



**EASTERN SHORE PUBLIC LIBRARY
BOARD OF TRUSTEES**

October 20, 2022 at 1:00 pm

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

Present: Joyce Holland (Chair), Jay Davenport (Vice-Chair), Gary Heintzelman, Althea Pittman, David Poyer, Carl Rose-Jensen, Gerry Ryan. James Lilliston, Accomack County Treasurer (virtual).

Absent: Dennis Custis, Frank Russell

In attendance: Cara Burton, Director, Jazmine Collins (virtual), Tiffany Flores (virtual), Chris Pote (virtual), Charle Ricci (virtual). Paul Muhly, Accomack County Supervisor.

ESPL Foundation: Al McMath, Colette Nelson. **Friends of the ESPL:** Margaret Donahue-Lynch.

1. Meeting was called to order by Chair Holland at 1:01 pm.
2. **Public Comments.** Donahue-Lynch requested that Burton read the report submitted by Janet Rochester, Friends President. Burton reported that two members of Friends board have visited the Book Shop area to plan shelving and furniture layout. Approximately a dozen volunteers are being assembled to help staff the Friend's Book Shop upon the Parksley library's opening. Two handmade tables presently in use in the children's room in Accomack will be refinished and donated to the Historic Onancock School (HOS). A hand-painted cabinet decorated by Miriam Riggs was also recently donated to HOS by the library.
3. **Approval of Minutes.** Minutes from the September 13, 2022 meeting will be approved at the November meeting.
4. **Finance Committee (Davenport)** – No updates presented.
5. **Financial Report.** No report presented.
6. **Branch and Friend's Reports** – No updates presented as no board packet was created in advance of this meeting.
7. **Library Director's System Report** – No report submitted.
8. **Personnel Committee (Pittman)** – Pittman reported that Collins has requested a meeting with the committee during the first week of November in order to review staff surveys and create a report for the trustees. Burton praised Collins' work in evaluating submitted resumes for open circulation positions.
9. **Grand Opening Committee (Holland)** – No updates presented. Glasses to be gifted to major donors do not have a date etched onto them, only the library logo.
10. **ESPL Foundation (Davenport)**
 - a. **Capital Campaign Update** – Foundation meeting is scheduled for next week. McMath noted that the Foundation did appropriate funds for trustees to utilize for recruitment of new director. A campaign to encourage existing donors to increase donations to next level of giving is underway. Nelson reported that the basket raffle has been slightly delayed, but that there will be 10 baskets and the Foundation is finalizing the details. Nelson also reported that the Foundation will be participating in

Giving Tuesday this year, which will take place on the first Tuesday in December. Last year's Giving Tuesday campaign was successful and the Foundation hopes this year will be even better.

11. **Capital Project Update – Steering Committee (Davenport)** – Holland reminded trustees that if contacted by outside media sources, please refer all questions to Mike Mason, County Administrator. Burton read an email to the trustees from Mason reporting that at last night's Supervisor's meeting, the County's contract with RH was terminated, effectively immediately. The contractor has removed their trailer from the building site, and County staff have confirmed overage materials remain onsite. County staff are overseeing the transition and ensuring the building is secured. Burton read an email from Mason citing reasons for the contract termination: 1) There are a number of subcontractors that are currently unpaid; 2) There are a significant number of construction defects, with the roof continuing to be the most troubling. Despite constant requests to address these defects, they remain outstanding, and their existence jeopardizes the work that has been previously completed; 3) We are well past the agreed upon completion date and there exists a lack of due diligence by RH. Muhly explained that the vote to terminate the contract was unanimous, and noted that there has been basically no work at the site for the past week and a half. There have been five false alarms recently at the new library, which has placed a burden on local volunteer firefighters. While unfortunate, Muhly stated that in order to finish the project, contract termination needed to occur, which results in the project being back in the hands of the surety company. Davenport mentioned the extensive pre-punch list that had been compiled and asked if that information will be passed along to the surety. Muhly was unsure. Davenport stressed how important communicating this punch list is, as some of the items on the list may not be apparent during a walkthrough, and asked if it would be possible to share the list, along with the trustee's concerns. Muhly suggested that the trustees reach out to Stewart Hall, Head of Public Works, who is representing Accomack County on the project. McMath spoke with Hall earlier today and echoed Muhly in saying that during recent walkthroughs, multiple leaks, in 10 or 12 locations, were found on the interior floors near the teen room, lecture hall, memory lab, and the archive room. McMath noted that due to continuing leaks, the roof insulation is wet again, and repairs would result in patches on top of patches. McMath stressed that the roof issue must be made a priority by the bonding company, and noted that the punch list in question is really the pre-punch list. Burton added that she expressed concerns at last night's Supervisor's meeting about security at the building site for fire as well as theft/vandalism. As for the recent fire alarm events, the contractor and the County have been working with the alarm system vendor to resolve the issue. Currently, the fire alarm is turned off while they are working on it, which means that the building is not currently protected. Burton is concerned about the risk of fire. She is also concerned about the surveillance system, which is not yet operational. The cameras have been installed, and all that remains is the mounting of the recording device on the IT rack, as well as the installation of the internet. ES Communications has been onsite trying to repair the damage to the CAT5 cabling that occurred when roof repairs were carried out last year. There has been an issue getting the Broadband Authority (BA) to turn on the internet. Burton spoke with Brigham at the BA, about having an interim connectivity at Parksley before the Accomac library moves, but Brigham wants a full-blown contract agreement for that connectivity, which would be costly. Internet is required to activate the security surveillance system. Davenport has an additional concern that if the fire and security systems are not operational, insurance coverage could be impacted. Muhly also reminded the trustees of the mold issues that had developed previously in the roofing insulation. Davenport stressed that we all need to figure out how to move forward. Burton mentioned that she has requested an increase in surveillance from Parksley police. Burton reported that the water is on in the building, as is the heat, and the

