

**Pamunkey Regional Library
Board of Trustees Meeting
February 22, 2023**

The Pamunkey Regional Library (PRL) Board of Trustees (BOT) met on Wednesday, February 22, 2023, at the Cochrane Rockville Branch Library.

Attendees

Attending were Trustees:

Goochland County: Barb Young, Barbara Sensabaugh

Hanover County: Ryan Martin, Julie May, Mike Smith

King and Queen County: Tricia Simpkins

King William County: John Edwards, Mary Shipman

Unable to attend:

Hanover County: Joe O'Connor

Guests Attending:

Jessica McLane – King William County

Michael Berdan – Hanover County

Johanna Russo – Hanover County

Becky Hendricks – Hanover County

Pat Jordan – Hanover County

Christy Schumacher – Hanover County

Melanie Sandford – Hanover County

Peggy Lavinder – Hanover County

Jim Taylor – Hanover County Deputy County Administrator

Library staff present included:

Tom Shepley: PRL Director

Sherida Bradby

Jamie Stoops

1. Call to Order/ Welcome

Chair T Simpkins called the meeting to order at 10:00 a.m. and welcomed all BOT members and visitors who were in attendance. Special visitor, Jim Taylor, Deputy County Administrator from Hanover County, was introduced by T. Shepley.

2. Consideration of Agenda Amendments

There were no amendments to the agenda.

3. Citizens' Time

T. Simpkins explained that there will be thirty minutes for comments during the Citizens' Time and each speaker will have three minutes to speak. If more than 30 minutes is needed, the Board

will hear from any additional speakers after the conclusion of the Board's business today. There is no yielding-of-time and no provisions for groups.

Jessica McClane – King William County resident

J. McClane stated that she was a parent of four children and her family uses the library regularly. She said that she felt there needed to be a common sense policy for children in the library and said she was very surprised the nothing has been done yet by the Board. She asked that there be a policy to protect children, but did not want any books banned. She felt the issue with books with extreme sexual content is not a free speech issue. She shared a copy with the PRL Board members and staff of The Code of Virginia, § 18.2-391. Unlawful acts; penalties.

SEE ATTACHMENT A: VA Law 18 2 391

Michael Berdan – Hanover County resident

M. Berdan described an historic even when the country Serbia was being overrun in wartime. Their library was under attack but citizens from the community packed and saved over 10,000 books. He described that during the conflict, citizens had to move the books to different locations multiple times to protect them. M. Berdan said that we as citizens have the same responsibility to our libraries to make sure books are not removed or moved to different locations in the libraries. He stated that parents are responsible, not the state, to protect our libraries.

Johanna Russo – Hanover County resident

J. Russo stated that she has attended several of the PRL Board meeting recently. She said she does not want any books to be banned, but stated that they should be placed in proper categories and placed in an age-appropriate way. She said that she feels that the PRL library leadership stated that PRL has no choice about where books are placed but that she spoke with some library employees who told her that books can be placed based on content. She stated she is not asking for censorship and felt that PRL could be an example for other libraries to follow.

Becky Hendricks – Hanover County resident

B. Hendricks noted a recent article in the Richmond Times Dispatch newspaper that addressed the issue of concerns about certain books. She stated that reading some of the books that have been flagged by some as distasteful are in her opinion, offensive to read. She said that she is concerned that some of these books are porn and even offensive to adult readers. B. Hendricks stated that there are systems in place for movies and games, but not for the library. She said she is not here to ask that books be censored, but that she would like to see a rating system for books.

Pat Jordan – Hanover County resident

P. Jordan complimented the Board of Trustees for the great work they do. She said as a parent and a grandparent her role is to watch and guide her children and grandchildren. She stated the role of the Board is to provide materials. The role of the parents and grandparents is to monitor, not the library. She said that common sense needs to be used. If we do not want government control, then parents need to monitor.

