

# Library Board Meeting Agenda

## 04/25/2024

### Highland City Hall

**7:00 pm-Call to Order:** Kevin Tams, Board Chair

**1. Public Comment**

**2. Consent**

Approve Minutes from 03.28.2024

**3. Reports**

Director's Report

**4. Action/Policy Items**

- a. Presenter/Sponsor Policy
- b. Background Check Policy

**5. Discussion Items**

Proposed Library Collaboration  
Alpine's Children's Library  
Seats Expiring this Year

**6. Future Agenda Items**

Library Budget  
New American Fork and Pleasant Grove Library agreement.  
Fee adjustment

**7. Adjournment**

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

**ELECTRONIC PARTICIPATION**

Members of the City Council may participate electronically during this meeting.

**CERTIFICATE OF POSTING**

I, Stephanie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website ([www.highlandcity.org](http://www.highlandcity.org)).

Please note the order of agenda items are subject to change in order to accommodate the needs of the board, staff and the public.

Posted and dated this agenda on the 23<sup>rd</sup> day of April, 2024

Stephanie Cottle, City Recorder

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL LIBRARY BOARD MEETINGS.**

**Minutes from a Regular Meeting of the  
HIGHLAND CITY PUBLIC LIBRARY BOARD**

Thursday, March 28, 2024 at 7:00 p.m.

IN ATTENDANCE

**Board Members**

Jessica Anderson, Secretary  
Amy Brinton  
Ron Campbell  
Rachel Farnsworth, Vice-Chair  
Kevin Tams, Chair  
Wesley Warren

**Other**

Donna Cardon, Library Director and  
Board Executive Officer  
Wayne Tanaka, Friends of the  
Library

**Absent Board Members**

Lynn Lonsdale

A quorum of the Board being present, Chair Kevin Tams welcomed those in attendance and began the Library Board meeting as a regular meeting at 7:02 p.m. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting.

AGENDA

**1. Public Comment**

None.

**2. Consent**

- a. *Approve Minutes from 01.25.2024*

Jessica Anderson moved to approve the consent agenda. Rachel Farnsworth seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Ron Campbell
Yes	Rachel Farnsworth
Yes	Kevin Tams
Yes	Wesley Warren

The motion passed.

### **3. Reports**

#### *a. Director's Report*

Donna Cardon gave her report. Winter Reading concluded at the end of February. 1590 charts were picked up; 261 charts were turned in to claim final prizes.

Amy Brinton joined the meeting.

The Fairy Tale Ball was a success. Other March programs included the first of the video editing classes (recorded and on the YouTube channel), a STEM class about medication safety, and the last Highland history lecture by Charlie, who is retiring from the historical society.

Coming up in April, there will be the second video editing class, a houseplant basics class (to go with the propagation station), an Earth Day craft class, and a STEM class.

In the library, Donna altered the shelf ends to make them ADA compliant.

Rachel Farnsworth moved to temporarily adjourn the Library Board meeting to have a small ceremony recognizing Scott Smith's donation enabling the purchase of the new mobile shelves. Ron Campbell seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Amy Brinton
Yes	Ron Campbell
Yes	Rachel Farnsworth
Yes	Kevin Tams
Yes	Wesley Warren

The motion passed.

The Board reconvened at 7:20 p.m. Donna shared a library impact story from the Fairy Tale Ball. She reviewed statistics, highlighting the number of digital items circulated. The Board discussed the technical aspects of the digital item process. Donna also noted that the physical items are less than they were a year ago. But the physical capacity of the library limits the number of items that can efficiently be

stored. The Board discussed the constant need to refresh the books in the library. The library's collection focus at the moment is adult digital books and physical children's books. Total patrons are up 600 over what we were a year ago, largely due to the new development, and story time attendance is very high.

#### **4. Action/Policy Items**

##### *a. Presenter Policy*

Donna reviewed the reasons that this policy is necessary: the library is constantly approached by people who would like to present at the library or sponsor an event at the library. The Board reviewed the proposed Presenter Policy drafted by the ad hoc committee. The Board discussed various aspects and concerns to be addressed in the policy, including monetary contributions, library liability for discrimination, the possibility of combining it with the display policy, and incorporate the Highland City Building Use Policy. The Board also discussed the need for legal review.