sewer has been hooked up. Burton wants to be sure that the heat continues to operate to keep the climate controlled to avoid mold. It remains to be determined who will be responsible for paying the electric bill moving forward. Davenport asked if current subcontractors will continue to have access to the building. Burton confirmed that there would be a lock and the County will be providing the code to contractors as needed. Ryan stressed the importance of the trustees putting their concerns about the project in writing and communicating them to the Supervisors. Holland asked that Davenport and Ryan work together to create a preliminary document that could be circulated among the trustees. Ryan motioned to formalize the trustee's concerns regarding the construction of the new library. Davenport seconded. Motion approved. McMath inquired about deliveries of equipment and furnishings. Pote explained that the project manager from the compact shelving vendor visited the site earlier today and the items on the punch list regarding the Heritage Center floor are of no concern to the shelving vendor. The compact shelving will be installed beginning on Monday, October 24 and will cover approximately 80% of the floor space. If the shelves are not installed next week, it could be well into 2023 before the vendor could return, plus there would be additional storage costs incurred. Pote confirmed that the existing roof leaks are not located over the area where the shelving will be installed. Davenport asked if the presence of the compact shelving would interfere with interior repairs on the roof. Pote noted that he, the vendor, and Shifflet were comfortable with installation timelines, especially since the compact shelving is mobile. Burton explained that children's and teen furniture that has been ordered may be stored by the vendor. Other items that are arriving are being stored at the Accomac library. The RFID security gate installation has been postponed many times, due to the absence of an internet connection. It is currently scheduled for late November, but Burton is now considering moving it out even further to a time closer to project completion. Burton added that the library is receiving equipment that it cannot yet use, and that warranties are running out, even before the items have been installed. Ryan inquired as to the standing of regaining some of these expenses from the contractor. McMath noted that the Foundation is still renting office space that would have been freely available if the library had opened on time, two years ago. McMath added that \$2,000 is being spent monthly for a rented archives space in Onley, which could have been avoided if the library had opened as scheduled. McMath explained that he and Frank Hall put together a list of additional expenses incurred by Foundation due to construction delays and presented a request for reimbursement to the Supervisors about a year ago. At that point, the Supervisors passed a motion that the contractors would be responsible for the total once the project was complete. McMath noted that tens of thousands of dollars have been spent by the Foundation additionally since that time.

12. **System Director Search Committee (Holland)** – Holland noted that the committee has worked on the existing job description with respect to the strategic plan, which will be given to applicants. The committee is utilizing money from the Foundation and expertise from the Library of Virginia to advertise in all recommended publications and websites, with a total cost of about \$1,000. A job posting is being crafted for those sites and Barbara Coady has revised the history and description of the Shore that was used in the previous job search, resulting in Burton's hiring. The committee plans to finalize and post the job listing next week. Once the committee has narrowed down the applicants to, perhaps, three candidates, all trustees will be invited to attend the interviews. Holland noted that the new library will be much larger and Burton has been juggling many tasks that should be handled by an administrative assistant. There must be help for the director, as the current organizational structure is not working. Nelson noted that the committee has asked

Pote to be a staff representative on the search committee to ensure that the staff have input in the search and hiring process. Davenport mentioned that a suggestion was made to provide text for library staff if they are questioned about the library or the director, in order that consistent answers be given.