Christy Schumacher – Hanover County resident

C. Schumacher said that she has been attending the monthly PRL Board of Trustee meetings for the last six months. She first started attending because of her concerns about the display done at the Atlee Branch Library to celebrate Banned Books Week. She stated that she has continued to push because she felt she has been ignored by the PRL Library Director. She expressed concern because she feels that PRL has no standards. She was told that the Youth Section of the library is only for high school age, however in PRL literature that she has researched shows that the ages for the Youth Section range from 12-17 in one location and from 13-19 in another. She has been told that there is no need for any changes to be made by PRL. She feels she has also been labeled as an extremist who wants to ban books which is the complete opposite of what she has said.

Melanie Sandford – Hanover County resident

M. Sandford expressed that she has some concerns. She stated that she has done research and found a study on the consumption of books by nine year olds and 13 year olds. At the nine year old level the consumption was at a 35% level but by the 13 year old level in the study the consumption of books had dropped to 10%. She expressed concern that we are losing our children as readers. She felt that there needs to be more emphasis on the placement of books at PRL. She noted that she could not find The Diary of Anne Frank in the Youth Section but did find it in the Adult Section.

Peggy Lavinder – Hanover County resident

P. Lavinder stated that she has been a long supporter of the Friends of the Library at the Mechanicsville Branch Library. She said when she was a child there was no Youth Section. Now that we have a Youth Section, that serves as a label so we don't need more labels on books. She stated that the public libraries are institutes of free access. She said that the "porn" that has been read at the PRL Board meetings has been out of context. She compared a youth checking out a book some want banned from a public library to that of a youth in a grocery store being able to slip out with a purchase of beer. The grocery store would not be responsible and neither is the public library responsible for a youth checking out a book questioned by some patrons.

Jim Taylor – Hanover Deputy County Administrator

J. Taylor was very complimentary of the PRL Board of Trustees and the work that is done by them. He stated that the Board members are policy makers. He said that his office is not telling the Board what to do but would like for the Board to do something about the current issue.

Kay Forest – Hanover County resident

K. Forest said that she recently moved to an Over-55 community in Hanover County to be close to her children and grandchildren. She was very complimentary of the libraries in the PRL system and said that they have a very wide selection of books and other materials. She stated that we need good local public libraries. K. Forest said that the credentialed public library professionals are the only ones who should be selecting the books housed in the libraries. Parents should monitor their children's selections but not be involved with what is being purchased for

the libraries. She said, “If you don’t like a book, don’t check it out, but also do not keep me from checking it out. Let the librarians do their job as trained professionals.”

4. Consideration of the Consent Agenda

The items on the Consent Agenda were:

1. January 2023 Budget Report
2. January 2023 Warrants Report
3. January 25, 2023 Board of Trustee Minutes
4. February 17, 2023 Executive Committee Meeting Minutes

J. May suggested that we save approval of the January 2023 BOT meeting minutes and the February 2023 Executive Committee meeting minutes until the March 22, 2023 BOT meeting.

MOTION: J. Edwards made a motion to approve the Consent Agenda items excluding the January 25, 2023 BOT meeting minutes and the February 17, 2023 Executive Committee meeting minutes. The motion was seconded by R. Martin and passed unanimously by the BOT.

5. New Business

A. Report from Executive Meeting

B. Young presented a brief report from the February 17, 2023 Executive Committee meeting.

1. Executive Meeting Schedule

The two remaining 2022-2023 Executive Committee meetings are currently scheduled for March 8, 2023 which will be held at the West Point Branch Library at 9:00 a.m. and the May 17, 2023 meeting with location and time TBA.

2. Collection Discussion

MOTION: B. Young brought the following motion from the Executive Committee: The PRL Board of Trustees review the current Library Collection Policies including the current Reconsideration Request Form. The motion passed unanimously by the BOT. The following documents were provided by Library Staff to assist with this review:

- PRL Library Policies
- PRL By-Laws
- PRL Library Card Application
- PRL Parent Letter distributed to parents when a child receives a library card
- PRL Collection Development Process
- PRL Questions and Information on Collection work for staff
- PRL Library Materials Policy Statement (includes a copy of the Request for Reconsideration of Library Materials form)
- PRL Draft Collection Development Policy
- PRL Draft Library Sponsored Programs Policy
- PRL Draft Library Display Policy

- The Freedom to Read Statement
- Suffolk Public Library Collection Development Policy
- Henrico County Public Library Collection Management Policy
- ALA (American Library Association) Labeling Systems: An Interpretation of the Library Bill of Rights

This review will begin at the next Executive Committee meeting.

