

**MINUTES**  
**THE LIBRARY BOARD MEETING**  
**The Library of Virginia**

September 20, 2004

The Library Board met on Monday, September 20, 2004, 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, Franklin E. Robeson. He welcomed the Library Board and announced that a quorum was present. The following members were in attendance:

Peter E. Broadbent, Jr.	F. Claiborne Johnston, Jr.
Gilbert E. Butler, Jr.	Valerie Jean Mayo
Dylyce P. Clarke	Lewis F. Powell III
John S. DiYorio	Stephen E. Story
Mary G. Haviland	Henry Wiencek
	Clifton A. Woodrum III

Franklin E. Robeson, chair

Christopher M. Marston, Samuel E. Massenberg and Charles W. Sydnor, Jr. were absent.

**II. APPROVAL OF AGENDA**

Two modifications were made to the Agenda. A report from the Office of the Attorney General will be made under Section VII, Information Items, and the Records Management Committee report will be presented after the Archival and Information Services Committee report in Section VII. C., Committee Reports. F. Claiborne Johnston, Jr. made a motion to approve the amended agenda, which motion was seconded and unanimously passed by the Board.

**III. WELCOME TO VISITORS AND STAFF**

Dr. Robeson welcomed the visitors and the staff.

**IV. ANNOUNCEMENTS**

Dr. Robeson informed the Board that Christopher M. Marston, Samuel E. Massenberg, and Charles W. Sydnor, Jr. were absent. He welcomed the new Board members: Lewis F. Powell III, Stephen E. Story, and the Honorable Clifton A. Woodrum III.

**V. PUBLIC COMMENT**

There was no public comment.

## **VI. CONSENT AGENDA**

- Approval of The Library Board Minutes of June 14, 2004

Mr. Johnston moved for acceptance of the Consent Agenda consisting of the June 14, 2004 Library Board minutes. The motion was seconded and the Library Board voted unanimously to accept the Consent Agenda and the June minutes.

## **VII. INFORMATION ITEMS**

### **A. Reports from Other Organizations**

Craig R. Scott brought greetings from the Virginia Genealogical Society and announced that the Society's fall seminar will be held in Wytheville, Virginia, on October 30, 2004.

Carolyn L. Barkley, vice-president of the Friends of the Virginia State Archives, welcomed the new Board members and gave a brief overview of the Friends and their activities. She reminded the Board of the *Richard Slatten Fall Seminar* scheduled for November 6. Ms. Barkley, on behalf of the Friends, presented a check to Conley L. Edwards, state archivist, for activities at the Library during Archives Week 2004.

### **B. Report from the Office of the Attorney General**

Alison Paige Landry, Assistant Attorney General, provided an overview of the Board's duties and powers as a "policy board" and explained the Board's legal relationship with the Office of the Attorney General. Ms. Landry reviewed the Board's liabilities and responsibilities as well as the procedures the Board should follow regarding the Freedom of Information Act (FOIA), the Conflict of Interest Act (COIA), and the Risk Management Plan.

Ms. Landry emphasized the importance of complying with the FOIA regulations. If any Board member receives a FOIA request, it should be brought to the attention of the Librarian of Virginia since there is a time limit to respond. She highlighted the FOIA regulations for meetings and summarized the different views regarding listservs. The Virginia FOIA Advisory Council believes if three or more Board members participate in a listserv message, it is akin to meeting deliberations that are subject to the Act. The Office of the Attorney General issued an opinion saying listserv participation is not actually an assembly of people; however, Ms. Landry advised the Board that it is better to err on the side of caution. If a problem does occur with an open meeting, contact Ms. Landry immediately about the ratification procedure.

The General Assembly has directed the Attorney General's Office (AGO) to give comprehensive training on COIA semiannually to all public officials. This will consist of a two-hour presentation requiring certification by December 31, 2004. The AGO is in the process of creating an interactive Web site and a process where public officials affected by the Act can go online and meet training requirements.

Ms. Landry also addressed the subject of governing generally. The Board speaks through its minutes and official meetings. The Board will have a general consensus at times while at other times a vote will be required. It is Ms. Landry's job to try to discern the sense of the board and defend those views. If any Board member wishes to contact Ms. Landry, she requested that the chair and Nolan T. Yelich, Librarian of Virginia, be advised.

