult Librarian meeting
- Final endorsement discussion
- Completed Public Library Staff Endorsement

### Events in March:

- 13 Story Times at the Library
- 4 Sessions of Baby Story & Play
- 8 Sessions of Fit for Life!
- Adult Craft Night
- Book Discussion for Adults
- Books on Tap book discussion at Reclaimed Rails
- Cyber Security workshop
- Adult Crafternoon
- Foye School of Irish Dance program
- Book Club for grades 3-5
- Book Club for grades 6-8
- Teens Only Sunday Funday

- Pokémon Club
- STEAM Club
- After School STEAM
- After School Movie
- After School BINGO
- Spring Break Craft
- Build a Leprechaun Trap
- Pot O'Gold Scavenger Hunt
- Spring Bunny Scavenger Hunt
- LIBRARY CLOSED March 31 for Easter



## Librarian items: March 2024

- Director Sanders attended City Council meeting on March 4 and March 18.
- Library Staff meeting was held on March 26.
- Director Sanders attended Friends of the Library and the Bondurant Community Library Foundation meetings on March 19.
- We are still waiting on the replacement door to Group Study Room B, no word on installation time yet.
- Director Sanders and Assistant Library Director attended the Annual Bondurant Chamber Event. We were pleased to accept the Organization of the Year award from the Chamber membership. Also in attendance to accept President, Josh Bryant, Board Member Julie Bergeson, Jen Keeler. Thank you all for being there that evening.
- Assistant Michell and I met with Stephanie from Easter Seals Iowa about including in our collection of Library of things some adaptive devices to help patrons with special needs. Stephanie has sent a list of items available and we are currently assessing for those items that will be most useful for the community. This is a service they provide free of charge and Easter Seals has just completed a project with the Des Moines Public Library with adding devices to their collection for check out to the community.
- March 28, in collaboration with the ESL division of the school, the Library hosted an open house for parents and children. Tours were given of the collection to all who attended and with special emphasis of the resources the Library has available for those English language learners. Activities for the children, special presentations were also given. The school had received a grant from AEA to provide this open house. 36 attended as well as about 10 school staff and interpreters.

Just one of the groups that toured the library at ESL Open House.



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## Chapter 13: Library Law and Legal Matters

It is important for board members to understand the essentials of a number of federal, state and local laws. Please consider this chapter to be legal information, not legal advice, which is defined as the application of law to specific circumstances. You should consult a lawyer if you want professional assurance that the information, and your interpretation of it, is accurate.

### City-Library Ordinance

Most of Iowa's public libraries are established by an ordinance very similar to the sample ordinance in the appendix of this Handbook. Libraries established after Iowa's Home Rule Act (1972 Acts chapter 1088) may have an ordinance similar to the sample ordinance or it may be substantially different. In the city-library ordinance you will likely find:

- ❖ The number of board members, how they are appointed, and their term of office
- ❖ The powers and duties of the board, including its authority to set the librarian's salary and control the library's expenditures
- ❖ Procedure for budgeting and approving bills
- ❖ Reports required from the library to the city council

### Changing the Library's Ordinance

*"A proposal to alter the composition, manner of selection or charge of a library board, or to replace it with an alternative form of administrative agency, is subject to the approval of the voters of the city."* (**Iowa Code 392.5**) For sound reasons, changing the library ordinance is not simple. Most other city ordinances are changed through a vote of the city council. However, substantial changes to the library ordinance--such as changing the number of board members, how board members are appointed, or their powers and duties--require a public vote at a general election.



A frequently asked question about the library ordinance is “Our ordinance states that all seven members of the board shall be residents of the city. We would like one of the board members to be a rural resident. How do we proceed?” Such a change to the library ordinance must be submitted to the voters in a city election. The library board may request that the proposed changes be placed on the ballot. If a majority of the voters approve, the city changes the library ordinance in accord with the proposal.

**Iowa Code 392.5** protects library boards and the powers of library trustees against direct city control over libraries. This protection insulates library governance from political influence and safeguards intellectual freedom. The exception to this is libraries that have advisory boards; Iowa has two such advisory boards, all others are administrative governing boards.

