

Minutes
Oklahoma Department of Libraries
Special Meeting of the ODL Board
February 18, 2021 | 1:00 p.m.
Via Zoom: <https://zoom.us/j/9280414503>
Meeting ID: 928 0414 5403

Chair Cynthia Vogel called the meeting to order at 1:00 p.m. and asked for roll call. Board members present: Robert Dace, Lee Denney, Vice Chair Annabeth Robin, Jim Robison, Chair Cynthia Vogel, Secretary Melody Kellogg and Assistant Attorney General Joe Ashbaker. Absent: Steve Gray and Mary Shannon.

Guests present: Robin Cornwell and Stacy Delano (Stillwater Public Library), Yvonne Rose (Pawhuska Public Library) and Jenny Regier (Cherokee Public Library) .

Staff members present: Connie Armstrong, Melissa Askew, Christine Chen, Natalie Currie, Jan Davis, Holly Hasenfratz, Vicki Mohr, Cindy Mooney, Wendy Noerdlinger, Judy Tirey, Cathy Van Hoy and Bill Young.

In conformity with the Oklahoma Open Meeting Act, advance notice of the February 18, 2021 special meeting was transmitted to the Oklahoma Secretary of State on February 12, 2021. Public notice of this meeting, together with the agenda, was posted February 12, 2021 on the Oklahoma Department of Libraries website and in prominent public view on the glass exterior walls of the Allen Wright Memorial Library Building, 200 NE 18 Street, Oklahoma City.

Consideration and possible action on recommendations to waive certain eligibility requirements for current fiscal year State Aid Grants to Public Libraries due to the COVID-19 pandemic and declared emergencies

Kellogg announced that Vicki Mohr, Administrative Librarian for the Office of Library Development, will retire on February 26, 2021. We want to thank Vicki for all her hard work at ODL. Vicki is responsible for the timeline and overview of the review process for State Aid Grants to Public Libraries.

Kellogg said none of the state's public libraries would have qualified for State Aid this year due to pandemic-related closures. Kellogg recommended the following requirements be waived by the ODL Board as permitted by the emergency rules effective until September 14, 2021: Maintenance of Effort, hours of operation, and meetings of the library's governing body (Trustees, Board or Commission).

Robin asked if hours of operations are determined by libraries being physically opened or can they count virtual time and are the libraries doing the best they can under these conditions. Kellogg responded that curbside service and certain other operations have been considered, but the required hours of operation are based on community population requirements identified in the administrative rules. Kellogg said basically ODL has asked to set the operation hours aside for this year because of the very nature of how libraries have had to address their hours of operation. Robin asked who gets left out if the board approves waiving hours of operations. Mohr said absolutely both municipal and system libraries have utilized all available resources at their disposal, but libraries across the state still would not qualify for State Aid without the emergency rules.

Chair Vogel asked where the State Aid Grant money would go if the board does not approve these rules and the State Aid Grant funds were not given to libraries. Kellogg said ODL would either spend it in other ways which

would be difficult, or it would end up in carryover funds and eventually ODL would lose it because the funds were not given to the libraries as budgeted specifically for State Aid. Robison asked if the libraries know how they plan to spend the State Aid funds since they've not operated at full capacity due to the COVID pandemic. Mohr said the annual report provides the breakdown on how the library spent and distributed the money, which has been mostly used on new technology. Currie emphasized several libraries have indicated on past surveys that state aid comprises their entire materials budget.

Chair Vogel asked for a motion to consider approval of recommendations to waive requirements as permitted by Emergency Rules 405:25-1-3 (Amended); (2b) for hours of operation; (2c) for local boards of Trustees to meet quarterly; (2d) for maintenance of effort. Denney moved to approve, seconded by Dace. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Consideration of appeal from the Stillwater Public Library (a department of the City of Stillwater) which was determined not to qualify for State Aid based on OAC 405:25-1-3(3)(M)

Kellogg explained the appeal process that allows the City of Stillwater to respond to ODL's denial letter and to present their point of view about why they should be eligible for State Aid funding this year. Kellogg pointed out there will be no budget impact to the Department.

Chair Vogel recognized and welcomed Stillwater Public Library Director Stacy DeLano to state her case.

DeLano expressed appreciation to the staff and board members for the opportunity to explain why Stillwater is eligible for State Aid and to ask ODL to reverse their decision. DeLano said she has not yet attained a Master of Library and Information Science (MLIS), but asked board members to keep in mind during their decision process she will receive an MLIS degree within a year.