As a continuation of the Executive Committee meeting held on February 17, 2023, R. Martin shared discussion he had with a few library administration staff members after the Executive Committee meeting. He asked if books purchased from publishers came with information letting PRL know if the book had explicit sexual content in it. The staff said that most of the time the books came with that information.

MOTION: Using the information from PRL staff, R. Martin made a motion that if purchased books that are to be located in the children and youth section came with information from the publisher about containing explicit sexual content, PRL label those books with a special label so parents could be aware. J. May seconded the motion. After a great deal of discussion, a vote was called for by M. Smith. The results of the verbal vote were unclear, so a roll call vote was conducted. The results are as follows:

Ryan Martin	yes
John Edwards	no
Barb Young	yes
Barbara Sensabaugh	yes
Mary Shipman	no
Tricia Simpson	no
Julie May	yes
Mike Smith	no

The vote was a tie, so it failed.

3. Board Self-Evaluation (found in the Virginia Public Library Trustee Handbook)

B. Young brought a recommendation from the PRL Executive Committee that all PRL Board members anonymously take the Board Self-Evaluation that is found on pages 44-46 of the Virginia Public Library Trustee Handbook. It was recommended by J. May that the Executive Committee compile the results and determine a list of at least three improvement goals for the Board for the next fiscal year. Because the fiscal year begins on July 1 each year, Board members should complete the evaluation in March and the Executive Committee should present their report to the Board by May.

4. Trustee Board Governance Guidelines Review

M. Smith made a request that the BOT review the Governance Guidelines for the Board. In order for the Board to continually review the guidelines provided by the Library of Virginia for Local/Regional Library Governing Boards, a recommendation was made by the Executive Committee for the BOT to include a new category on the Board meeting

agendas titled Governance Guidelines Review. Under this section of the meeting agenda, each month a topic will be presented and reviewed. BOT members will take turns presenting these monthly reviews. The reviews should take no more than 15 minutes of the PRL Board meeting. The Executive Committee will take the responsibility of scheduling these reviews each month.

Topics include but are not limited to:

- Types of Boards and what is the PRL Board (Governing vs. Advisory)
- Mission and Vision of PRL, Philosophy
- Trustee Responsibilities
- Board Organization
- Effective Meetings
- ByLaws
- Policies
- Fiscal Responsibilities
- Strategic Planning, Long Range Planning
- Fostering relationships with the Communities
- Board as an Employer
- Etc.

B. Statement Made by M. Smith for the BOT

“We acknowledge there is a genuine concern by some PRL patrons over sexually explicit content in materials labeled Young Adult or Children in the PRL collection. We as a Board challenge PRL staff to develop a system that can provide parental guidance for their children when they are using the Pamunkey Regional Libraries.” This statement from M. Smith was verbally agreed to by all Board members.

6. Old Business

A. FY2024 Budget Process Update

T. Shepley reported that he has presented the proposed FY2024 budget to the King and Queen County Board of Supervisors and to the Hanover County Board of Supervisors. He will be presenting to the King William County Board of Supervisors in March and will schedule the presentation to the Goochland County Board of Supervisors soon.

B. Montpelier New Branch Library Update

T. Shepley reported that Hanover County received multiple bids for the new Montpelier Community Center and Library. The bids were opened the week of February 13, 2023, but he has received no further information yet.

C. West Point New Branch Library Update

J. Edwards reported that he met with the architect the week before our meeting. The architect will be filing for permits the second week in March 2023. He said that funding is in place and is

coming from the West Point Town Council, King William County, and from Pamunkey Regional Library. The project is moving forward.

7. Report of Library Director

- T. Shepley said the library acknowledges the concerns by citizens about sexually explicit content in library materials and questions about the collection processes. He said that the PRL Website has updates about collections and content issues.
- The administrative staff has begun work on next year's audit.
- There are currently several staff openings, including an opening for one branch manager. PRL is working to fill these positions.
- King William County currently owns some property in the Central Garage area and seems to be moving forward with the consideration of this property for a new Upper King William Branch Library location.

