

**LIBRARY BOARD OF TRUSTEES MEETING MINUTES
WEDNESDAY, May 16, 2018**

**The Board met in regular session at the Downtown Reno Library, 301 S. Center Street
Reno, NV 89431**

Chair Alderman called the meeting at 4:02 pm.

1) ROLL CALL

Board Members Present: Wendy Alderman, Zanny Marsh, Jean Stoess, Derek Wilson

County Staff Present: Assistant District Attorney Dania Reid, Assistant County Manager
Dave Solaro, County Manager John Slaughter

Public Present: Holly Johnson, Wendy Leonard (WCEA), Mary Scott Wallace, Heidi
Wilson

2) PUBLIC COMMENT

Julie Machado, Managing Librarian at Spanish Springs Library stated she was there to speak on behalf of front line staff as only the managers and administration typically participates in the Library Director's evaluation process. She asked that the Board not discount any public comment, stating that employees are fearful of retaliation in a negative work environment where the director has not effectively communicated with staff. She stated that her second point in public comment is that Director Scott uses two different presentation styles; one that the Board sees as an optimistic point of view, others have called his style bullying and demeaning. She requested that the Board not renew his contract.

Theresa Kenneston, Librarian at Spanish Springs Library stated that Director Scott showed deficiency in his internal communication and extreme lack of leadership ability, setting the stage for creating a hostile and toxic work environment from the beginning. She stated that he refused to meet with managing library staff even after on-going requests and is either unwilling or unable to address staff concerns. She said, although the library director states he has an open door policy, which is not accurate. She informed that Board, as one of the 11 transferred employees; she did not receive any consultation from management or any other administrative representatives, nor were her personal circumstances taken into consideration. She stated that this has led to an atmosphere of uncertainty and staff fearful of retribution and retaliation. She stated that the director is a bully and if he is allowed to continue to display vindictive behavior that the hostility will spread into the public arena, affecting their ability to do their jobs and provide services. She stated that staff is not safe in this toxic environment and that his intimidation, leadership and lack of communication is detrimental to the Library System as an organization.

Cathy Maurins, Library Assistant II at Northwest Reno Library stated that she is one of the numerous employees who filed a grievance with Washoe County Employee Association (WCEA) and felt it was important for the Board to understand the hostile work environment that has been created. She stated that in July 2017, she was punitively transferred to the Northwest Reno Library after 15 years of working in Technical Services, for asking her department

supervisor, Resources Librarian Debi Stears, questions about how funds were being used and accounted for. She stated that she also questioned Ms. Stears about the financial sustainability of outsourcing related programming. She informed the Board that Ms. Stears response to her [Cathy Maurins] and her co-workers on numerous occasions was that the library director could fire them at any time and that he was not interested in their ideas, thoughts or concerns. She told the Board that Ms. Stears also used a library database and researched her, personally, then emailed her coworkers with the information violating American Library Association Code of Ethics. She said that Director Scott was aware of the tactics Ms. Stears was using towards her and believed he felt comfortable in allowing her to continue handling the situation. She stated that she is not aware of any action taken towards Ms. Stears for her behavior. She stated Director Scott punitively transferred employees to other branches in November 2017 to take care of problem staff and that she believes the director sets the tone and that the tone he has been set for a hostile work environment using intimidation, threats, transfers and public reprimands to control staff. She stated that she is not asking the Board to remedy her situation but does not want this to happen to others and that she believes it is the Boards responsibility to be aware of what is going on and to address behaviors. She said that if these and other grievances are not meaningfully handled then the behavior is effectively condoned and that library staff deserve better than that.

Trustee Parkhill arrived at 4:11 p.m.

Holly Johnson, former employee started off with a quote from Edmund Burke, then informing the Board of her retirement in January 2018. She stated that she retired earlier than planned because of a lot of what has already been stated. She said she went to Washoe County Human Services, WCEA and the County Manager, stating that either everything she said was ignored or they did not answer anything she asked. She stated she was transferred to the Spanish Springs Library solely for punishment because she and her branch manager disagreed and that all the employees at her branch were afraid to say or do anything. She said that she believes that Director Scott agreed with the branch manager as he also assigned several of the Spanish Springs Library trained staff to other branches also. She stated that a couple of lawyers said they [employees] had cases and they [employees] thought about going to the newspapers locally, but do not want to do that and hurt the library funding in the future and the reputation of the library. She said that it is coming time for the Board to step up the plate and help or they [employees] may need to do something more.