DeLano stated she and the Stillwater Public Library Board assert that her graduate degree in Law (a Juris Doctor or JD), fulfills the purpose and objectives intended as an alternate degree allowed under OAC 405:25-1-3(3)(M). ODL will not be lowering the standards of other libraries by accepting a JD as an appropriate alternate degree. She acknowledged that they firmly believe that an MLIS degree is important in performing the duties of the director of Stillwater Public Library and are committed to an even higher standard of professionalism.

Denney asked DeLano if she's always been a JD during her twenty-five years' experience. DeLano said she started as a reference librarian, which does not require a MLIS degree.

Proposed executive session pursuant to 25 O.S. 307 (B) (8) for the purpose of engaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act

Chair Vogel asked for a motion to propose going into executive session pursuant to 25 O.S. 307 (B) (8) for the purpose of engaging in deliberations to Article II of the Administrative Procedures Act. Denney moved to enter into executive session, seconded by Dace. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Vote to return to open session; possible Board action on matters discussed in executive session

Chair Vogel asked for a motion to return to open session. Dace moved to approve, seconded by Denney. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Chair Vogel asked for a motion on the appeal from the Stillwater Public Library which was determined not to qualify for State Aid based on OAC 405:25-1-3(3)(M). Denney moved to uphold the decision made by the ODL staff, seconded by Robison. Votes were as follows: Dace, opposed; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Consideration and action on funding formula for State Aid Grants to Public Libraries

Kellogg said there are two scenarios submitted for distribution of the State Aid availability. In Scenario 1, Bartlesville, Stillwater and Wagoner do not qualify for FY2021 State Aid funding.

Chair Vogel asked for a motion on consideration and action on the funding formula for State Aid Grants to Public Libraries using Scenario 1. Robin moved to approve, seconded by Dace. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Consider adoption of proposed Emergency Rules for Title 405. Oklahoma Department of Libraries, Chapter 25. State Aid Grants to Public Libraries, to address emergency situations impacting eligibility

Kellogg said the proposed Emergency Rules for State Aid Grants are identical to the emergency rules adopted this year to minimize the consequences COVID-19 related closures had on Oklahoma's public libraries. Emergency Rules are being proposed until permanent rules can be put in place in 2022.

Chair Vogel asked for a motion to consider adopting new Emergency Rules for Title 405. Robin moved to approve, seconded by Dace. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Consider approval of 2021 Board Meeting Schedule - Revised

Chair Vogel asked for a motion to consider approval of the revised 2021 Board Meeting Schedule. Denney moved to approve, seconded by Robison. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Consider approval of additional FFY 2020 LSTA project

Kellogg said Read Across Oklahoma is not a new project but will be funded for the first time with LSTA dollars if approved. The request is not to pay 100% for this year's event but to help with some particular expenses of \$4,000. The event has been held at the Oklahoma Zoo for more than 10 years and has a historical attendance of 1,500. Because of the cancelations due to the pandemic most of the activities will be held virtually. Funding is available due to cancelations related to other approved projects.

Chair Vogel asked for a motion to consider approval of additional FFY 2020 LSTA project. Dace moved to approve, seconded by Denney. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

Consider approval of proposals for FFY 2021 LSTA projects

ODL was notified that the FFY 2021 allotment from IMLS' Grants to States Program (LSTA) will be \$2,065,385. A summary of the Proposed Projects for FFY 2021 was included in the board packet and briefly reviewed by Kellogg. Continuing projects include Statewide Databases, Resource Sharing (Interlibrary Loan), Health Literacy Grants, Immigration and Citizenship Initiative, eMedia Grant, Literacy Development, Materials for Correctional Institutions, Summer Reading, Computer Lab, Online Learning Technology, Continuing Education for Public Librarians, Certification for Public Librarians (Public Library Academy), ODL Videoconferencing Maintenance, Images of Oklahoma, Read Across Oklahoma, Websites for Public Libraries and Annual Report Databases and Equipment. New projects for FFY 2021 include Category 2 E-rate, Padcaster Studio, and My Favorite Book.

Chair Vogel made a motion to approve FFY 2021 LSTA projects as proposed, seconded by Dace. Votes were as follows: Dace, yes; Denney, yes; Robin, yes; Robison, yes; Chair Vogel, yes. Absent: Gray and Shannon. The motion passed.

There being no additional business, Chair Vogel announced adjournment.

Melody A. Kellogg, Secretary