

MINUTES
THE LIBRARY BOARD MEETING
The Library of Virginia

March 17, 2003

The Library Board met on Monday, March 17, 2003, in the Board Meeting Room of the Library of Virginia located at 800 East Broad Street, Richmond, Virginia.

I. CALL TO ORDER/QUORUM

The meeting was called to order at 10:30 a.m. by the chair, Gilbert E. Butler, Jr., who welcomed the Library Board and announced that a quorum was present. The following members were in attendance:

Dylyce P. Clarke	R. Chambliss Light, Jr.
Louella S. Greear	Christopher M. Marston
David H. Harpole, Sr.	Sharon Grove McCamy
Mary G. Haviland	Franklin E. Robeson
F. Claiborne Johnston, Jr.	Fran M. Sadler
	Wendy C. Sydnor

Gilbert E. Butler, Jr., chair
Peter E. Broadbent, Jr., vice-chair

Bobbie B. Hudson and Charles W. Sydnor, Jr. were absent.

II. APPROVAL OF AGENDA

Fran M. Sadler made a motion to approve the agenda with an amendment allowing the Board chair the flexibility to interrupt the meeting for the recognition presentations upon arrival of the recipients. The motion was seconded and the Board voted unanimously to approve the agenda and the stated amendment.

III. WELCOME TO VISITORS AND STAFF

Mr. Butler welcomed the visitors and staff and introduced Mary Beth McIntire, the new executive director of the Library of Virginia Foundation.

IV. ANNOUNCEMENTS

There were no announcements.

V. PUBLIC COMMENT

Forrest M. Landon, executive director of the Virginia Coalition for Open Government, presented the 2002 Freedom of Information Award for public sector bodies to the Library Board and the Librarian of Virginia for their efforts to ensure that the Library's archives included all the

documents of former Governor James M. Gilmore III. Mr. Landon emphasized the importance of these records not only for historians and future researchers, but also for librarians and open government activists who seek to preserve written history.

Peter E. Broadbent, Jr. commented on House Joint Resolution 868, which was passed in the 2003 General Assembly, commending the work of former Board chair Mary Ann Harmon.

George William Thomas, Jr., president of the Friends of the Virginia State Archives, reported on the success of the 10th annual *Straight to the Source* seminar and thanked the Library staff for their help. Carolyn Barkley, vice-president of the Friends, presented a \$500 check to the Dennis Hallerman Memorial Archives Scholarship Fund in honor of the Library staff. The Friends' objectives and future programs also were highlighted.

VI. CONSENT AGENDA

- Approve the Library Board Minutes of November 18, 2002
- Resolution of Recognition of Anthony F. Troy and Chris Ashby of Troutman Sanders, LLP
- Resolution of Recognition of Mark E. Rubin
- Resolution of Recognition of Harriett K. Edmunds
- Resolution of Recognition of C. Preston Huff

F. Claiborne Johnston, Jr. moved for the approval of the entire Consent Agenda. The motion was seconded and the Library Board unanimously approved the entire Consent Agenda. Mr. Butler, on behalf of the Board, expressed appreciation to Harriett K. Edmunds, a recent Library retiree, for her work and presented a Resolution of Recognition to her.

VII. INFORMATION ITEMS

A. Reports from Other Organizations

Charles A. Novak, Jr., president of the Virginia Genealogical Society (VGS), announced that the Society's Spring Conference is scheduled for April 5, 2003 at St. Edward's Catholic Church in Richmond, and the Virginia Institute of Genealogical Research conference is scheduled for July 6-10, 2003 at the Roslyn-Virginia Diocesan Center in Richmond. VGS will also participate and provide Virginia genealogical information and books at the National Genealogical Society's 2003 Conference on May 28-31, 2003 in Pittsburgh, Pennsylvania. Mr. Novak also recently lectured in Pittsburgh, Pennsylvania and reported that he received very positive feedback about the Library of Virginia, especially the digital collection.