## Open Meetings

*“This chapter seeks to assure, through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people. Ambiguity in the construction or application of this chapter should be resolved in favor of openness.” (Iowa Code 21.1)*

Library board meetings are subject to the Iowa Open Meetings Law. Iowa law assumes that meetings are open to the public. Iowa citizens do not have to make a case to attend a governmental meeting such as a library board meeting. Even an informal meeting of library trustees would be subject to the Open Meetings Law if there is a majority of the trustees at the gathering and library business is discussed.

### What is the Definition of a Meeting?

A meeting is defined as *“a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body [library board] where there is deliberation or action upon any matter within the scope of the [library board’s] policy-making duties.” (Iowa Code 21.1)*

### How Much Notice Should Be Given for the Meeting?

Boards are required to publicly post their meeting notice at least 24 hours in advance. The posting should be in a prominent place, accessible to the community, in the building where the meeting is expected to take place. The agenda should also be posted online, ideally on the library website and the city website. The agenda must include the date, time, and meeting place. If a news/media agency requests a copy of the notice and agenda, the library board must supply it.

### What Additional Information Must Be on the Agenda?

The agenda should include all business to be discussed at the meeting in enough detail to give community members a good idea of what topics will be discussed. If an item comes up at the meeting that has not been included on the agenda, action should be deferred to a later meeting. However, the law does allow for items that may come up on

an emergency basis.

### **What Should Be Included in the Minutes?**

Minutes of all library board meetings must be kept and include the date, place, the members present, any action taken at the meeting and enough information to allow the public to determine how each member voted. Minutes are subject to the Open Records Law and must be made available to the public if requested.

### **When May a Meeting Be Closed?**

To have a closed session, the government body must first meet in an open session. This means notice and the agenda, which reasonably apprises the public of what is about to occur, must be posted 24 hours in advance. The government body may go into closed session only with a two-thirds majority vote of the entire board or a unanimous vote of all the trustees present. In addition, the specific reason to go into closed session under **Iowa Code 21.5** must be announced in open session. If a closed session is conducted (note: there is no requirement to have a closed session) detailed minutes of the closed session must be kept and the closed session must be audio recorded. No final action may be taken during the closed session.

There are very few reasons listed allowing a closed session and each reason has very specific requirements. The following examples illustrate the need to read and become familiar with the law before going into closed session. **Iowa Code 21.5(1)(i)** allows trustees to evaluate the professional competency of an employee or potential employee, but two criteria must be met: (1) the closed session must be *"necessary to prevent needless and irreparable injury to that individual's reputation"* and (2) the person you are evaluating must request a closed session. Without both requirements met, a closed session is not allowed by law.

Another example is when the government body is discussing the purchase of real estate. A closed session may be held only if the *"premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property."* This particular section is unique because after the transaction is complete the government body must make available the audio recording and minutes from the closed session.

The specific requirements of the Open Meetings Law can be confusing. If you are uncertain, seek legal advice before proceeding. Under the Open Meetings Law there are exceptions to the liability of the law if you *"reasonably relied upon a decision of a court or a formal opinion of the attorney general or the attorney for the governmental body."* You may also contact the **Citizens' Aide/Ombudsman Office** at 888-426-6283 or review the **Iowa Attorney General Sunshine Advisories**.

Board members should be familiar with Iowa's Open Meeting Law and each member should have a copy of the Iowa Open Meetings/Open Records Handbook, available from the **Iowa Freedom of Information Council**.

## Open Records and Confidentiality

*“Every person shall have the right to examine and copy public records ... [however] the following records shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information ... The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.” (Iowa Code 22.2 and 22.7(13))*

Library boards should take every precaution to guard the confidentiality of library customers. This includes ensuring that:

- ❖ A confidentiality policy for the library is adopted by the board.
- ❖ Circulation records in an automated system are not kept after statistics are recorded and the material is returned; any fines or fees attached to the record are paid.
- ❖ Overdue notices are sent only in sealed envelopes or via e-mail and never on postcards where others could see what the customer has checked out.
- ❖ Phone reminders of overdue items and reserves left on answering machines maintain confidentiality by not verbally revealing the titles of the items.