### **C. Committee Reports**

- **Archival and Information Services Committee**

Henry Wiencek, in the absence of the committee chair, reported that the committee voted to recommend to the chair the appointment of the following four citizen members: George William Thomas, Jr., Carolyn L. Barkley, Craig R. Scott, and Dorothy A Boyd-Bragg. The Library of Virginia is pleased to announce that as of September 13, 2004, the Reading Rooms and collections were again open to the public on Mondays.

The committee heard brief presentations from the managers of Library Reference Services, Archives Research Services, Circulation, Stacks, and Interlibrary Loan on the responsibilities of each section.

- **Records Management Committee**

Mr. Wiencek, committee chair, reported that Chris Gorey, chair of the Electronic Records and Information Committee, advised that over the past six months the committee was reformatted and reduced to seven members who are developing a plan. Issues being considered are proposals on handling e-mail, management of digital images, methods for transferring electronic records, and the harvesting of government documents from Web sites. The committee's recommendations will be presented to the Board at a future meeting.

Mr. Wiencek called on Robert Nawrocki, director of the Records Management and Imaging Services Division, to elaborate on the committee meeting. Mr. Nawrocki advised that the House and Senate Joint Subcommittee on the Review of the Virginia Public Records Act met in August to establish a work plan. Goals include making the Act's language clearer, adding definitions, and addressing technical changes. Working groups will be established in 2005 to analyze the best ways the law can be effective regarding electronic records. Topics will include copyright issues relating to government documents on the Web and issues dealing with executive records.

The Library requested from the FOIA Advisory Council a ruling on executive working papers and the working papers designation. Clarification is needed as to whether documents stamped "working papers," which are unavailable to the public, maintain that designation when the papers are turned over to the Library. Maria Everett, executive director of the FOIA Advisory Council, responded that the working papers exemption does not expire. It is based on dissemination when the papers leave the individual's zone of protective privacy. The question then becomes if the records transfer to the Library, do the records leave the zone of protective privacy. The Library will work to clarify this through the process of revising the Virginia Public Records Act.

- **Collection Management Services Committee**

John S. DiYorio, committee chair, asked Edward D. C. Campbell, Jr., director of the Collection Management Services Division, to summarize the meeting. Dr. Campbell reported that the committee heard an overview from Lyn Hart, director of Archival Description Services, about the programs for electronic records, state records, local records, and private papers.

The presentation began with private papers and included an extensive report on the WRVA radio collection including several hundred audio recordings. Collections that are not paper pose unique challenges that slow the processing of the archival backlog. The goal of processing 904 cubic feet of the archival backlog was not met this year for the first time since the program began in 1999. The total reached this year was 813 cubic feet because processing electronic records requires more time, and the division has four fewer positions. The average for the past five years is above the goal; however, a major concern is if the goal should be revised to account for the rapidly increasing amount of archival material.

The committee viewed an unprocessed and then a processed collection of circuit court records. Staff also demonstrated the chancery record database and explained how the work done in Description Services is used for that database.

- **Legislative and Finance Committee**

Gilbert E. Butler, Jr., committee chair, asked Jim Davis, facilities director, to comment on the building issues. Mr. Davis gave a brief history of the building's environmental problems related to maintaining proper temperatures and humidity conditions for the preservation of the collections. The environmental conditions are satisfactory at this time; however, there is an on-going problem with roof and window-wall system water leaks. The Department of General Services (DGS) has responded by helping collect the water and mitigating the damages, but the leaks have not been permanently fixed. The Secretary of Administration's office and DGS are continuing negotiations with the architect and the original contractor of the building. DGS received an unsolicited proposal from a private company interested in taking over the maintenance operations of the building. In accordance with the Public-Private Partnership Act that governs this particular issue, an advertisement has been placed for competitive proposals.

Mr. Butler called on Ann Harris, director of the Finance and Administrative Services Division, to update the Board on this year's budget process. Mrs. Harris reported that two budget requests will be submitted as technical submissions this year, in keeping with instructions received from the Department of Planning and Budget.

1. The Staying Connected Grant from the Gates Foundation for \$276,000.
2. A grant from the National Endowment for the Humanities for the *Dictionary of Virginia Biography* project in the amount of \$244,000 over a two-year period.