B. Committee Reports

- **Archival and Information Services Committee**

Christopher M. Marston, chair of the Archival and Information Services Committee, asked Conley Edwards, director of the Archival and Information Services Division, to summarize the committee meeting. Marianne McKee, the Library's cartographic specialist, showed the committee

significant early maps recently donated by Alan Voorhees and Mr. Edwards expressed the Library's appreciation for Mr. Voorhees' donation.

Visitation statistics for the fiscal year through the end of February were slightly over 75,000. The effects of the recent harsh winter weather are more evident in February when visitation was down 50 percent from the previous year. Web site statistics through the end of December 2002 were up over 500,000. Overall, the winter weather coupled with the Monday closings that began in mid-October caused visitation to decline approximately fourteen percent over the previous year. These figures are in the range expected for being closed one day a week. Despite the many notices about the Library's closing every Monday, an average of fifty people still come on Monday expecting to use the collections.

The committee heard details about how the Library will complete seven of the Digital Library projects that were close to completion before that department was eliminated.

ExLibris, the integrated library system vendor, has conducted several onsite training sessions. The projected startup date is October 1, 2003 and efforts are now focusing on converting the current system to the new system.

Mr. Edwards displayed a copy of the recently revised edition of the *Genealogical Research* pamphlet. This publication is widely distributed throughout Virginia and the United States. The Library of Virginia Foundation funded the reprinting.

The committee heard a report explaining the process used to determine which of the many governmental records created each year should be preserved and archived and how those decisions are communicated to state and local government records managers. This process is ongoing and requires the staff to be in constant contact with the records managers for continuing review of the submitted records. The Records Oversight Committee regularly meets to review State agencies' records.

- **Collection Management Services Committee**

Mr. Johnston, in the absence of the committee chair, asked Edward D. C. Campbell, Jr., director of the Collection Management Services Division, to highlight the committee meeting. Dr. Campbell described the impact of the budget reductions on each program and the steps taken to alleviate the effects of reduced staff and budget.

Efforts are being made to complete seven of the Digital Library Program's projects that were near completion. The Information Technology (IT) Division will continue scanning family Bible records and will also provide assistance with the Death Records Index project. Other projects that were part of the Digital Library Program have been discontinued. Maintenance of the site and the databases is being managed by the IT division.

The Technical Services branch lost five of eighteen positions. Some duties have been reassigned to current staff. The loss of the cataloging positions will greatly slow the cataloging process.

Special Collections lost two of seven positions, one being the coordinator of the Conservation-Preservation Program. A Picture Collection staff member is now managing record keeping. The rare books librarian position was also lost and is now being handled by Tom Camden, manager of Special Collections. Dr. Campbell described one of the current Conservation-Preservation projects, the Virginia Chamber of Commerce Photograph Collection, consisting of 25,000 to 30,000 images. The Government Documents Program lost one of five positions straining the ability of current staff to maintain public services. Archival description lost six of twenty-nine positions, which significantly affects progress on the archival processing backlog. The Virginia Newspaper Project did not lose any positions and the National Endowment for the Humanities has extended the funding for the newspaper program for two more years.

- **Legislative and Finance Committee**

Wendy C. Sydnor, committee chair, asked Ann Harris, director of the Finance and Administrative Services Division, to summarize the committee meeting. Mrs. Harris reviewed the general, federal, special and Circuit Court appropriations for the Library's budget in fiscal years 2003 and 2004. The Library now has 192 employees, down from 216. The Secretary of Education has granted permission to recruit for the Records Management Division director position and a Human Resources position. The cost of the Library building rent in both years is higher than the monies available for programs and support.

Mrs. Sydnor asked Jim Davis, facilities director, to update the Board on the environmental conditions in the Library building. Mr. Davis gave an overview of the history of the problems in the building, which is rented from the Department of General Services (DGS) for \$2.2 million a year. The environmental conditions are somewhat better than in the past when there was low humidification in the winter months. Once humidification was added, however, some areas became overly humidified while some areas were too dry. Mr. Davis gave examples of these problems and showed illustrations of the extremes in area humidification, including water damage in Special Collections, condensation on the third floor stack windows and mold growth on 19th century volumes in the U. S. Serial Set.

