

MINUTES OF THE REGULAR MONTHLY MEETING

BOARD OF TRUSTEES

NEW ALBANY-FLOYD COUNTY PUBLIC LIBRARY

NOVEMBER 6, 2023

Presiding Officer: Roger Whaley, President

Board Members present: Steve Burks, Ann Carruthers, Erica Lawrence, Amy Niemeier, Pamela Poe, and Kate Ziady

Board Members absent: None

Staff Members present: Melissa Merida, Erin McCorkle, Laura Wilkins, and Allison Kilberg

Guests present: Library attorney Jason Lopp

CALL TO ORDER

The Board of Trustees meeting was called to order in the Applegate Room at 5:35 pm.

APPROVAL OF CONSENT AGENDA

- A. Approval and signing of Board minutes for October 2 meeting*
- B. Approval of Bills and Invoices paid*
- C. Set Board meeting for December 4*

Mr. Burks moved: That the Consent Agenda be approved.

Seconded by: Ms. Ziady

Motion: approved unanimously

PUBLIC INPUT

Laura Wilkins invited the Board to Carnegie's next exhibit, *Intentionally Intimate: The Choice to Work Small*. It opens on November 30 and runs through March 16.

PERSONNEL

Sandra Fortner is on medical leave and Toya Payne is off for family medical issues. Neither of them have a projected return date.

DIRECTOR'S REPORT

Ms. Merida reported that Holidays at the Library will be December 9. This year, 1,200 gingerbread house kits will be made with financial support from the Friends. The staff holiday party may not happen due to the staffing shortage in Administration.

Ms. Merida will not present the Board any salary increases until it's known how much money is left at the end of the year. The hiring freeze is still in effect.

The Board discussed a patron letter expressing disapproval of an LGBT Tea Party program for adults; they requested copies of program marketing and evaluations.

FOUNDATION REPORT

Mr. Whaley had no news to report.

COMMITTEE REPORTS

None

OLD BUSINESS

Carnegie Inc. situation and resolution:

Mr. Burks moved: That the Carnegie Inc. issue be opened for discussion.

Seconded by: Ms. Carruthers

Motion: approved unanimously

Mr. Burks moved: That the relationship between the Library and Carnegie Inc. be dissolved, according to the terms described in the Resolution to Dissolve the Relationship of The New Albany Floyd County Public Library and the non-profit, Carnegie Center for Art & History Inc.

Seconded by: Ms. Carruthers

Discussion:

Mr. Lopp sees no legal issues with the resolution. The Board discussed the terms of the separation. The resolution requests an audit of restricted funds in Carnegie Inc.'s account. Library staff will no longer perform Carnegie Inc's responsibilities. The Carnegie Center will now be known as the Floyd County Library Cultural Arts Center.

Ayes: Mr. Burks, Ms. Carruthers, Ms. Lawrence, Ms. Niemeier, Ms. Poe, Ms. Ziady

Abstain: Mr. Whaley

Motion: approved

The resolution goes into effect immediately. The Board asked Mr. Lopp to send a cover letter to Carnegie Inc. advising them that this resolution was adopted.

Mr. Whaley appointed Ms. Niemeier, Ms. Lawrence, and Ms. Carruthers to a committee to assist with the transition.

NEW BUSINESS

Electronic payments:

The State says the Board should decide if the Library will accept electronic payments (such as Venmo, Zelle, etc.) from patrons.

Ms. Niemeier moved: That the Board does not want to accept electronic payments at this time.

Seconded by: Ms. Ziady

Motion: approved unanimously

Assessing convenience/service fees:

The Board has a right to ask to recoup credit card service fees. The fees are not high, so the Library has always absorbed the cost.

Ms. Carruthers moved: That Ms. Merida look into the possibility of assessing service fees. This does not necessarily mean the Board is assigning fees at this time.

Seconded by: Mr. Burks

Motion: approved unanimously

The Board agreed that Ms. Merida can wait until January to begin this project.

ADJOURNMENT

As there was no further business the meeting was adjourned.

Reviewed and approved by Board of Trustees.....December 4, 2023

Eileen Lawrence

Amy Niemela

Ann Caruthers

B. H. H.

Steve Bent

Resolution to Dissolve the Relationship of
The New Albany Floyd County Public Library and
The non-profit, Carnegie Center for Art & History Inc.