Another directive from the Department of Planning and Budget involves strategic planning and performance measurement efforts to comply with the Government Performance and

Results Act passed by the General Assembly in 2003. Phase One to review and revise the mission statement has been accomplished. The Library has developed the following objectives.

1. Increase the conservation of our documents.
2. Expand the information content available for the Library's Web site.
3. Increase the outreach to public libraries, state and local government and institutions as well as to the citizens of the Commonwealth.
4. Increase the number of volumes of published and archival resources.

Phase Two instructions will arrive in September with a completion deadline of January 2005.

Mrs. Harris highlighted the *Statement of Financial Condition*, which shows the Library's four funding sources. General Fund monies total \$28 million, but 66 percent of this fund is "pass through" money for State Aid (\$16 million) and for building rent (\$2.4 million). The increase in federal funding has helped somewhat to offset the \$10.5 million reduction in General Fund appropriation from four years ago.

Mrs. Harris explained that The *Statement of Financial Condition as of August 31, 2004* shows the amount spent as 22 percent because of the extra pay period in July, the quarterly rent payment, and the State Aid quarterly payment. This inflated percentage is normal for this time of year and will even out by September 30, 2004.

Operation and management of the Library Shop has been transferred from the Library of Virginia Foundation to the Library. The shop will have a new name, The Virginia Shop at the Library of Virginia, plus a new identity. It will specialize in Library items, with an emphasis on publications and prints. Mrs. Harris described the changes planned for the Shop, which will be more visible and increase revenue.

Nolan T. Yelich, Librarian of Virginia, commented on the importance of funding for the Library's programs and the Board's role as advocates for the Library.

Mr. Butler called on Paul Casalaspi, director of the Information Technology Division, to update the Board on the implementation of the Virginia Information Technologies Agency (VITA) program. Mr. Casalaspi reported that the executive summary has been signed. After much negotiating with VITA about staff and equipment, only one Library staff member falls within the scope of VITA's operation. This staff person will remain at the Library unless negotiations are reopened. VITA will own equipment purchased, and a 5.52 percent administrative fee will be added by VITA to the purchase price.

#### **• Public Library Development Committee**

Mary G. Haviland, committee chair, reported that the committee met the staff for Library Development and Networking. They heard an overview of State Aid. Libraries granted waivers by the Library Board for non-compliance with certain State Aid requirements have responded with plans or a framework for reaching compliance in the next year or so. Any member wishing a copy of these letters should contact Elizabeth Lewis, assistant division director.

The committee, upon motion from Peter E. Broadbent, Jr., voted unanimously to appoint Fran Freimarck and John A. Moorman as citizen members. Ms. Haviland called on Nelson Worley, director of the Library Development and Networking Division, to further elaborate on the meeting.

Mr. Worley summarized this division's activities in carrying out the *Code of Virginia's* section that says the Library of Virginia gives direction, assistance and counsel to libraries in the State. The division staff work primarily as consultants with public libraries, but also has contacts with academic and K-12 libraries. Mr. Worley summarized the duties of each consultant. Mrs. Lewis gave the second part of the presentation to the committee and it focused on State Aid including the formula, the process, and issues. The Board received copies of this PowerPoint presentation.

The 2004 Public Library Directors Meeting expanded to three days this year to accommodate the large number of new library directors. Sandra Nelson, a nationally known consultant, author, and former assistant Tennessee State Librarian, will be the featured speaker. Topics to be covered are Leadership Skills, Technology Access which will be tied into the Bill and Melinda Gates Foundation Staying Connected Grants, and Presenting Your Data. This seminar will return to the normal two-day session next year.

A series of Trustee Workshops will be offered around the State and the Library Board is invited to attend. Mr. Worley summarized the topics to be covered.

- **Publications and Educational Services Committee**

Dylce P. Clarke, committee chair, asked Dr. Campbell to summarize the committee meeting. Dr. Campbell provided the names and some background information for the three new staff members working for the *Dictionary of Virginia Biography* project. The division hopes to restore another full-time position in late winter for this project.