Included in a confidentiality policy should be a statement about the custodian of the record and the circumstances within which library check-out records may be released. The identity of which customer requested which materials or information may be revealed only:

- ❖ If the library is presented with a court order. (The court order must indicate that this information is needed for the investigation of a particular person or an organization and may only be issued after a judge has determined if the connection between the case and the record makes it “cogent and compelling” that the information is released.)
- ❖ If the lawful custodian of the records, defined by an Iowa Attorney General’s opinion to be the library director, releases the information. (To safeguard customers’ confidentiality, the library board should state in the policy that the record shall be opened by the lawful custodian only upon receipt of a court order as indicated above.)

Library customer information (such as names and addresses) that is not attached to a circulation record may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards. The board should adopt a policy on release of this type of information. See **Iowa Code 22.7(18)**.

### Questions on Confidentiality and Open Records

An issue that is frequently raised is if a parent can see the titles checked out on a child's card. Parents, under **Iowa Code 613.16**, are liable for the acts of their children. At the same time, **Iowa Code 22.7 (13)** protects the confidentiality of all library patrons regardless of age. Thus, parents are liable for the acts of their children and yet children are included in the right to have their library records kept confidential. Obviously, libraries are in a difficult position as a result of these two Iowa Code sections.

As noted previously, **Iowa Code 22.7** does allow for discretion on the part of the custodian of the records, who is most often the library director. In other words, the Iowa Code gives the custodian of the records, the library director, the authority to decide whether or not to release library records. If records are requested by a criminal or juvenile justice agency, the library director may release the records only upon receiving a court order.

Some libraries in Iowa will not release the records of a child to a parent under any circumstance. Others will release them in certain situations. To protect intellectual freedom, library boards should err on the side of confidentiality. Releasing the records of a library patron, regardless of age, should be the exception rather than the rule. A parent who wishes to know what a child has checked out has at least two other options besides asking the library director for the child's library records. A parent could simply ask the child what is checked out or require the child to check out materials under the parent's card.

Patron records may be used for purposes of fundraising by Library Friends or Foundation groups as long as the list does not link the customer with the material or information requested, it is an open record and is open to inspection by the general public. However, as noted earlier, this information may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards.

### Gender Balance For Library Boards

*"All appointive boards, commissions, committees, and councils of the state established by the Code, if not otherwise provided by law, shall be gender balanced."* (**Iowa Code 69.16A**)

**Note:** striving for gender balance is a city government obligation because mayors appoint and councils approve library board members. Note that the law allows an exemption if a "good faith effort" has been made for three months to gender-balance appointments.

Your board can and should take a partnership role in helping your city government in this effort. For example, you and the director can develop a list of potential trustees ahead of when vacancies need to be filled. Be sure to include both male and female candidates, then submit your list to the mayor's office.

### Compatibility of Office

Not all possible combinations of public office have been tested in the courts or by the Iowa Attorney General's office. However, the following offices, specifically applying to libraries, are considered incompatible, meaning that one person should not hold both offices at the same time:

- ❖ Council member and library board member
- ❖ City clerk and library board member
- ❖ Mayor and library board member

A person may seek an office position currently incompatible with the office now held if the person gives up the current office upon taking over the new office (based on a 1912 Iowa Supreme Court decision "State v. Anderson" [136 N.W. 128] that addresses compatibility of office).

During your time on the board you may also come across situations that raise questions about conflict of interest. One example is a board member who wants to work as a substitute at the library and be paid. Although it is technically legal (**Iowa Code 362.5**) it is not recommended. Even if the board member abstains from voting on his or her pay, this practice still puts the library director in the position of supervising someone who is actually his or her employer. This could be a very difficult position for the library director if the board member's performance as a substitute is unsatisfactory.

Another example of potential conflict of interest is a board member whose relative is a library staff member. The employee may go around the director to take concerns to the board member when the issue should be resolved by the library director and the employee. Allowing this type of situation to continue undermines the authority of the director.

If you as a trustee are sincerely concerned about a potential conflict of interest, discuss the situation with the full board. Then consider a discussion with the city manager, city attorney, mayor and/or city council. Because allowing a potential conflict of interest to go unresolved could damage the library's credibility in the community for years to come. If you are unable to decide whether or not there is a conflict of interest, unresolved questions can be formally addressed to the Iowa Attorney General's Office by an elected official.