November 6, 2023

In an effort to resolve the changing relationship with the New Albany Floyd County Public Library Board of Trustees and staff with the Carnegie Center for Art & History Inc. non-profit organization, the following actions will be set into motion:

The name of the Carnegie Center for Art & History will be changed to The Floyd County Library Cultural Arts Center to clear up any and all community misunderstandings of ownership and operations of the building and collection, making a clear division between the two entities, The New Albany Floyd County Public Library, here after referred to as the Library and the Carnegie Center for Art & History Inc., here after referred to as Carnegie Inc.

The Library will maintain the membership listing for center events and the work being done by Library staff. This list and database has been maintained by library employees and is a part of the software utilized for collection cataloging and cannot be divided. The library will provide access to Carnegie Inc. to the list for 30 days from the adoption of this document. The membership database will remain the property of the Library and will continue to be used for distributing bi-monthly newsletters and event notifications.

The entire collection will remain in ownership of the library, continuing collection storage, insurance coverage, historical documentation, and overall stewardship that assure the collection is in the public trust and accessible.

In regards to dividing existing funds raised by Carnegie Inc., the Library is requesting an independent audit to identify restricted funds specific to the Carnegie Center are distributed following donors' intentions. Funds identified as specific to the Center will be given to the Library for funding of the Carnegie Gift Funds with the Library. The remaining gift funds currently in the Library's Carnegie Inc. gift appropriations will be kept by the Library and utilized for original distribution as designated. These gift appropriations will be maintained as Carnegie Gift Funds to only be used for the forenamed branch use and recognition given to Carnegie Inc. for their support. Upon a zero balance these gift appropriation line items will no longer be utilized. New appropriations will be established with the new branch name for gifts received from the adoption of this document. The independent impartial audit cost will be split between the two organizations. Restricted funds for the Flow Skatepark will be maintained by Carnegie Inc. to complete their project with the City of New Albany as fund raised for in 2018 & 2019. Completing this project as promised to funders, as well as promised donor signage is the responsibility of Carnegie Inc.

The Board of Trustees acknowledges Carnegie Inc.'s directives that they are not explicitly fundraising for the benefit of the Carnegie Center for Art and History, a branch of the library. In response to this change in perspective of the Carnegie Inc. organization to be separate, the Library no longer gives permission to fund raise utilizing the library or any of our locations names as their primary fund raising purpose.

All historical paper records were digitized by Carnegie Inc. in 2023, from 1971-2019. Flash drives of these documents were distributed to Carnegie Inc. Board. The Carnegie Inc. Board in their July 19, 2023 meeting voted and instructed Library staff to dispose of the hard copies. Additional records from 2020 and forward were distributed digitally and in possession of Carnegie Inc. Board members and maintained by their Secretary position.

We acknowledge the longstanding relationship that the Library has had with the Carnegie Inc. organization over the years and the financial support that has allowed the Center to grow and become an important institution for the Floyd County community members. Many challenges to sustain the Center have been overcome with this supporting organization and much growth has occurred to assure that the Library's mission has been accomplished. The Library Board of Trustees and Staff wish Carnegie Inc. the best for their new direction.

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Appendix A - Transfer of Responsibilities to Carnegie Inc.

Responsibility to be taken over by Carnegie Inc. Board Members:

- Mail receipt and opening which will require the organization to obtain a PO Box rather than Carnegie Center's Address, Library staff will no longer maintain responsibility for receiving and responding to mail needs
- Processing and Deposits of all Funds
- Work directly with organization's Book Keeper to provide bank statements, deposit packets, monthly tax submissions, provide receipts and invoices of check payments monthly, and Board minutes for annual submission to accounting firm to complete record keeping
- Assign a Board member to become responsible representative of record for
 - State of IN representative of record
 - Business Entity Reports and filings
 - Federal Nonprofit Records & SAM
 - Tax packet completions and submissions with accounting firm
 - Transferring annual payment and ownership of QuickBooks to a provided credit card of organizations choice
- Provide point of contact of a Board member to transition contact and responsibility to for monthly processing and reconciliation of:
 - Elavon Merchant
 - PayPal
 - square.com
 - givegab.com
 - [Indiegogo.com](https://indiegogo.com)
- Complete and maintain W9, 1099s, 990

Adopted by the New Albany Floyd County Public Library Board of Trustees on Monday, November 6, 2023