Problems with extremely cold Library offices over the last several months have somewhat improved. A fire alarm during the week of March 10, 2003 indicated deficiencies in the operation and maintenance of the alarm and sprinkler systems. The Library sent a request to DGS asking for documentation that the systems are being maintained properly. The director of DGS responded that an explanation is forthcoming. The Library still feels that the best long term solution is for the Library itself to maintain the building. The \$2.2 million rent money the Library pays is used partly for this building and partly for other operational aspects of the Capitol. Mr. Davis thanked the Board for its support. Mrs. Sydnor commented on her meetings with the Library staff and the unresolved problems. The Committee has invited D. B. Smit, director of DGS, to meet and discuss these problems.

Janice M. Hathcock, public relations coordinator, reviewed the General Assembly bills that have an impact on the Library. House Bill 1686, sponsored by R. Steven Landes, involves the disposition of the Governor's official correspondence and other records. Senate Bill 979, sponsored by William C. Mims, will require the Library of Virginia Board to adopt regulations dealing with procedures for the destruction or disposition of public records containing social security numbers and

to include all reasonable steps to destroy such documents by shredding, erasing or otherwise modifying the social security numbers in those records to make them unreadable or indelible by any means. This has an effective date of July 1, 2004, and the Library is closely monitoring this legislation. Senate Bill 818, sponsored by Thomas K. Norment, Jr. deals with the destruction of will files and generated much concern among researchers, however, it was defeated.

- **Public Library Development Committee**

Sharon Grove McCamy, committee chair, asked Nelson Worley, director of the Library Development and Networking Division, to provide an overview of the committee meeting. Mr. Worley reported that State Aid funding was not changed in the Governor's budget or by the General Assembly. The Department of Planning and Budget has announced that quarterly payments will resume and the fourth quarter payment will be made in April.

Mr. Worley reported that the Professional Librarian Certification Task Force met in January 2003 and is working on a certification process model for future presentation.

Usage of the *FindItVirginia* database continues to increase. Mr. Worley highlighted a February 2003 meeting with the Secretary of Education and the Superintendent of Public Instruction about possibly extending the database to public schools. Funding and licensing issues, however, need to be resolved.

- **Publications and Educational Services Committee**

Mrs. Sydnor, committee chair, asked Edward D. C. Campbell, Jr., director of the Collection Management Services Division, to report on the committee meeting. Dr. Campbell complimented staff members of the Publications and Educational Services Program for their accomplishments after losing nine of seventeen staff members. By reorganizing and using money from other programs, they will be able to publish the *Unboxing of Henry Brown*, edited by Jeffrey Ruggles.

Plans are also being made with assistance from the Foundation to publish in 2004, the *Little Parliament, the First General Assembly of 1619*. The third printing of *Hollywood Cemetery; The History of a Southern Shrine* is close to completion. The Publications Department is also looking ahead for a reprinting of *Virginia in Maps*. Only 400 copies remain of the initial 3000 copies printed.

The committee also spent much time discussing the *Dictionary of Virginia Biography* and the adjusted publication schedules. Volumes were originally scheduled for every two years; however, volume three may take three years.

The final issue of *Virginia Cavalcade* was the autumn issue mailed in December. A letter inserted in the publication advised subscribers that it was the last issue. Many readers sent letters describing what the magazine meant to Virginia history. Mrs. Sydnor complimented the staff for continuing the work of the Publications and Educational Services Program.

- **Records Management Committee**

Dylyce P. Clarke, committee chair of the Records Management Committee, presented the summary of the committee meeting. She thanked Sandra G. Treadway, staff liaison, and John Breeden, Records Analyst director, for their work with the committee. The position of Records Management and Imaging Services director was not slated for elimination and because it is a critical position, recruitment will be allowed. Four possible candidates are scheduled for an interview the week of April 1, 2003.

Records Management workshops were conducted throughout the State with the greatest attendance in Richmond. Two new workshops, "Using the Records Center" and "Managing E-mail" were well received. Nine workshops will be presented during Records Management Week, March 31-April 4, 2003, and Library board members are invited to attend.