Mary Scott Wallace, former employee informed that Board that she resigned after 15 years as a branch manager on March 1, 2018. She stated that in the last year and a half or so, Library employees have sought help from other County departments to always be directed back to the Library Board of Trustees. She said that, when approached, the Trustees always referred back employees back to the County Departments including HR, County Manager and Board of County Commissioners. She said that her last few years with the library was a tough time including two threats of discipline, a formal accusation of insubordination and an accusation of running a toxic work place. She said she watched her team be disassembled and reassigned to other branches. She stated that she has tried to follow protocol, but feels that anything she did seemed to make it worse and the answers have were always to report to the Trustees. She stated she would like to see several things occur:

- Augment current administrative appraisal processes as applied by other Washoe County departments.
- Deeper, empowered 360 appraisals to include lead workers and supervisors along with administrators and branch managers in the respondent pool.

- She stated she would like to see a definitive clearly communicated for departmental tasks.....end of 3-minute limit.

Andrea Tavener, Public Information and Development Officer in Library Administration stated that she is not commenting towards any of the public comments already stated but wanted the Board to hear about her personal experience with the Library System. She informed the Board she was hired by the Library System in 2005 for the Sierra View Library. She said she was transferred in 2011 which included a schedule change working nights and weekends as a single mother. She stated she was not asked for any input and that the transfer stood despite expressing her difficulty in arranging childcare on Sundays. She said that, in the end, she ultimately made it work because she loves the Library and believes in what it does and she said she believes in chain of command and leadership. She informed the Board that she was hired back into the Library System in 2015, working directly with Director Scott and the managers and stated she feels very fortunate to work in an organization that is forward thinking with initiatives and wants employees to be creative. She stated that although she may not share the views presented today and is not privy to that kind of information, she stated that from her point of view and responsibilities in this organization, she is this thrilled to work with this leadership and believes they do an outstanding job.

Trustee Stoess advised the Board there was an email sent by Library Assistant III Mary Lohnes to the Board who was unable to attend the meeting.

The email was previously received and reviewed by all trustees therefore it was not read at the meeting but included with all the documents as part of the meeting record.

3) **APPROVAL OF MEETING MINUTES**

a. **APPROVAL OF MINUTES FROM THE LIBRARY BOARD MEETING OF APRIL 18, 2018**

On motion by Trustee Stoess, seconded by Trustee Wilson, motion which duly carried, the Board approved the meeting minutes from the Library Board of Trustee meeting of April 18, 2018. All in favor, none opposed.

4) **OLD BUSINESS**

a. **WASHOE COUNTY STAFF REPORT, REVIEW AND POSSIBLE APPROVAL OF THE LIBRARY DIRECTOR'S ANNUAL PERFORMANCE EVALUATION FOR THE PERIOD 2017 TO MAY 2018, AND POSSIBLE DIRECTION REGARDING FUTURE PERFORMANCE OF THE LIBRARY DIRECTOR**

Assistant County Manager David Solaro provided a brief background in the evaluation process for this evaluation, which was also provided in the staff report. He reaffirmed the Board's awareness that Washoe County has an internal policy for handling employee complaints and investigations or outcomes result in a written report that is always confidential. He informed that Board that his purpose at the meeting today was to ensure the Board of this and that all Washoe County employees are subject to the process. He encouraged the Board to discuss and act upon the evaluation as presented through the packet from December and through May 2018. He explained that the job of the Board is to review the Library Director evaluation based upon the evaluation itself. He stated that he was not present to inform the Board of any results from the investigation process or the public comment from WCEA in December but that as part of the internal process, should a complaint be substantiated, the Board would be notified.

Legal Counsel Dania Reid stated that she is not aware of any more issues that need to be shared at this time.

Upon questioning by Chair Alderman, Assistant County Manager Solaro stated that if an actionable item was found by the third party investigating, he would not expect it would be treated differently than any other employee and would expect the Board would be notified. He reiterated that the process is confidential and only a couple of people have the authority to divulge what transpired and the results of that report and for who they report it to. He stated that if any operational issues were reported, the Board would be notified as that is within their purview to act upon. The internal policy has several components to the process including the process of investigation and reporting.