Wesley Warren moved to continue this item to recirculate a new draft for consideration at the next Board meeting. Rachel Farnsworth seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Amy Brinton
Yes	Ron Campbell
Yes	Rachel Farnsworth
Yes	Kevin Tams
Yes	Wesley Warren

The motion passed.

##### *b. Background Check Policy*

Donna noted the change in state law requiring the library to have a background check policy. The Board discussed the proposed Background Check Policy drafted by the ad hoc committee. The Board discussed clarifying the definition of "qualifying position" to cover volunteer positions that deal primarily with minors, particularly recurring volunteers.

Wesley Warren moved to continue this item to recirculate a new draft for consideration at the next Board meeting. Rachel Farnsworth seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Amy Brinton
Yes	Ron Campbell
Yes	Rachel Farnsworth
Yes	Kevin Tams
Yes	Wesley Warren

The motion passed.

## **5. Discussion Items**

*a. Should minors be able to check out the camera?*

The Board determined that a minor can check out the camera, but the parents would be liable, so the minor needs a parent's permission.

*b. ADA Doors*

Donna updated the Board on the process of getting ADA-compliant doors for the Library. Donna met an ADA door installer, got a bid to get the powered doors for the library, and found out that keeping the library doors open is not a fire code violation. Having the doors open is more accessible. However, there is a question of access for library (and city) employees. Ron talked to Erin, the City Administrator, and the City is going to do a complete ADA review of the whole building, so the library does not have to deal with it on its own.

*c. Space Wish List*

Donna reported on a training she attended, which suggested articulating why a building addition is necessary. She created a rough document outlining the reasons. She was able to use it for talking points with the mayor and others. The Board reviewed and discussed the document, including the feasibility study blueprint and cost estimate. The Board also discussed funding issues.

## **6. Future Agenda Items**

- FY 2025 Budget Approval

The Board’s next regular meeting will be held on April 25, 2024 at 7:00 p.m.

## **7. Adjournment**

Rachel Farnsworth moved to adjourn the Library Board meeting. Wesley Warren seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Amy Brinton
Yes	Ron Campbell
Yes	Rachel Farnsworth
Yes	Kevin Tams
Yes	Wesley Warren

The motion passed.

The meeting adjourned at 8:49 p.m.

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I, Jessica Anderson, Highland City Library Board Secretary, hereby certify that the foregoing minutes represent a true, accurate, and complete record of the meeting held on March 28, 2024. This document constitutes the official minutes for the Highland City Library Board Meeting.



HIGHLAND CITY

# LIBRARY BOARD AGENDA REPORT ITEM #4a

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**DATE:** April 25, 2024  
**TO:** Library Board  
**FROM:** Donna Cardon, Library Director  
**SUBJECT:** Presenter/Sponsorship Policy

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**PURPOSE:**

The Library Board will consider adopting a policy concerning those who wish to do presentations or sponsor programs at the Library.

**BACKGROUND:**

In January the Library Board discussed the need to create a policy governing situations when people outside the Library wish to give presentations or sponsor programs at the Library. They created a committee to investigate this question and create a draft of a policy that will establish guidelines our program manager can share with those wishing to present or sponsor programs.

In March the Board reviewed the policy the committee had drafted. They decided they needed to send the policy to be reviewed by the City Attorney before doing a final vote. Donna sent the draft of the policy to Rob Patterson, the city attorney, and he gave some comments and suggestions. The committee reviewed Rob's suggestions and have a policy ready for consideration at this month's meeting.

**FISCAL IMPACT:**

No significant fiscal impact.

**STAFF RECOMMENDATION:**

The Library Board adopt a Library presenter/sponsorship policy.

**PROPOSED MOTION:**

I move that we appoint adopt the Library Presenter/Sponsorship Policy as proposed.

**ATTACHMENTS:**

1. Library Presenter Policy Clean Draft 2

## Highland City Library: Library Presenter/Sponsor Policy

The Highland City Library seeks to be a valued resource in the community that meets learning, information, and entertainment needs. To do this the Highland City Library provides materials, programs, tools, and space that strengthen the community by informing, educating, and entertaining community members of all ages. (Library Vision and Mission Statements)

In order to provide quality programs to its patrons, Highland City Library may allow non-staff individuals to present classes or lectures or to sponsor programs at the Library. [Using the Library space and resources for lectures or programs is a privilege not available to the general public but may be granted to individuals.](#) The Library Presenter/Sponsor Policy provides guidelines for presentations and sponsorships.

