



Main Library - Accomac

Northampton Free Library  
Chincoteague Island Library  
Cape Charles Memorial Library

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**EASTERN SHORE PUBLIC LIBRARY  
BOARD OF TRUSTEES**

February 15, 2022 at 1:00 pm

(Meeting held in-person at the Accomack County Airport, Melfa, and electronically)

**Present:** Joyce Holland (Chair), Althea Pittman, David Poyer (virtual), Carl Rose-Jensen, Gerry Ryan, Tim Valentine. **Absent:** Patricia Bloxom (Vice-Chair), Dennis Custis, Jay Davenport, James Lilliston, Accomack County Treasurer.

**In attendance:** Cara Burton, Director. **Staff:** Jazmine Collins, Tiffany Flores, Charle Ricci, Hannah Swimley.

**ESPL Foundation:** Al McMath, Colette Nelson. **Friends of the ESPL:** Janet Rochester.

1. Meeting was called to order by Chairperson Holland at 1:04 pm.
2. **Public Comments.** None.
3. **Approval of Minutes.** Rose-Jensen motioned to approve the minutes from the December 14, 2021 meeting. Pittman seconded. Motion approved. Rose-Jensen motioned to approve the minutes of the January 11, 2022 meeting. Pittman seconded. Motion approved.
4. **Finance Committee (Bloxom)** – No updates presented. Burton noted that the finance committee met over the past month to work on County budget presentations. Holland observed that the library board and Foundation were well represented at the Accomack and Northampton budget meetings. Burton contacted the Executive Director of the Freedom of Information Advisory Council and found that for trustee meetings held with a combination of in person and virtual attendees, when less than a quorum attend in person, any trustees attending virtually cannot ask questions, comment, or participate; in addition to the open meeting law requirement that no action (approved motions) take place. Citizens attending virtually can speak. If five trustees, the ESPL quorum, are present in person, trustees on Zoom are permitted to speak and vote. Burton also learned that if trustees and the ESPL Foundation board met conjointly, it would have to be an open public meeting. Any closed sessions during such a meeting would need to follow open meeting laws. Closed sessions on two different topics require two separate motions, with a motion being read for each. Additionally, it needs to be made clear to everyone in attendance, and also in the minutes, that the closed session will address both topics; unless the board decides to hold each closed session separately, going in and out of each session separately. Burton noted there is legal precedent for limiting closed sessions about contracts to procurement only. If there are legal aspects to the contractual matter to be addressed in closed session, an attorney is required to be present. Discussions as to whether to hire an attorney are not applicable for a closed session.
5. **Financial Report.** Burton has been in discussion with the State Library about how State Aid is allocated. It is not allocated on local government income, but is based rather on how much of the library's local government income was spent. During the past fiscal year, approximately \$60,000 less was spent by the ESPL than was received because of the delay in moving to the new building. Operating in a fiscally conservative manner can result in the library being negatively affected in the next year or two with a reduction in State Aid. Additionally, there have been changes in the way that CCML and CIL's financials are to be reported to the State Library. The state library is phasing out "common government" support, which is how CCML's support is classified. Libraries in Virginia who have been able to report "common government" in the past will receive less state aid funding in the future. The State Library representative also noted that any reserve fund must be deposited into a separate bank account, which the library has been attempting for some time now through

Accomack County. Burton noted that regional libraries do not have the ability to create good contingency or reserve funds based on the restrictions on such funds related to State Aid, whereas municipal libraries can rely on their governmental units for a contingency fund. Rose-Jensen motioned to approve the financial reports. Ryan seconded. Motion approved.