Chair Alderman moved the Board forward into the agenda item as presented for review and possible approval of the annual evaluation for the period 2017 to May 2018 with possible direction for future performance of the Library Director. She reiterated the brief background of this annual review and asked the Board for any further comments.

Trustee Stoess informed the Board that she has met informally with Director Scott once prior to the December 2017 Board meeting and several times since. She stated that the first time she heard of any issues was at the December 2017 Board meeting when WCEA presented in public comment. She informed the Board that she spoke with WCEA about the issues and occurrences as well as several of the involved individuals after the first of the year. She said she started to receive calls at home and many were not senior staff and many of whom were transferred, adding to the comments presented by supervising in the survey.

Trustee Wilson informed the Board that he has also met with some employees. He stated that he knows there is a process that needs to be respected and understands that he cannot fill the role of Human Resources. He stated that although he did not like delaying the evaluation in December, he felt it was the duty of the Board to look into the information coming in and he believes that is part of his job as a Trustee is to listen and collect information. He clarified that he agrees that the employee meetings are separate from the evaluation survey results. He stated that he was unsure if he misunderstood the comments by WCEA or if they possibly overstated their case, believing that he had thought he heard that human resources had determined that there were valid complaints that needed to be brought to the next level. He moved forward stating that with no apparent advancement of those complaints to reach the level of the Board, the Board is left to deal with the material presented for the annual survey. He stated that if you lop off the extremes, you get some pretty good numbers in the middle. He stated that he likes that Director Scott has brought changes, energy and new thinking to the system. He stated also that there are some dissatisfied people. He stated that he believes that some of those individuals may have felt left out of the process and he would like to see assurance that things and communication are moving in an appropriate way that people feel free to bring ideas and issues to the library director. He said he understands that there will be complaints and resistance to change, but that has to be managed and the bottom line is that the director needs to be available and able to manage the Library. He clarified that this may include losing people and that there may be friction with some of those moves but believes Human Resources has a process for this. He stated that he thinks it would be fair for the Trustees to get some assurance and insight as to how those things are happening

and why. He believes that the Board is moving towards a more standardized process to something that works.

Upon questioning by Trustee Parkhill asking how the Board would be notified and what severity would trigger notification, Chair Alderman reiterated that there is an internal process within Washoe County and there is nothing for the Board to act on at this time.

Assistant County Manager Solaro confirmed that if an egregious behavior was found, the Board would be notified. He also clarified that structural difference between the Library and Washoe County where the Library Director is employed by a Board, but all Library employees' work for Washoe County. He stated that if there was a threat to employees they [Washoe County] would take action and the issue would go to Board of Trustees as advising body for the Library Director.

Upon further questioning by Trustee Parkhill regarding the requirement or authority to determine what is reported to the Board, Legal Counsel Dania Reid stated the Nevada Revised Statute authorizes hiring, evaluation performance and dismissal of the Library Director by the Board. She reiterated that the Library Board of Trustees does not supervise, hire or manage library employees. She explained that the duty the Board has, is to evaluate the performance of the director, including employee relations, which is part of the County process and would include a report by management [Washoe County] to the Board. She stated should any actionable item, possible violation or egregious issue be discovered during an evaluation year, the Board would then have to make a decision on how to proceed in regards to the Library Director based upon any information provided. Per the NRS, the Board does not have management authority over the employees and any information received by the Board is relevant only to the duty of the Board to evaluate the performance of the Library Director.

Trustee Parkhill agreed that helped clarify the role of the Board during this process. He stated that the Trustees seem to be contacted by many unhappy employees and have been advised not respond to employees, directing them to WCEA or Washoe County Human Resources as avenues instead of the Library Board based upon a legal response sent via email. He asked Legal Counsel if that was a fair statement.

Legal Counsel Dania Reid asked Trustee Parkhill if he was electing to waive attorney/client privilege in regards to Board advice in this situation. Trustee Parkhill confirmed that he was waiving attorney/client privilege.

