



AGENDA – Library Board Meeting

Library Board Member Christy Jepson, Chair
Library Board Member Todd Carpenter, Vice-Chair
Library Board Member Joy Bratton, Secretary
Library Board Member Lisa Gibby
Library Board Member Ashley Lee

CITY OF SARATOGA SPRINGS - Tuesday, January 11, 2022 at 6:30 pm
City Hall- Conference Room
1307 N Commerce Dr Ste 200
Saratoga Springs, UT 84045

Questions and comments to staff and/or Library Board may be submitted to library@saratogaspringscity.com

1. Call to Order
2. Roll Call
3. Public Comment
4. Approval of Minutes:
 - a. December 14, 2021
5. Open and Public Meetings Training- Attorney's Office
6. Friends of the Library
7. Director's Report – Melissa Grygla
 - a. Financial Statement
8. Announcements
 - a. Next Meeting: Tuesday, February 8, 2022.
9. Adjourn

Board Members may participate in this meeting electronically via video or telephonic conferencing. The order of the agenda items are subject to change by the Chair. Citizens may address the Library Board during Public Input which has been set aside to express ideas, concerns, and comments on issues not listed on the agenda as a Public Comment. All comments must be recognized by the Chair and addressed through the microphone. Final action may be taken concerning any topic listed on the agenda.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Librarian at 801.766.6513 at least one day prior to the meeting.



MINUTES – Library Board

Tuesday, December 14, 2021

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

LIBRARY BOARD MEETING

Present:

Board Members: Christy Jepson, Lisa Gibby, Todd Carpenter; Joy Bratton, Ashley Lee

Staff: Mark Christensen, City Manager, Owen Jackson Assistant City Manager, & Melissa Grygla, Library Director

1. Call to Order: 6:37 p.m.
2. Roll Call: A quorum was present.
3. Public Comment: No comment was submitted.
4. Approval of Minutes:
 - a. November 9, 2021

Motion made by Todd Carpenter to approve the minutes of October 12, 2021. Seconded by Ashely Lee. Aye: Christy Jepson, Lisa Gibby, Todd Carpenter; Joy Bratton, Ashley Lee. Motion passed 5-0.

5. Facility Needs Analysis Conversation- Mark Christensen. The Library Board discussed the results of the Facility Needs Analysis presented to City Council in November 2021. Questions regarding the next step in Library planning were discussed and asked. It is the intention of the City Council to prioritize their goals for the City and staff to address at their retreat in January 2022.
6. 2022 Library Board Meeting Schedule.

Motion made by Joy Bratton to approve the 2022 Library Board Meeting Schedule. Seconded by Todd Carpenter. Aye: Christy Jepson, Lisa Gibby, Todd Carpenter; Joy Bratton, Ashley Lee. Motion passed 5-0.

7. Friends of the Library
No update was given.
8. Director's Report – Melissa Grygla
 - a. Financial Statement. Discussion regarding the financial statement provided in the packet.
 - b. Discussion regarding the number of visitors in the library declining for the month of December and that many of the staff are taking time off.
9. Announcements
 - a. Next Meeting: Tuesday, January 11, 2022
10. Adjourn: 7:36 p.m.

Motion made by Ashley Lee to adjourn the meeting. Seconded by Joy Bratton. Aye: Christy Jepson, Lisa Gibby, Todd Carpenter; Joy Bratton, Ashley Lee. Motion passed 5-0.

Date of Approval

Library Board Chair
Christy Jepson

Library Director
Melissa Grygla

OPEN AND PUBLIC MEETINGS ACT

UTAH CODE §§52-4-101—305



GENERAL PRINCIPLES

- The Utah Open and Public Meetings Act governs meetings of public bodies
- It is the intention of the legislature that political subdivisions take actions openly and conduct deliberations openly. §52-4-102
- Therefore, meetings of public bodies are open to the public unless properly closed
- Meetings can only be closed for specific reasons
- The law favors openness and exceptions to open meetings will be strictly construed. *Kearns-Tribune Corp. v. Salt Lake Cnty. Comm'n*, 2001 UT 55, 28 P.3d 686, 690

WHAT IS A MEETING?

A “Meeting” is:

- The convening of a public body
- With a quorum present (i.e. simple majority)
- Including a workshop or executive session
- For the purpose of discussing, receiving comments from the public on, or acting on any matter over which the public body has jurisdiction or advisory power
- A meeting can be in person, or electronic, or hybrid

§52-4-103(6)(a)

WHAT IS A MEETING?