## Board Liability

*"A person who performs services for a municipality or an agency or subdivision of a municipality and who does not receive compensation is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. For purposes of this section, 'compensation' does not include payments to reimburse a person for expenses." (Iowa Code 670.2)*

The legal power of the board comes when the board acts as a body. To guard against potential liability, avoid the following:

- ❖ Acting in excess of authority, i.e. inappropriate expenditures or exceeding budget spending levels
- ❖ Failing to act when action should have been taken, i.e., failure to meet contractual obligations
- ❖ Negligence, i.e., unsafe buildings and grounds, failure to supervise funds
- ❖ Intentional misconduct, i.e., libel, improper discharging of an employee, theft
- ❖ Acting in violation of the law, i.e., authorizing payment of improper expenses, failing to follow proper rules for hiring

## Fair Labor Standards Act (FLSA)

The federal Fair Labor Standards Act (FLSA) establishes standards for basic wages, overtime pay, record keeping, and child labor.

### Basic Wages

Each library employee must be paid not less than the minimum wage. Library employees must be paid for hours worked and may not volunteer time without pay. As of this writing Iowa's minimum wage is \$7.25. For detailed information on Iowa's minimum wage, refer to the [Iowa Department of Workforce Development](#).

### Paying Library Staff During Training

According to Iowa Workforce Development: *"If any such gathering is required by an employer, or if an employer leads its employees to believe they will receive adverse treatment for not attending, the employer must pay its employees for the time spent in attendance."* (Iowa Workforce Development) This is also a Tier 1 standard addressed in Iowa Public Library Standards. **Standard #23:** *"The library allows the director to participate in continuing education opportunities during their work time."*

### Overtime Pay

Within the public library are employees who are exempt and those who are non-exempt

from the FLSA regulations; one of the deciding criteria is whether the employee has independent decision-making authority. The director of a public library is usually an exempt employee if he or she directs a staff of at least two. Those employees who do not have independent decision-making authority, even if they have a library science degree, are non-exempt from the FLSA. To determine whether a position is exempt or non-exempt, call the Wage and Hour Division of the **U.S. Department of Labor** Iowa office at 515-284-4625.

Non-exempt employees must be paid overtime at a rate of not less than one and one-half times their regular rates of pay after 40 hours of work in a workweek. A workweek is defined as seven consecutive 24 hour periods, fixed and regularly occurring; each workweek stands alone. Time off may be granted within the workweek if the employee has reached 40 hours before the end of the week. In other words, an employee may work 10 hours each day, four days straight within the workweek without being paid overtime. However, if the employee works 45 hours during one workweek and 35 hours during the next, five hours of overtime must be paid.

For libraries in the public sector, compensatory time may be given in lieu of overtime, but must be given at the rate of “time and a half” to non-exempt employees.

### **Recordkeeping**

The FLSA requires that employers keep records on wages, hours, and other items, as specified in Department of Labor recordkeeping regulations. Most of the information is the kind generally maintained by employers; the records do not have to be kept in any particular form and time clocks need not be used.

### **Child Labor Standards**

Fourteen is the minimum age for library work; youths 14 and 15 years old may work at the library outside of school hours under the following conditions:

- ❖ No more than 3 hours per school day and 18 hours in the school week
- ❖ No more than 8 hours on a non-school day or 40 hours in a non-school week
- ❖ Work may not begin before 7:00 a.m. or continue after 7:00 p.m. except from June 1 through Labor Day when permissible evening hours are extended to 9:00 p.m.

A library may hire youths 16 years of age and older to work unlimited hours within the guidelines of the FLSA.

For more information on FLSA, see the Wage and Hour Division of the **U.S. Department of Labor**.

### **Iowa Gift Law**

*“Except as otherwise provided in this section, a public official, public employee, or*

*candidate, or that person's immediate family member shall not, directly or indirectly, accept or receive any gift or series of gifts from a restricted donor.” (Iowa Code 68B.22)*

The library's director and trustees are subject to the Iowa Gift Law. You cannot accept a gift for personal use that has a value of over \$3.00 from anyone who wants to do business with the library. For example, you cannot personally accept a gift from a book salesperson who could sell books to your library. However, if the benefit is available generally, it is not considered a gift. For example, if Baker & Taylor provides book discounts to library staff members in all libraries, it is not considered a gift to an individual employee and does not fall under the Iowa Gift Law.