Following confirmation of waive of attorney/client privilege, Legal Counsel Dania Reid cautioned the Library Board of Trustees that they have a duty to evaluate the Library Director through the established process and that the Board has a responsibility to remain objective and not conduct investigations which could impair the Boards subjectivity and impede this process. She stated that because there is a caution from Human Resources, the risk of action to that process is real. She said that in conjunction with counsel [herself] to the Board and counsel to Human Resources, the advice from legal is, undertaking independent investigation runs risk of open meeting law violation, as well as, impairing the Board's duty and fidelity as a larger body and the duty to perform objectively during the evaluation of a Library Director based upon all the information. She stated that they have received her advice and it is up them to either heed it or not.

Trustee Parkhill thanked Ms. Dania, stating that her response was very well put. He also stated that he has received and read several emails from library employees, but has not, and will not respond, based upon legal advice. He stated that he wanted it noted on record that this was the reason library staff was not receiving responses, but will continue to read any emails sent to him.

Legal Counsel Dania Reid clarified that the decision to respond or not rests solely upon the Trustees and that she can only outline the factors to consider in doing so and also in what type of response. She stated that she knows there have been directions for reporting through the proper channels as described by Assistant Manager Solaro. She said there is always an openness of speech when it comes to communication and she does not want to leave anybody with the notion that speech is censored or prohibited in any way or anything like that. She stated the Trustees have to make their own judgements and that is always a blurred line.

Chair Alderman stated that the processes between the private sector and public sector are challenging and it has been a learning experience for her personally. She stated that in returning to the evaluation process, she would like to separate what has been presented in public comment from the process that was presented and agreed to in order to complete the evaluation process this time. She stated that as far as Board Comments, they could redirect a future agenda how to improve the evaluation process based upon comments presented and the proper way to handle that with the Library System being a public entity.

Legal Counsel Dania Reid, referred to the Staff report where the possible approval of this annual evaluation period contained within the documents includes information received through May 2018. This opens up the ability of the Board's consideration of public comment and information received in the global sense of the evaluation and any new direction. Any discussion beyond that will have to be delayed for a future agenda.

Trustee Parkhill stated that when looking at the overall results, the majority fall into the meets standards. There are areas that are higher for growth and some areas that are looking good. He stated that when you look at the Leadership role, there are some numbers in that column that the Board needs to look at that act with some of the things they have seen. He moved onto the Communications, which is pretty much a 2/3 split with exceeds being rated slightly higher between both exceeds and needs growth ratings. He stated that when you look at Community Relations, it is heavily weighted to exceeding standards, which is looking good. Moving to Library Board Relations, he said that area looks okay and where meets standards leans towards exceeding is based upon the results the Board was presented with. He stated that as he looks at the material presented, he is sees a report that meets expectations. Big picture meets expectations.

Chair Alderman stated that change is difficult and the Board asked the library system and Director Scott to make changes in the last couple of years that may be counterintuitive to how the Library system has previously operated and is happening branch by branch. She said the comments are not about what is happening but about how it is happening. She stated this is something they can ask the director to work on but that based upon the comments, these changes were what the Board asked for. Moving forward with the Strategic Plan will help fine tune what the Board reviews. She said that based on information presented today, this is what the Board had asked for. She asked the Board to

look at entertaining a motion and noted the Board can provide direction for any areas of concern and move forward with new direction to the Library Director.

Legal Counsel Dania Reid reiterated that the motion includes approval of the report presented being what it is and that the second half of the motion allows for any direction for future performance to be provided by the Board.

Trustee Parkhill stated that he based upon the data, 52% stated they have an issue under the Leadership question regarding the Inspiring Trust. He stated that there seemed to be a commonality between the comments and the data presented. He stated he believes this to be an area for improvement. He stated that another area indicating a need for improvement under the Leadership question was Functions as an Effective Leader with 42% of the responses. He noted that the third category under the Leadership question, Values Staff at 42% of the responses indicate the need for improvement as well. He stated that in his perspective, if the Board wanted to evaluate the report for future performance and if Director Scott wanted to improve the overall methods and performance then this is an area that he may want to concentrate on. He stated, that as a group, this is what he would like to see the Board recommend. He stated he personally would like to see improvement in this section as there appears to be a core theme from the report as well as what some of the Board has discovered independently.

Trustee Stoess stated that Director Scott has a good reputation in town with organizations and other affiliations. She noted he his newly elected position as the Vice President of the Nevada Library Association and that he is a member of the United Way Board.