- A meeting does not include a chance meeting or social meeting.
- A meeting does not include a meeting of a public body with legislative and executive responsibilities where:
 - No public funds are appropriated, and
 - The meeting is solely for administrative/operational matters where:
 - No formal action is required; or
 - The matter would not come before public body

§52-4-103(6)

WHO IS A PUBLIC BODY?

A City administrative, advisory, executive or legislative body that:

- Was created by the Utah Constitution, statute, rule, ordinance, or resolution;
- Consists of two or more persons;
- Spends, distributes, or is supported by tax money; and
- Has authority to make decisions about the public's business.

§52-4-103(6)(a)

WHO IS A PUBLIC BODY?

- The City Council
- The Planning Commission
- Certain Advisory Boards
- The Library Board

NOTICE REQUIREMENTS

- At least 24 hours notice is required.
- Notice must include the agenda, date, time and, place.
- The agenda must be reasonably specific.
- A body may discuss a matter not on the agenda raised by the public but may not take final action on the matter at the meeting.
- Notice must be posted At City Hall and City website, the Utah Public Notice Website, and sent to (not published in) a newspaper or media correspondent.
- Encouraged to provide notice through other “electronic means.”

EMERGENCY MEETINGS

- Regular notice (at least 24 hours) not required
- Under unforeseen circumstances, the law allows for meetings for “emergency or urgent” matters if:
 - The best notice practicable is given;
 - An attempt has been made to notify all the members of the public body; and
 - A majority of the members of the public body approve the meeting.

MINUTES REQUIREMENT

- Written minutes of a meeting must be kept
- Minutes must include the following:
 - The date, time, and place of meeting
 - The names of all members present and absent
 - The substance of all matters proposed, discussed, or decided
 - The names and substance of info from individuals speaking
 - Individual votes on each matter, and
 - Any additional information requested by a member
- The written minutes are the official record
 - Courts don't look at anything else unless ambiguous

§52-4-203

MINUTES REQUIREMENT

- A public body may satisfy the requirements related to minutes by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided
- Minutes are classified as Public under GRAMA
- Pending minutes must be made available to the public within 30 days
- Approved minutes and public materials distributed at meeting must be posted to Utah Public Notice Website, made available at City Hall, and posted on the City website within three (3) business days after approval

§52-4-203

RECORDING REQUIREMENT

- Open Meetings must be recorded.
- The recording must be completed and unedited.
- The recording is a public record under GRAMA.
- Within 3 days of meeting:
 - The recording must be made available to the public for listening.
 - The recording can be posted on Utah Public Notice Website
 - Can be made available at City Hall
 - Can be posted on City's website

§52-4-203

ELECTRONIC MEETINGS

- Meetings can be by phone, computer, or other electronic means.
- Notice requirements still apply
- Electronic meetings require an anchor location unless certain circumstances apply (e.g. Covid-19 Pandemic)
- Members of the public must have a means to attend or participate
- The public body must adopt resolution, rule, or ordinance governing use of electronic meetings
- The City has adopted an electronic meeting ordinance at Saratoga Springs City Code 2.07

§52-4-207(1)

ELECTRONIC MESSAGES DURING MEETINGS

- Members of a public body may not transmit electronic messages (e.g. text messages, emails, instant messages, etc.) to other members of the public body during an open meeting.

§52-4-210

CLOSED MEETINGS

- Meetings are open unless closed for certain specific reasons
- No local government meetings are legally required to be closed
- The decision to close a meeting is discretionary
 - Exception: certain State entities
 - Exception: other State statutes (e.g., Employee Appeals Board must take votes privately)

CLOSED MEETINGS

Reasons for closing a meeting:

- To discuss the character, professional competence, or physical or mental health of an individual
- To discuss pending or reasonably imminent litigation
- To discuss security personnel, devices, or systems
- To discuss an investigative proceeding regarding allegations of criminal misconduct
- To discuss the purchase, exchange, or lease of real property/water rights/shares IF public discussion would:
 - Disclose the appraisal or estimated value of the property; or
 - Prevent the completion of the transaction on the best possible terms

CLOSED MEETINGS

Reasons for closing a meeting continued:

- To discuss the sale of real property/water rights/shares IF public discussion would:
 - Disclose the appraisal or value of the property; or
 - Prevent the public body from completing the transaction on the best possible terms; and
 - Public notice that the property would be offered for sale was given previously; and
 - The terms of the sale were publicly disclosed before the public body approves the sale
- To discuss certain issues related to procurements and trade secrets