### **Digital Millennium Copyright Act (DMCA)**

On October 12, 1998, Congress passed the Digital Millennium Copyright Act (DMCA). The law became effective in October 2000 and it has been incorporated into the Copyright Act (Title 17 of the U. S. Code). This landmark legislation updated U.S. copyright law to meet the demands of the Digital Age and to conform U.S. law to the requirements of the World Intellectual Property Organization (WIPO) and treaties that the U.S. signed in 1996. Divided into five "titles," the DMCA is a complex act that addresses a number of issues that are of concern to libraries. Among its many provisions, the Act:

- ❖ Imposes rules prohibiting the circumvention of technological protection measures
- ❖ Sets limitations on copyright infringement liability for online service providers (OSPs)
- ❖ Expands an existing exemption for making copies of computer programs
- ❖ Provides a significant updating of the rules and procedures regarding archival preservation
- ❖ Mandates a study of distance education activities in networked environments
- ❖ Mandates a study of the effects of anti-circumvention protection rules on the "first sale" doctrine

The DMCA provides safe harbor from copyright infringement liability for online service providers. In order to qualify for safe harbor protection, certain online service providers—like public libraries—must designate an agent as the person who will receive notices of copyright infringement.

To designate an agent, a service provider must do two things: (1) make contact information for the agent available to the public on its website and (2) provide that same information to the federal copyright office, which maintains a centralized online directory of designated agent contact information for public use. The service provider must also ensure that this information is up to date.



The DMCA License renews for \$6.00 every three years. The license recognizes the public library as a provider of public Internet access and helps to alleviate problems when people illegally download content via the library's computers.

If your library has ever received a "cease and desist" letter from your Internet service provider, you'll appreciate the benefit of this license. It's not uncommon for public libraries to be notified of illegal downloading activity happening on the library's computers, typically by people illegally downloading movies. So this DMCA license indicates that a public library will pledge to curtail illegal use of its public Internet computers and to report the library director (typically) as an "agent."

For more information, see the [DMCA webpage](#) from ALA.

For answers to other legal questions, refer to the [Library Law FAQ](#) developed by the State Library Law Librarian.



## BONDURANT COMMUNITY LIBRARY

### PATRON BEHAVIOR POLICY

All persons have free access to the Bondurant Community Library, its facilities and services during its regular business hours. Children under ~~nine~~ **ten** years of age must be accompanied in library facilities by a parent, guardian, or other responsible person. Bondurant Community Library assumes no responsibility for unattended minors. Refer to the unattended children policy.

Section 392.5 of the Code of Iowa delegates to Library Board of Trustees the right to establish the rules and regulations for use of the library.

The Bondurant Community Library Board Policy prohibits conduct in the Library that:

- a) Interferes with the rights of individuals to use library materials and services
- b) Interferes with the ability of library staff to conduct library business, or
- c) Threatens the secure and comfortable environment of the Library.

Any person who fails to comply with the following rules and regulations of the Bondurant Community Library may lose loan privileges and/or be removed from the facility. Nothing in these regulations shall be deemed to preclude other civil or criminal action as applicable. In some situations, if the behavior is extreme, no warning is necessary, and the proper authorities will be called.

These rules and regulations shall apply to all persons in their use of library facilities. In order to ensure an atmosphere of safety and respect, the Library prohibits behavior, which may include but is not limited to the following:

- Interfering with another person's enjoyment of library services and facilities.
- Speaking, shouting, or raising one's voice to cause a disturbance to other persons in the facility.