9. Adjournment

The March 2023 BOT meeting will be held on March 22, 2023, at the King and Queen Branch Library at 10:00 a.m. The Executive Committee meeting will be held on March 8, 2023 at the West Point Branch Library at 9:00 a.m.

Having completed the business of the PRL BOT, Chair T. Simpkins adjourned the meeting at 11:30 a.m. by acclamation of the Board.

Respectfully submitted,

Barbara Young
PRL Board of Trustees' Secretary

(Section 3,)

Law - shared w/ the Board by Jessica McClane
King Wm. County

2/22/2023

Code of Virginia
Title 18.2. Crimes and Offenses Generally
Chapter 8. Crimes Involving Morals and Decency

ATTACHMENT A

§ 18.2-391. Unlawful acts; penalties.

A. It shall be unlawful for any person to sell, rent or loan to a juvenile, knowing or having reason to know that such person is a juvenile, or to knowingly display for commercial purpose in a manner whereby juveniles may examine and peruse:

- 1. Any picture, photography, drawing, sculpture, motion picture in any format or medium, video or computer game, electronic file or message containing an image, or similar visual representation or image of a person or portion of the human body which depict sexually explicit nudity, sexual conduct or sadomasochistic abuse and which is harmful to juveniles, or
- 2. Any book, pamphlet, magazine, printed matter however reproduced, electronic file or message containing words, or sound recording which contains any matter enumerated in subdivision 1 of this subsection, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sadomasochistic abuse and which, taken as a whole, is harmful to juveniles.

However, if a person uses services of an Internet service provider or an electronic mail service provider in committing acts prohibited under this subsection, such Internet service provider or electronic mail service provider shall not be held responsible for violating this subsection.

B. It shall be unlawful for any person knowingly to sell to a juvenile an admission ticket or pass, or knowingly to admit a juvenile to premises whereon there is exhibited a motion picture, show or other presentation which, in whole or in part, depicts sexually explicit nudity, sexual conduct or sadomasochistic abuse and which is harmful to juveniles or to exhibit any such motion picture at any such premises which are not designed to prevent viewing from any public way of such motion picture by juveniles not admitted to any such premises.

C. It shall be unlawful for any juvenile falsely to represent to any person mentioned in subsection A or subsection B hereof, or to his agent, that such juvenile is 18 years of age or older, with the intent to procure any material set forth in subsection A, or with the intent to procure such juvenile's admission to any motion picture, show or other presentation, as set forth in subsection B.

D. It shall be unlawful for any person knowingly to make a false representation to any person mentioned in subsection A or subsection B hereof or to his agent, that he is the parent or guardian of any juvenile, or that any juvenile is 18 years of age, with the intent to procure any material set forth in subsection A, or with the intent to procure such juvenile's admission to any motion picture, show or other presentation, as set forth in subsection B.

E. No person shall sell, rent, or loan any item described in subdivision A 1 or A 2 to any individual who does not demonstrate his age in accordance with the provisions of subsection C of § 18.2-371.2.

F. A violation of subsection A, B, C, or D is a Class 1 misdemeanor. A person or separate retail establishment who violates subsection E shall be liable for a civil penalty not to exceed \$100 for a first violation, a civil penalty not to exceed \$200 for a second violation, and a civil penalty not to exceed \$500 for a third or subsequent violation.

Code 1950, § 18.1-236.7; 1970, c. 560; 1972, c. 421; 1975, cc. 14, 15; 1976, c. 504; 1985, c. 506; 1987, c. 356; 1999, c. 936; 2000, c. 1009; 2001, c. 451; 2006, c. 465.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

2/20/202

Virginia Law Library

The Code of Virginia, Constitution of Virginia, Charters, Authorities, Compacts and Uncodified Acts are now available in both Epub and MOBI eBook formats.

Helpful Resources

Virginia Code Commission
Virginia Register of Regulations
U.S. Constitution

For Developers

The Virginia Law website data is available via a web service.

Follow us on Twitter