A settlement has been reached with Cadmus Communications for re-compiling the electronic files for the *Virginia in Maps* book. Dr. Campbell commended the Library of Virginia Foundation for its efforts with this settlement.

Dr. Campbell highlighted a projected completion schedule (subject to revision) of book publications for the following books: *Capitol Art*–April 2005; *Dictionary of Virginia Biography, Vol. 3*–October 2005; Reprint of *Virginia in Maps*–December 2005; *Hornbook of Virginia History, 2007 edition*–October 2006; *Myth and Memory*–December 2006; *Guide to LVA Personal Papers*–April 2007; *Share of Honour*–August 2007; *Papers of Sir William Berkeley*–September 2008.

The Library's traveling exhibition programs include the *Virginia is for Lovers 35<sup>th</sup> Anniversary* exhibition as well as *Old Dominion Songsters: Traditional Blues in Virginia*, an adjunct to the Library's successful *Virginia Roots Music* exhibit. A traveling version of the Library's current exhibit, *Working Out Her Destiny: Women's History in Virginia*, will begin in the next several months.

Ms. Clarke advised that the selection of citizen members would be discussed at the next meeting.

- **The Library of Virginia Foundation Committee**

Mary Beth McIntire, executive director, recognized Franklin E. Robeson, Peter E. Broadbent, Jr., and Valerie Jean Mayo as the Library Board's new liaisons to the Foundation.

Ms. McIntire thanked the Board for their support of the Annual Fund last year that raised more than \$187,000, which is a 10 percent increase over the previous year. The Foundation is pleased to announce a new model of membership fundraising called the Semper Virginia Society that also includes a corporate partners program. The Foundation has changed its look and logo to coordinate more closely with the Library.

The Foundation has taken an active role in increasing attendance at the Library's exhibition by sponsoring public events associated with the exhibit. Ms. McIntire described the programs that include a fashion show and three roundtable discussions in November, January, and February. There will be a two-day *Women's History Symposium* on March 18-19, 2005, with news analyst and author, Cokie Roberts, as the keynote speaker.

The 7<sup>th</sup> *Annual Library of Virginia Celebration Honoring Virginia Authors and Friends* will be held on October 16, 2004. The People's Choice Award is a new award in partnership with the James River Writers Festival. George Garrett will receive the Literary Lifetime Achievement Award and Dr. Francis Foster will receive the new Semper Virginia Award that replaces the philanthropic award. Board members were also invited to join the new Page Turner Society, a group dedicated to supporting the awards at a higher level. Ms. McIntire told of the benefits of belonging to the Page Turner Society.

**D. Report of the Executive Committee**

Dr. Robeson reported that the Executive Committee has not met since the last Board meeting.

**E. Report of the Chair**

Dr. Robeson reported on his work with the Library Board committee selections. He commented on how nice it is to have the Library open on Mondays again and recognized the Board's 100 percent participation in the Annual Fund. He also attended the orientation for the three new Board members that included a tour of the State Records Center. He encouraged any Board members who wish to visit the Records Center to contact Mr. Yelich to arrange a tour.

The January meeting will be held on Thursday, January 27, 2005, with the Legislative Reception scheduled for Wednesday, January 26, 2005.

**F. Report of the Librarian of Virginia**

Mr. Yelich welcomed the three new Board members. New inserts for the Board handbook were distributed. A group portrait of the Board will be taken at the next meeting.

The Capitol Square area is undergoing renovations that will last several years and significantly affect parking around Capitol Square. The 140 members of the legislature may be using the Library's parking deck when the General Assembly is in session. Mr. Yelich will advise when further information is available on how this will affect Library parking, especially at the January meeting.

Board members are encouraged to visit the Library's exhibition and the display cases in the lobby. There will be a new video available in early 2005 that will be used as an introduction to the Library and its services.

Mr. Yelich commented on the *7th Annual Library of Virginia Celebration Honoring Virginia Authors and Friends* as one of the Library's signature events and encouraged everyone to attend.

#### **VIII. OLD OR NEW BUSINESS**

There was no old or new business.

#### **IX. ACTION ITEMS**

There were no action items.

#### **X. ADJOURNMENT**

There being no further business, Ms. Clarke moved to adjourn the meeting. The motion was seconded and the Library Board voted unanimously to adjourn at 12:30 p.m.

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