- Removing library materials, or hiding library materials with intent to remove such materials, without properly charging out or borrowing such material. (Iowa Code 702.22, 714.5, 808.12).
- Misusing the library's computers or the computer system, network, or library data. No food or drink near computer stations.
- Sleeping on the library premise, depositing bedrolls, or bedding on library property. Bringing luggage or large bags into the library. Leaving personal items in the building. Library assumes no responsibility for any belongings left unattended.
- Using restrooms for bathing or other personal grooming.
- ~~No tobacco products are allowed inside of the library facilities, or consumption of alcoholic beverages, or use of illegal substances. All are strictly prohibited in the Library.~~ **Using illegal substances, tobacco, or smoking on library property, including electronic cigarettes or vaping devices, consuming or possessing alcoholic beverages unless the Library Board of Trustees has approved an event or function where alcoholic beverages will be provided. The consumption and/or possession of alcoholic beverages shall be limited to those in attendance at the approved library event or function, and shall be confined to a designated area within the library during the event or function.**
- Operating, pushing, or riding wheeled devices within library facilities. No skateboarding anywhere on library property. The use of baby strollers, equipment required by persons with disabilities, and equipment used by library personnel is permitted.
- Depositing litter anywhere other than in garbage receptacles provided.
- Spitting on any person or library furniture, floors, or materials.
- Posting, distributing, or circulating any handbill, circular, card, booklet, placard without the permission of the library director or his or her designee.
- Cell phone users must respect the wishes of others who desire a quiet location for study by changing the setting on their devices to a non-audible signal. If your connection is bad, do not raise your voice, please move to the lobby or outside of the building.
- ~~Bringing weapons, firearms, or explosive devices into the library.~~
- Using offensive language **and/or behavior** toward staff members or other patrons.

- Making inappropriate sexual or other harassing and/or discriminatory comments toward staff or other patrons.
- **Engaging in sexual activity of any kind, including inappropriate displays of romantic affection.**
- Picture taking or videotaping of people except at Library sponsored events or programs unless authorized by the people involved or their parents if minors are present.
- Entering the non-public or locked areas, unless accompanied by a staff member or through prior authorization from a staff member.
- Maintaining bodily hygiene, which is so offensive as to constitute a nuisance to other persons.
- Behaving in a disorderly, loud or boisterous manner not caused by a disability.
- Willfully annoying, harassing, or threatening another person or library staff.
- ~~Animals, with the sole exception of animal aids for the disabled~~ **service animals for persons with disabilities**, are prohibited. **These animals are allowed as long as there is no unwanted contact with other patrons or staff and as long as they are not disruptive due to poor behavior, unhealthy, or there is a lack of cleanliness. Any cost incurred by the library to clean a mess or repair damage to property will be the responsibility of the handler.**
- Shirts and shoes must be worn in the building.
- No campaigning, petitioning, interviewing, survey taking, soliciting, sales, or any other speech or conduct, which results in the disruption of library activities, will be allowed within the library or on the library grounds. This does not refer to any library-sponsored activities.

## Enforcement

Enforcement of these rules for persons age ~~nine~~ **ten** and over may take the form of any of the following actions, depending on the severity of the misconduct, which will be determined by the staff on duty at the time.

In the case of minor disruption, the patron receives two warnings. At the third offense, the patron must leave the library for the rest of the day. Parents of

children under 18 may be called as appropriate.

In the case of extreme misconduct the offender may receive only one warning or be ordered to leave the building immediately. The police or parents may be called as appropriate.

The Director or designee will warn patrons causing disruption on repeated visits that they will not be allowed to enter the building if the behavior continues. If a correction is not made, patron will be barred from the library for one month. If library privileges are reinstated and the disturbance recurs, the patrons may be barred from the library for longer periods.

For children under age ~~nine~~ **ten**, a staff member will issue two warnings to the child and then inform parent/caretaker that the child is behaving in a disruptive manner. If the parent/caretaker refuses or is unable to control the child, they will be asked to leave with the child. If the parent/caretaker has not been located within an hour, is uncooperative, or if the library is closing, the police will be called to assume responsibility for the child. Children are subject to all of the above guidelines and may be banned from the library.

These guidelines are designed to make your library visit safe, productive and pleasant.