### I. Subject Matter

The Library director and staff welcome proposals for programs from community members, but reserve the right to accept or reject proposals at their discretion [based upon this policy](#). Not all proposals will be accepted. The Library seeks to support programming with informational, educational, cultural, or civic value [that align with the Library Vision and Mission Statements](#).

In addition, the Library supports programming that appeals to a diverse range of backgrounds, interests, and needs. Some programs that are of interest to some members of the community may be offensive to others; however, no patron has the right to impede another's right to information. The Library seeks to protect intellectual freedom for all of its patrons.

### II. Library Endorsement

A presentation at the Library or sponsorship of a library program is not to be considered an endorsement by the Library: the Library neither approves or disapproves of the views expressed in presentations or by sponsors. The Library supports free communication and creative expression, even if some material is unpopular or unorthodox.

### III. Public Benefit

Library programming seeks to benefit public, rather than private, interests. Library presenters may mention their business to establish their credentials, but they cannot solicit customers during a Library program. Authors may sell copies of their books during an author talk event but must handle their own financial transactions.

### IV. Safety measures

Guest presenters are expected to follow safety measures as outlined in the Highland City Building Use policy. Presenters are liable for any damage or harm caused by disregard for safety standards. [Proposals may be rejected or a presentation cancelled if the presentation may damage Library or City property, pose a threat to patrons or staff, or interfere with normal Library operations and other scheduled uses of the Library.](#)

### IV. Private Business Donations

The Library welcomes donations from private businesses for sponsorship of Library programming but reserves the right to accept or reject offers of sponsorship [in its](#)



| [discretion](#). The Library may acknowledge donations from businesses at the discretion of the Library Director. Cash donations from businesses to support programs will be handled through the Library Foundation which is a 501C3 organization.



HIGHLAND CITY

# LIBRARY BOARD AGENDA REPORT ITEM #4b

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**DATE:** April 25, 2024  
**TO:** Library Board  
**FROM:** Donna Cardon, Library Director  
**SUBJECT:** Background Check Policy

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**PURPOSE:**

The Library Board will consider final approval of a background check policy.

**BACKGROUND:**

In January the Library Board discussed a new state law, H.B. 284, that requires libraries to obtain background checks for all employees and for any adult volunteers who have “significant contact with minors” (9-7-218 line 100). They created a committee to draft a policy that will meet the requirements of H.B. 284.

In March, the committee submitted two drafts for consideration. One is shorter and meets the bare minimum of the state requirement. The other has more detail and addresss the question about which volunteers would qualify as having “significant contact with minors.” The Board considered the two drafts and decided to create a new draft and revisit the issue at the next meeting.

The ad hoc committee has created a new draft of the policy for consideration at this meeting. (see attached)

**FISCAL IMPACT:**

There is no cost to creating a policy, but there will be a cost of about \$30 per application associated with obtaining background checks for volunteers. The Library will easily be able to cover the cost with existing funds.

**STAFF RECOMMENDATION:**

The Library Board should review and adopt a background check policy that meets the requirements of the new state law.

**PROPOSED MOTION:**

I move the Board adopt the background check policy as stated/revised.

**ATTACHMENTS:**

1. Utah H.B. 284
2. Highland City policy excepts about background checks and volunteers.
3. Background Check Policy (draft 2)

**PUBLIC LIBRARY BACKGROUND CHECK REQUIREMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Dan N. Johnson**

Senate Sponsor: Chris H. Wilson

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**LONG TITLE**

**General Description:**

This bill provides for criminal background checks of public library employees.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ prohibits a public library from receiving state funds unless the library implements a policy providing for criminal background checks of prospective employees;
- ▶ provides for the scope, content, and dissemination of a library's criminal background check policy;
- ▶ provides for fiscal assistance to smaller counties and municipalities to conduct criminal background checks;
- ▶ requires the State Library Division to report annually to the Legislature regarding compliance with the criminal background check policy requirements; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**9-7-101**, as last amended by Laws of Utah 2019, Chapter 221

**9-7-216**, as last amended by Laws of Utah 2004, Chapter 193

30 9-7-217, as last amended by Laws of Utah 2014, Chapter 371

31 ENACTS:

32 9-7-218, Utah Code Annotated 1953

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34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section 9-7-101 is amended to read:

36 **9-7-101. Definitions.**

37 As used in this chapter:

38 (1) "Board" means the State Library Board created in Section 9-7-204.