Meetings have begun with Governor Warner's office regarding archiving of the governor's records. Staff met with Cabinet Secretaries regarding draft retention schedules. Ms. Clarke described steps taken as of to date.

The committee received an update on the legislative effort to look at councils, committees, and boards that have outlived their usefulness. The State Public Records Advisory Council (SPRAC) will be eliminated as a result of this legislation. Senate Bill 979, however, on identity theft calls for SPRAC to develop regulations providing for the destruction of social security numbers in public records.

The State Records Center has received very favorable press. Records used in court cases must follow a strict chain of custody in order for the court to allow the information as evidence. The Library State Records Center has established itself as a credible institution, recently in a criminal case by being able to maintain a chain of custody for the evidence presented. Records in the Archives were also used in the Fairfax County water case before the Supreme Court master. That case was ultimately decided that Virginia did not need to receive permission from Maryland to draw water from the Potomac River.

The Health Insurance Portability and Accountability Act of 1996 deals with confidentiality of medical records. Because the State Records Center is housing and handling medical records, the Library must have signed Business Associate Agreements with the agencies storing medical records at the State Records Center and Library staff handling medical records must sign special confidentiality agreements. Draft Business Associate and Confidentiality agreements are being reviewed by the Attorney General's office.

Senate Bill 979 on identify theft is not an action item at this time, but it is a potential information item for the June meeting depending on the final wording and passage of the legislation. It will ultimately result in the Library developing regulations via the Administrative Processes Act on the destruction of social security numbers in public records.

- **The Library of Virginia Foundation Committee**

Mary Beth McIntire, executive director, expressed her appreciation for the opportunity to work with the Library staff. The Annual Fund has raised \$125,000, which is seventy-six percent of its goal of \$165,000. There are three months left to reach the goal and the Foundation is \$19,000

ahead of this time last year. Ms. McIntire was very pleased to announce that the Foundation has received annual fund support from 100 percent of the Foundation staff, 100 percent of the Senior Management team, 100 percent of the Foundation Board and 80 percent of the Library Board.

Ms. McIntire introduced David Martin of BrandSync, a company conducting a communications and identity study of the Library. Mr. Martin made a PowerPoint presentation explaining how the results of this study will help the Foundation and the Library to diversify and strengthen revenue streams. BrandSync is seeking the most significant wording to describe the Library of Virginia and what it does to set it apart from other institutions. Mr. Martin explained how his organization will seek the Library's core identity and then develop a marketing strategy to increase visitation, support and membership. A questionnaire was distributed to the Board asking how they would describe the Library.

C. Report of the Executive Committee

(This report was combined with the Report of the Chair.)

D. Report of the Chair

Mr. Butler introduced Mark E. Rubin, Esquire, and presented him with a Resolution of Recognition for his work as a mediator between the Library Board and former Governor Gilmore on the transfer of the Governor's papers to the Library of Virginia. Mr. Butler expressed the Library Board's appreciation to Mr. Rubin and also presented him with a copy of *Virginia in Maps*. Mr. Rubin expressed his gratitude.

Mr. Butler, on behalf of the Library Board, presented a Resolution of Recognition and a copy of *Virginia in Maps* to Chris Ashby, Esquire, co-counsel who represented the Library Board in resolving the issue of former Governor Gilmore's records. Mr. Ashby also accepted the Resolution of Recognition and book for Anthony F. Troy in Mr. Troy's absence and expressed his gratitude to the Library Board.

E. Report of the Librarian of Virginia

Nolan T. Yelich, Librarian of Virginia, announced that a group picture of the Board would be taken following the meeting.

He thanked Messrs. Rubin, Ashby and Troy as well as the Board Chair, the state archivist and the former director of Records Management for their work in resolving the Gilmore records issue. It should not be the responsibility of the Library to collect the information, but rather it is the responsibility of the executive to turn the information over to the Library pursuant to the *Code of Virginia*. This issue has reached a successful conclusion and it has provided a blueprint for future interaction with the executive branch. The Library is consulting with the current Governor's office regarding the archiving of the administration's papers. Mr. Yelich emphasized the importance of the documents for researchers and the citizens of the Commonwealth, and he thanked the Board for their counsel and determination to see this issue resolved.