13. Old Business

- a. ESRL Lease Agreement with Accomack County – The lease received from the County was general in nature, and the trustees felt that more specific additions needed to be included to reflect the Memorandum of Understanding. Holland and Davenport are working with the County to come up with an agreement that the trustees are comfortable with.

14. New Business

- a. Approval of the Eastern Shore Community College Adult Education Memorandum of Understanding and assigning Tiffany Flores, Family Services Librarian, as representative – Burton explained that this memorandum has been in place for years and includes various entities. The library’s portion would include providing support for basic adult education and GED programs. Burton’s name had previously been on the MOU, but Burton would like the board to review the document to make sure that participation was still of interest, and suggested Flores to be the listed representative. Burton also recommends Collins be the representative for the Eastern Shore Community College Workforce Advisory Committee. The library has already been meeting the requirements of the memorandum through normal operations. The MOU is renewed annually. Ryan motioned to approve the signing of the renewal of the MOU. Rose-Jenson seconded. Motion approved.
- b. Approval of Tiffany Flores to apply for a business credit card for library purchases - With Burton’s impending retirement, only Ricci would have a library credit card. Ryan inquired of a credit limit and Burton suggested that the limit be set at \$1,000. Davenport motioned to approve Flores applying for a business credit card for the library. Pittman seconded. Motion approved. Holland noted that there will need to be some determinations regarding Burton’s retirement. Holland and Davenport will meet with Burton to discuss how Burton’s tasks may be distributed to an interim director or spread out among existing staff. Holland and Davenport will return with a recommendation to the trustees.
- c. USDA Rural Development Community Facilities Grant Application authorization - Burton explained that there is an opportunity right now to apply for this matching grant that can be used for equipment. The library has acquired this grant in the past for items such as children’s shelving, computers, chairs and tables, and alarm equipment. It is best to apply from the locality where there is the highest match for poverty levels. Burton recommends applying for some equipment for the Parksley library. The grant would be awarded in January and, if needed at that point, a request can be made to adjust which equipment is to be purchased. Davenport motioned to amend the resolution to include “or Chairperson of the Trustees” after “Library System Director” in the third paragraph. Ryan seconded. Motion approved. Poyer motioned to approve the resolution. Ryan seconded. Motion approved.

**RESOLUTION OF GOVERNING BODY OF
the Eastern Shore Public Library**

The Board of Trustees of the Eastern Shore Public Library, consisting of nine members, in a duly called meeting held on the 20th day of October, 2022, at which a quorum was present

RESOLVED as follows:

BE IT HEREBY RESOLVED that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) in the purchase of furniture and technology for the Eastern Shore of Virginia Regional Library and Heritage Center at 24313 Bennet Street in Parksley, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Library System Director or Chairperson of the trustees of the Eastern Shore Public Library be authorized to execute on behalf of Board of Trustees, referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Board of Trustees.

15. **Additional Comments** – Muhly noted that the surety agent will soon be meeting with County officials, and recommends that a representative from the library trustees be present. Davenport volunteered to attend the meeting. Muhly suggested an email or letter be sent to Mason and the County Attorney to request inclusion at the meeting. Ryan suggested that this request be included in the document listing trustee concerns that will be submitted to the County. Davenport recommended that this be handled separately, and that the request be submitted immediately. Heintzelman motioned that the trustees direct Burton to send an email to Mason stating that the trustees are aware that the County will be meeting with the surety and expect that a representative of the trustees be invited to that meeting. Pittman seconded. Motion approved. Consensus of the trustees is that Davenport will be the trustee's representative. McMath reminded everyone of the existence of the steering committee, which was to serve as a conduit to the Supervisors. As a courtesy, to recognize the structure of communication set in place by the original MOU regarding the steering committee, the board directed Burton to request the attendance of the steering committee members at the meeting as well.
16. **Next Meeting:** Tuesday, November 8, 2022 at 1:00 pm, Accomack County Airport.
17. **Adjournment** – A motion to adjourn was made by Davenport and seconded by Ryan. Motion approved. Meeting adjourned at 2:17 pm by the Chair.

Respectfully submitted,



Cara Burton, Secretary