39 (2) "Division" means the State Library Division.

40 (3) "Internet policy" means the public library online access policy required in Section  
41 9-7-215.

42 [~~3~~] (4) "Library board" means the library board of directors appointed locally as  
43 authorized by Section 9-7-402 or 9-7-502 and which exercises general policy authority for  
44 library services within a city or county of the state, regardless of the title by which the board is  
45 known locally.

46 [~~4~~] (5) "Physical format" means a transportable medium in which analog or digital  
47 information is published, such as print, microform, magnetic disk, or optical disk.

48 [~~5~~] "Policy" means the public library online access policy adopted by a library board  
49 to meet the requirements of Section 9-7-215.]

50 (6) "Political subdivision" means a county, city, town, school district, public transit  
51 district, redevelopment agency, or special improvement or taxing district.

52 (7) "State agency" means:

53 (a) the state; or

54 (b) an office, department, agency, authority, commission, board, institution, hospital,  
55 college, university, or other instrumentality of the state.

56 (8) (a) "State publication" means a book, compilation, directory, document, contract or  
57 grant report, hearing memorandum, journal, law, legislative bill, magazine, map, monograph,

58 order, ordinance, pamphlet, periodical, proceeding, public memorandum, resolution, register,  
59 rule, report, statute, audiovisual material, electronic publication, micrographic form and tape or  
60 disc recording regardless of format or method of reproduction, issued or published by a state  
61 agency or political subdivision for distribution.

62 (b) "State publication" does not include correspondence, internal confidential  
63 publications, office memoranda, university press publications, or publications of the state  
64 historical society.

65 Section 2. Section **9-7-216** is amended to read:

66 **9-7-216. Process and content standards for Internet policy.**

67 (1) (a) Each library's Internet policy shall be developed under the direction of the  
68 library board, adopted in an open meeting, and have an effective date.

69 (b) The library board shall review the policy at least every three years ~~[, and a footnote~~  
70 ~~shall be added to the policy indicating the effective date of the last review].~~

71 ~~[(b)]~~ (c) (i) Notice of the availability of the policy shall be posted in a conspicuous  
72 place within the library for all patrons to observe.

73 (ii) The library board may issue any other public notice [it] the library board considers  
74 appropriate to inform the community about the policy.

75 (2) The Internet policy shall include the following information:

76 (a) ~~[state]~~ a statement indicating:

77 (i) that [it] the library restricts access to Internet or online sites that contain material  
78 described in Section **9-7-215**; and

79 (ii) how the library board intends to meet the requirements of Section **9-7-215**;

80 (b) ~~[inform]~~ a statement informing patrons that administrative procedures and  
81 guidelines for the staff to follow in enforcing the policy have been adopted and are available  
82 for review at the library; ~~[and]~~

83 (c) ~~[inform]~~ a statement informing patrons that procedures for use by patrons and staff  
84 to handle complaints about the policy, ~~[its]~~ the policy's enforcement, or about observed patron  
85 behavior have been adopted and are available for review at the library~~[-]; and~~

86 (d) a footnote indicating the effective date of the last review of the policy under  
87 Subsection (1)(b).

88 Section 3. Section 9-7-217 is amended to read:

89 **9-7-217. Reporting.**

90 The division shall submit a report to the department regarding the compliance of library  
91 boards with the provisions of ~~[Section]~~ Sections 9-7-215 and 9-7-218 for inclusion in the  
92 annual written report described in Section 9-1-208.

93 Section 4. Section 9-7-218 is enacted to read:

94 **9-7-218. Criminal background check policy required -- Scope and content --**  
95 **Dissemination.**

96 (1) As used in this section:

97 (a) "Minor" means an individual who is under 18 years old.

98 (b) "Public library" means a library established under Section 9-7-402 or 9-7-501.

99 (c) "Qualifying position" means any paid or unpaid employment position with a public  
100 library, including a volunteer position, that involves significant contact with minors, as  
101 determined by the public library's library board.

102 (d) "Qualifying prospective employee" means an individual who:

103 (i) is 18 years old or older; and

104 (ii) applies for a qualifying position with a public library.