Mr. Yelich expressed his gratitude that Ms. McIntire has joined the staff. She met with the Foundation Board members individually to plan future activities. He thanked the Board for engaging David Martin and BrandSync. Information gathered from this study will articulate a vision

of the Library's values and what they represent to Virginia. The Library needs to look for ways to recapture the funding and resources so that it can move forward. Mr. Yelich plans to meet with the entire Library management team for a brainstorming session to review what the Library has gone through, where it is, and to refine and redefine the core mission of this institution. The core mission will not change, but some programs that have been recently affected will need to be restructured.

The Board was reminded of the program on March 27, 2003 at the Library, "An Evening with James MacGregor Burns." This program is cosponsored with the Jepson School of Leadership Studies at the University of Richmond and the Board is invited to attend.

Mr. Yelich expressed his appreciation for the good efforts of Preston Huff over the last six to seven years. He did an excellent job for the Library as director of the Records Management and Imaging Services Division. It was, however, a wonderful opportunity for him to move into the National Archives in Texas. Mr. Huff will be missed by all.

The reauthorization of the Library Services and Technology Act is in Congress. This bill that provides Federal monies to libraries has passed the House and is now in the Senate. Both Senators John W. Warner and George F. Allen are very supportive of library legislation, particularly as it pertains to Virginia. The Library is grateful for their past support and would greatly appreciate their support as this particular legislation moves through the Senate.

VIII. OLD OR NEW BUSINESS

- **Nominating Committee**

R. Chambliss Light, Jr., chair of the Nominating Committee consisting of Gilbert E. Butler, Jr., Louella S. Greear, David H. Harpole, Sr., and Sharon G. McCamy, presented the following draft slate of officers for 2003-2004:

Library Board Officers

Chair: Peter E. Broadbent, Jr.
Vice-Chair: Franklin E. Robeson

Executive Committee

Chair: Peter E. Broadbent, Jr.
Vice Chair: Franklin E. Robeson
Immediate Past Chair: Gilbert E. Butler, Jr.
Dylyce P. Clarke
Charles W. Sydnor, Jr.
Wendy C. Sydnor

The Librarian of Virginia will continue as the secretary to the Board as stated in the bylaws. Mr. Butler thanked Mr. Light and the committee for their work. Elections will be held at the annual meeting on June 16, 2003.

IX. ACTION ITEMS

There were no action items.

CLOSED MEETING

Mr. Broadbent moved that the Library Board convene in Closed Session under the *Code of Virginia*, pursuant to the exemption for “consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation...regarding specific legal matters requiring the provision of legal advice by counsel” and that the Librarian of Virginia and Alison Landry, Assistant Attorney General, be allowed to attend the session. The motion was seconded and unanimously passed by the Board.

The Board then entered into a Closed Meeting.

CERTIFICATION OF THE CLOSED MEETING

Mr. Broadbent moved that the Board certify by roll-call vote that, to the best of each member’s knowledge:

- (i) only public business matters lawfully exempted from the open meeting requirements under this chapter, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the meeting by the public body.

The motion was seconded and the Board members voted as follows:

Gilbert E. Butler, Jr.	Aye	F. Claiborne Johnston, Jr.	Aye
Peter E. Broadbent, Jr.....	Aye	R. Chambliss Light, Jr.	Aye
Dylyce P. Clarke.....	Aye	Christopher M. Marston.....	Aye
Louella S. Greear.....	Aye	Sharon Grove McCamy	Absent*
David H. Harpole, Sr.....	Aye	Franklin E. Robeson.....	Aye
Mary G. Haviland.....	Aye	Fran M. Sadler	Aye
Bobbie B. Hudson	Absent	Charles W. Sydnor, Jr.	Absent
		Wendy C. Sydnor.....	Aye

* Ms. McCamy left at Noon to attend another meeting.

X. ADJOURNMENT

There being no further business, Mr. Butler adjourned the meeting at 12:50 p.m.