Trustee Parkhill responded to Trustee Stoess' commenting that this is also reflected in the higher percentages in the Collaborative and Partnering Relations area of the evaluation.

Chair Alderman stated that these were two priority areas [Collaborative and Partnering Relations] the Board asked Director Scott to focus on. She stated that for many years the Library was focusing on keeping the doors open and Director Scott was asked to focus on improving community relations after his first year of employment. She stated that these results are phenomenal and that she does not have a problem expecting results when asking the director to focus on the Leadership area for his future evaluation.

Trustee Stoess stated that she was not sure how Director Scott could go about doing as requested by the Board and asked Assistant County Manager if they were able to offer assistance.

Trustee Wilson stated Director Scott has a responsibility to implement the Strategic Plan, which is detailed and well put together. He stated that Library staff has a responsibility to look at that plan and determine how they can contribute to it and make it happen. He stated that he believes that the director and staff meet at that Strategic Plan and believes that is the Library's Action.

In response to Trustee Stoess' question, Assistant County Manager Solaro stated that Washoe County has resources available to work with Director Scott. He noted that this a weird situation where the Library Director essentially works for the Library Board of Trustees but that for any direction the Board gives to the director, Washoe County will provide support to the director.

Trustee Marsh noted appreciation for the Board is working within the parameters of the data and Chair Alderman's statement about the difference between implementation and leadership. She acknowledged how the Board put Director Scott in a position to achieve some immediate results where they wanted the Library System to emerge from the economic meltdown and negative impacts on the community and culture of learning and literacy by virtue of the operational deficit the Library System was experiencing. She stated she thought the Board hoped to hold a new director to a new standard and stated that in the implementation she believes they have seen the progress they were hoping to see. She stated that she is also particularly moved by comments that have been made and said she thinks that part of the Board's obligation is to ensure the community that they are being heard and taken seriously. She said the leadership component is every bit as important as the data they will be evaluating at this meeting. She stated that she personally hopes to see, not just an olive branch, but a true coming together. Using an analogy, she stated that staff are delivering service and if morale hits rock bottom, not that she is saying it is, then the Library will not be able to be a world class system. She collectively acknowledged the individuals who came forward had courage and took a risk. Continuing with her analogy, she asked Director Scott to create a train that staff can stay on, and that every member feels supported as they want the patrons to feel. She stated she could not imagine what it takes nor was she sure if she could do so in a public setting and was appreciative that Director Scott was able to sit through the last 55 minutes of public comment and the Board evaluation process. She also stated that she wanted everyone in the room to hear that public comments were not said in vain, and believed it is now incumbent upon the Board to provide some oversight. She stated she hoped moving forward that evaluations could thoroughly integrate all staff.

Chair Alderman requested a motion to accept the Library Director's annual performance evaluation results.

On motion by Trustee Wilson seconded by Trustee Marsh, the Board accepted the Library Director's annual performance evaluation results. Trustee Marsh seconded the motion but abstained from the vote.

Upon questioning by the Board, Assistant County Manager Solaro stated that he would meet with Director Scott and they would make a proposal back to the Board with a plan to improve in the specific areas of note.

On motion by Trustee Parkhill, seconded by Trustee Stoess, the Board recommended that Director Scott improve in the following three areas under the Leadership evaluation component:

- Inspires trust and confidence with Library staff, the Board and the public
- Functions as an effective leader of the organization, gaining respect and cooperation from others
- Values staff, help staff develop a passion for their work and recognizes their contributions

All in favor, none opposed

b. **WASHOE COUNTY STAFF REPORT REGARDING RADON TEST RESULTS AND CURRENT MITIGATION EFFORT AT THE DOWNTOWN RENO LIBRARY**

Assistant County Manager David Solaro addressed the Board regarding Radon testing updates in the Downtown Reno Library. He informed the Board that information received from recent tests [included in the Board packet] show 70% reduction of picocuries (pCi/l) by keeping the AC/HVAC running constantly. He stated Washoe County has been researching OSHA about Radon levels in the workplace. Although the information was not provided in the packet, one of OSHA's primary regulations includes the requirement of a radon program, which Washoe County has, if a building has over 25 pCi/l, OSHA has a notification requirement. Mr. Solaro informed the Board that Washoe County was currently working to create a Radon policy for County buildings. He also stated that a letter would be drafted following the meeting, updating the current situation at the Downtown Reno Library.