Adopted by the Bondurant Community Library Board of Trustees

12/05/2002

Reviewed and Revised

03/2007, 6/2015, 2/2019, 1/2021

## Addendum:

### **702.22 Library materials and equipment.**

1. "*Library materials*" include books, plates, pictures, photographs, engravings, paintings, drawings, maps, newspapers, magazines, pamphlets, broadsides, manuscripts, documents, letters, public records, microforms, sound recordings, audiovisual materials in any format, magnetic or other tapes, electronic data processing records, artifacts, and written or printed materials regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of any of the following:

- a. A public library.
- b. A library of an educational, historical, or eleemosynary institution, organization, or society.
- c. A museum.
- d. A repository of public records.

2. "*Library equipment*" includes audio, visual, or audiovisual machines, machinery or equipment belonging to, on loan to or otherwise in the custody of one of the institutions or agencies listed in subsection 1.

### **714.5 Library materials and equipment - unpurchased merchandise - evidence of intention.**

The fact that a person has concealed library materials or equipment as defined in section 702.22 or unpurchased property of a store or other mercantile establishment, either on the premises or outside the premises, is material evidence of intent to deprive the owner, and the finding of library materials or equipment or unpurchased property concealed upon the person or among the belongings of the person, is material evidence of intent to deprive and, if the person conceals or causes to be concealed library materials or equipment or unpurchased property, upon the person or among the belongings of another, the finding of the concealed materials, equipment or property is also material evidence of intent to deprive on the part of the person concealing the library materials, equipment or goods.

The fact that a person fails to return library materials for two months or more after the date the person agreed to return the library materials, or fails to return library equipment for one month or more after the date the person agreed to return the library equipment, is evidence of intent to deprive the owner. Provided a reasonable attempt, has been made to reclaim the materials or equipment, including the mailing by restricted certified mail of notice, that such material or equipment is overdue and criminal actions will be taken. Notices stating the provisions of this section and of section 808.12 with regard to library materials or equipment shall be posted in clear public view in all public libraries, in all libraries of educational, historical or charitable institutions, organizations or societies, in all museums and in all repositories of public records. After the expiration of three days following the due date, the owner of borrowed library equipment may request the assistance of a dispute resolution center, mediation center or appropriate law enforcement agency in recovering the equipment from the borrower.

The owner of library equipment may require deposits by borrowers and in the case of late returns, the owner may impose graduated penalties of up to twenty-five percent of the value of the equipment, based upon the lateness of the return.

In the case of lost library materials or equipment, arrangements may be made to make a monetary settlement.

### **808.12 Detention and search in theft of library materials and shoplifting.**

1. Persons concealing property as set forth in section 7 1 4.5, may be detained and searched by a peace officer, person employed in a facility containing library materials, merchant, or merchant's employee, provided that the detention is for a reasonable length of time and that the search is conducted in a reasonable manner by a person of the same sex and according to subsection 2 of this section.

2. No search of the person under this section shall be conducted by any person other than someone acting under the direction of a peace officer except where permission of the one to be searched has first been obtained.

3. The detention or search under this section by a peace officer, person employed in a facility containing library materials, merchant, or merchant's employee does not render the person liable, in a criminal or civil action, for false arrest or false imprisonment provided the person conducting the search or detention had reasonable grounds to believe the person detained or searched had concealed or was attempting to conceal property as set forth in section 714.5.

[C62, 66, 71, 73, 75, 77, §709.22 - 709.24; C79, 81, §808.12]

BONDURANT COMMUNITY LIBRARY	BOARD
POLICY SECTION	APPROVED 09/2005
<b>INCIDENT REPORT POLICY &amp; FORM</b>	REVISED

### **INCIDENT REPORT POLICY**

The Library Director will keep a confidential file of information on problem incidents in which a CONTACT form has been filed. The purpose of this file is to track any serious problems that are reported by the staff. It will be used to document incidents and to track problems of a reoccurring nature.

#### **CONTACT FORM**

Please provide a description of unacceptable behavior reported and a description of any action taken (e.g., person asked to leave and did so; police called; officer escorted person from the library, etc.)

**NAME** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**DATE & TIME OF INCIDENT** \_\_\_\_\_

**DESCRIPTION OF INCIDENT:**

**REPORTED BY** \_\_\_\_\_

**WITNESSES** \_\_\_\_\_

**ACTION TAKEN:**

Submit contact form to Library Director.  
Director initial when received & read.