6. **Branch and Friend's Reports**
  - a. Cape Charles Memorial Library - Included in system report. No further updates presented.
  - b. Chincoteague Island Library -Included in system report. No further updates presented.
  - c. Northampton Free Library - Included in system report. No further updates presented.
  - d. ESPL Friends Reports – Included in board packet. No further updates presented.
7. **Library Director's System Report** – Holland inquired about whether the Adult Services Librarian position mentioned in the system report was still empty. Burton confirmed that funding for this position has been requested from the Counties in recent years but it has not yet been funded. Instead, the Heritage Center Manager position is being filled, which has been possible in part due to the vacancy of another library staff position. The Heritage Center's website is coming along nicely. Burton sent a link to a webinar on Cybersecurity to trustees and considers it worth watching.
8. **Facility Committee (Valentine)** – Accomack County issued a notice of intent to discontinue the contract with RH Construction. Representatives from the bonding company are in town and there has been a flurry of activity at the construction site. Valentine is unsure of what will happen next or exactly how long things may take until project completion. Accomack County Administrator Mason has been helpful in sending updates upon request. McMath noted that bonding company representatives have been onsite to access the state of the project and make a recommendation, which will be used by the Board of Supervisors to make a final decision on the project. The bonding company said that if the project goes out to rebid, it could be at least a couple of months until a new contractor begins, which would mean that the project may not be complete until 2023. One option available to the bonding company would be to retain RH Construction.
9. **Personnel Committee (Pittman)** – Rose-Jensen noted that the committee has met and Collins is developing a survey. Rose-Jenson also explained that communications with library staff and the work of the committee will need to be ongoing to keep pace with the development of staff members and changes in library employment in general.
10. **Grand Opening Committee (Bloxom and Holland)** – No updates presented. Nelson suggested that notices be sent to volunteer planners to let them know that the grand opening event has been put on hold.
11. **ESPL Foundation (Davenport)**
  - a. **Capital Campaign Update** – McMath noted that the Foundation has proposed sending a letter to all donors to explain what has happened with the project, but are looking to trustees for approval before sending the letter. The Foundation has distributed money in endowments with the Hampton Roads Community Foundation. \$300,000 has been deposited to support the Kirk Mariner/Miles Barnes archivist endowment. The Joyce Milliner estate bequest will be deposited in the near future once the paperwork and tax preparations are complete. A Citizens Endowment has also been created with \$25,000 by the Foundation. The Foundation is waiting for construction to finish before beginning to fundraise for endowments in earnest. The Foundation has also been talking to the seventeen incorporated towns on the Eastern Shore in regards to still available ARPA funding to ask for a donation of \$10 per citizen, and has received a positive response so far. Holland complimented Burton on her recent budget presentations. Burton expressed appreciation for the trustee and Foundation support and presence at the budget hearings.
12. **Capital Project Update – Steering Committee (Valentine)** – No updates presented.

13. **Old Business**

- a. Strategic Planning (Davenport) – Burton has been compiling and editing all of the contributions to the strategic plan by the various committees. Progress is being made.

14. **New Business**

- a. Approval of 2022 Closings – Valentine motioned to approve the list of 2022 library closings. Poyer seconded. Motion approved.
- b. Approval of Foundation Naming Opportunities – Valentine motioned to approve an updated document of naming opportunities that was created by the Foundation. Poyer seconded. Motion approved.
- c. Email Correspondence – Holland explained that it is best for each trustee to have a separate and private email account for library business. Burton agreed that it is best practice to have a dedicated email for library business as some of the board correspondence can be sensitive and is FOIA-able. If anyone other than a trustee is viewing that trustee’s email, that individual will need to sign a confidentiality agreement with the library. A cybersecurity breach would also be more easily addressed when this protocol is followed.

15. **Additional Comments** – None.

A motion was made by Rose-Jensen, seconded by Pittman, that the Board ENTER CLOSED SESSION AS PERMITTED BY SECTION 2.2-3711(a)(29) OF THE FREEDOM OF INFORMATION ACT TO DISCUSS THE AWARD OF A PUBLIC CONTRACT INVOLVING THE EXPENDITURE OF PUBLIC FUNDS, INCLUDING INTERVIEWS OF BIDDERS OR OFFERORS, AND DISCUSSION OF THE TERMS OR SCOPE OF SUCH CONTRACT, WHERE DISCUSSION IN AN OPEN SESSION WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE PUBLIC BODY.

All members were present with the exception(s) of Bloxom, Custis, Davenport, and Lilliston and voted “yes.” The motion was unanimously passed.

Certification of Closed Meeting

DO YOU CERTIFY THAT THE MATTERS DISCUSSED IN THE CLOSED SESSION JUST HELD WERE COVERED IN THE MOTION BY WHICH THE LIBRARY BOARD ENTERED CLOSED SESSION, AND WERE EXCLUDED FROM THE OPEN MEETING REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT?

Upon being polled individually by a roll call vote in open meeting, each Board member confirmed that these were the only matters of discussion during the closed session.

16. **Next Meeting:** Tuesday, March 8, 2022 at 1:00 pm, Accomack County Airport.

17. **Adjournment** – A motion to adjourn was made by Valentine and seconded by Pittman. Motion approved. Meeting adjourned at 2:30 pm by the Chair.

Respectfully submitted,



Cara Burton, Secretary