5) **NEW BUSINESS**

None

6) **REPORTS**

a. **SPARKS LIBRARY REPORT ON PROGRAMS, ACTIVITIES AND OPERATIONS**

Managing Librarian Corinne Dickman highlighted the following from her attached report:

- Makerspace area was relocated within the facility, creating higher visibility and adding space.
- Hiring and rebuilding Sparks Library team after significant decrease in staff due to retirements last year.

Upon questioning by the Board, Managing Librarian Dickman clarified the following:

- The Sparks meeting room availability is on the Library website and often the community is informed by word of mouth
- The Sparks Library is expected to be re-roofed through Washoe County funding in the very near future.

Director Scott informed the Board that the roofs at the Sparks and Downtown Reno Libraries would be done at the same time.

b. **TACCHINO TRUST EXPENDITURE UPDATE**

The Board reviewed the information submitted in the packet

Director Scott reiterated that the Downtown Reno Library renovation is back on for the next fiscal year with the Washoe County matching CIP Funding intact to get this project completed.

7) **STAFF ANNOUNCEMENTS**

Assistant Library Director Joan Dalusung informed the Board the Library has a new app for electronic books called Libby. She also advised that over the last year the Marketing team has launched newsletters that are available through the Library website. One of them is Library News and Events. She is requesting the Board subscribe if they have not already done so. She Also read an email response received on May 4, 2018 to the Washoe County Library News and Events newsletter that has been included with all the documents as part of the meeting record.

She noted the response was from Amber Joiner, who is a representative with the Nevada Legislature and is supportive of the Library.

Public Information and Development Officer PIO Andrea Tavener noted that the Summer Program Schedule, provided to each Trustee prior to the meeting, was the result of the Marketing and Communications Team efforts. She directly acknowledged the following individuals for their time and thanked the Library system for allowing them time to help create this product: Internet Librarian John Andrews, North Valleys Librarian I Jana MacMillan, Northwest Reno Library Assistant II Jamie Hemingway, Downtown Reno Library Assistant II Jena Molina, and Administration Office Assistant II Diana White. She also thanked all of the sponsors who have been listed on the back of the schedule as well as the Library Director for centralizing marketing for the Washoe County Library System.

8) **PUBLIC COMMENT**

Theresa Kenneston, Librarian at Spanish Springs Library

She stated that she would like to see the following on the next Library Director's evaluation:

- That the Board consider ensure ...[unable to translate recording]...
- She would like to see the Library Director complete all the Washoe County training that is required of all Washoe County Staff
- She would like to ask the Board to agendize discussion on Gift Funds and the purpose of them.

9) **BOARD COMMENT**

Trustee Parkhill thanked Trustee Stoess for the Friends of Washoe County Libraries (FWCL) information provided in the April 2018 Library Board of Trustee meeting.

Trustee Stoess stated that FWCL is also willing and able to attend a future meeting if the Board wants to agendize an item for FWCL Treasurer to discuss.

Trustee Parkhill thanked Assistant County Manager for his guidance during the agenda item discussing the Library Director Evaluation.

Trustee Stoess stated she had requested the news video for the FWCL book sale to play at the next Library Board of Trustee Meeting as this last FWCL book sale received much publication.

Chair Alderman requested an agenda item for the June 2018 Library Board of Trustee meeting to include a process in which the Library Director's evaluation can be tied to the Library Strategic Plan as well as including Washoe County recommendations in area of improvement for the Library Director's evaluation.

Trustee Parkhill noted that the Library now has a working draft for the Financial report for the Library Board of Trustee meeting in July as he will not be in attendance in the June meeting.

Per Chair Alderman, future agenda items are as follows:

- June Meeting agenda to include the Financial and Statistical reports.
- July Meeting agenda includes agendizing discussion on the Financial and Statistical reports presented in June.

Jeff Scott advised the Board that the recruitment for Trustee Wilson's pending vacancy has been posted to run in several Sunday papers. The application deadline for the vacancy recruitment is Sunday May 27, 2018. The Library expects the report to go before the Board of County Commissioners on June 19, 2018, for appointment of one of the applicants.

10) **ADJOURNMENT**

Chair Alderman adjourned the meeting at 5:34 pm.