§52-4-205

CLOSED MEETINGS

During a closed meeting a public body MAY NOT:

- Approve an ordinance, resolution, rule, regulation, contract, or appointment
- Interview a person to fill an elected position
- Discuss character, professional competence, or physical or mental health of an applicant to fill a mid-term vacancy
- Take final action on a matter
 - Final votes must be open and on the record
 - Except for property sales meeting all requirements

§52-4-205

CLOSED MEETINGS

- A quorum of the public body must be present
- Two-thirds of members present must vote to approve
- Must first hold an open public meeting with proper notice before closing a meeting
- The body must publicly disclose:
 - The vote by name of each member for or against entering into the closed meeting
 - The reasons for holding the closed meeting
 - Location of the closed meeting
- The Closed part of the meeting must be recorded

VIOLATIONS

- A knowing or intentional violation of the Open Meetings Act is a class B misdemeanor
- A court can void any action taken in violation of the Open Meetings Act
- A violation can be “cured” in a subsequent meeting
- May have to pay court costs and attorneys fees

§52-4-302, §52-4-305

ENFORCEMENT

- The Attorney General
- The County Attorney
- A private citizen denied a right under the Open Meetings Act may commence a lawsuit
 - Limited to civil remedies
- A party has 90 days to file a suit to void an action
- A party has 30 days to file a suit to void an action concerning a bond, note, or other debt

§52-4-303, §52-4-302

ANY QUESTIONS?

ADDITIONAL RESOURCES

Open and Public Meetings Act (Utah Code 52-4)

https://le.utah.gov/xcode/Title52/Chapter4/52-4.html?v=C52-4_1800010118000101

Saratoga Springs Electronic Meetings Ordinance (City Code 2.07)

<https://www.saratogaspringscity.com/DocumentCenter/View/525/Title-2---Government-Organization>

CITY OF SARATOGA SPRINGS
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2021

GENERAL FUND

		<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
	<u>OTHER REVENUE</u>				
10-3680-276	DONATIONS - LIBRARY	785.61	4,896.00	4,110.39	16.1
10-3680-287	MISC SALES - LIBRARY	709.90	2,081.00	1,371.10	34.1
10-3680-288	FINES - LIBRARY	3,410.14	9,742.00	6,331.86	35.0
	TOTAL OTHER REVENUE	<u>4,905.65</u>	<u>16,719.00</u>	<u>11,813.35</u>	<u>29.3</u>
	TOTAL FUND REVENUE	<u>4,905.65</u>	<u>16,719.00</u>	<u>11,813.35</u>	<u>29.3</u>

CITY OF SARATOGA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING DECEMBER 31, 2021

GENERAL FUND

	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>LIBRARY SERVICES</u>				
10-4610-110 SALARIES & WAGES	165,301.13	362,309.00	197,007.87	45.6
10-4610-130 EMPLOYEE BENEFITS	50,348.19	146,307.00	95,958.81	34.4
10-4610-134 OVERTIME PAY	.00	.00	.00	.0
10-4610-210 COMPUTERS & MAINTENANCE	9,692.67	11,350.00	1,657.33	85.4
10-4610-260 BUILDINGS MAINTENANCE	.00	3,000.00	3,000.00	.0
10-4610-330 EDUCATION/TRAINING	731.32	5,700.00	4,968.68	12.8
10-4610-340 OFFICE SUPPLIES/MISCELLANEOUS	12,784.97	16,820.00	4,035.03	76.0
10-4610-350 PROFESSIONAL/CONTRACT	.00	800.00	800.00	.0
10-4610-400 BOOK PURCHASES	18,804.16	30,000.00	11,195.84	62.7
10-4610-410 DIGITAL PURCHASES	24,075.33	32,807.00	8,731.67	73.4
10-4610-500 LIBRARY PROGRAMS	298.47	5,300.00	5,001.53	5.6
10-4610-550 LIBRARY GRANT EXPENDITURES	37.96	.00	(37.96)	.0
10-4610-700 CAPITAL OUTLAY	.00	219.55	219.55	.0
TOTAL LIBRARY SERVICES	<u>282,074.20</u>	<u>614,612.55</u>	<u>332,538.35</u>	<u>45.9</u>
TOTAL FUND EXPENDITURES	<u>282,074.20</u>	<u>614,612.55</u>	<u>332,538.35</u>	<u>45.9</u>
NET REVENUE OVER EXPENDITURES	<u>(277,168.55)</u>	<u>(597,893.55)</u>	<u>(320,725.00)</u>	<u>(46.4)</u>