105 (2) State funds may not be provided to a public library unless the public library  
106 implements a criminal background check policy that:

107 (a) meets the requirements of Subsection (3); and

108 (b) is adopted by:

109 (i) the library board in an open meeting; or

110 (ii) the county or city in which the public library is located.

111 (3) The criminal background check policy shall:

112 (a) identify each qualifying position with the public library;

113 (b) require each qualifying prospective employee to submit to a criminal background

114 check as a condition of employment in a qualifying position;  
115 (c) establish procedures for:  
116 (i) gathering, submitting, and reviewing criminal background checks for qualifying  
117 prospective employees before making any offer of employment;  
118 (ii) disqualifying a qualifying prospective employee from employment based on  
119 information received as a result of a criminal background check; and  
120 (iii) allowing a qualifying prospective employee to respond to information received as  
121 a result of a criminal background check;  
122 (d) ensure that a qualifying prospective employee who is disqualified from  
123 employment because of information obtained through a criminal background check receives:  
124 (i) written notice of the reasons for the disqualification; and  
125 (ii) an opportunity to respond to the reasons following the procedures established under  
126 Subsection (3)(c)(iii); and  
127 (e) include an effective date that is stated in the criminal background check policy.  
128 (4) (a) The criminal background check policy shall be distributed to qualifying  
129 prospective employees and posted in a prominent location in the public library.  
130 (b) A criminal background check policy adopted by a library board shall be reviewed  
131 by the library board at least every three years.  
132 (5) Within appropriations made by the Legislature for this purpose, the State Library  
133 Board shall reimburse a county of the fourth, fifth, or sixth class, and a city of the fourth, fifth,  
134 or sixth class, for the costs of conducting criminal background checks under this section.  
135 **Section 5. Effective date.**  
136 This bill takes effect on July 1, 2024.



## Highland City policies excerpts related to background checks and volunteers.

From Highland City Personnel Policy Manual. (underline added)

### 5. PLACEMENT

A. Job Offers. After a job applicant is selected, the City Administrator, or designee, shall notify the successful job applicant of his or her conditional selection through a written conditional job offer letter. The written conditional job offer letter shall clearly state the job description, salary conditions, and any provisional conditions of employment (i.e., successfully passing drug/alcohol tests). Additionally, the written conditional job offer letter may state that the offer is not accepted until the candidate signs the written conditional job offer letter and returns it to Highland City by the requested date. The original job offer letter should be filed in the employee's file and a copy should be given to the new employee during orientation. Written conditional Job Offer Letters should also include the following:

- (1) A clear statement of the job description.
- (2) The employee's starting salary. Starting salary offers for exempt positions shall state that the position is exempt and specify the salary for a specified period, such as a two (2) week period. Starting salary offers for non-exempt positions shall specify an hourly wage.
- (3) The employee's job title.
- (4) The employee's supervisor.
- (5) Any relocation commitments, if applicable.
- (6) Highland City's at-will employment policy.
- (7) The employee's starting date.
- (8) The length of the employee's probationary period.
- (9) Notice of any condition employment is contingent upon, such as passing a background examination, drug tests, medical/physical examinations, etc.

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### 6. VOLUNTEERS.

A. "Court Ordered" Community Service Volunteer Labor may, at the discretion of the City Administrator, or designee, be accepted at Highland City.

B. The City Administrator, with approval of the Mayor and City Council, may establish volunteer programs.

C. The City Administrator shall develop guidelines for the use of volunteers.

D. Prior to accepting any volunteer services, the City Administrator and the volunteer shall sign an agreement defining the nature and terms of the volunteer services.

E. A volunteer shall be provided similar protections that an employee of Highland City is provided for:

(1) Workers compensation benefits for compensable injuries sustained by the volunteer while acting in the scope of volunteer services.

(2) Operating Highland City owned vehicles or equipment when the volunteer is properly licensed to do so.

(3) Liability insurance coverage offered employees.

F. A person's volunteer service experience may be considered when determining whether a person has the minimum qualifications for an employment position with Highland City.

## **BACKGROUND CHECK POLICY**

To ensure a safe and secure environment and to comply with state and local laws, the Library requires background checks under certain circumstances.

### **Definitions**

Under this policy, a “qualifying position” is any paid or unpaid employment position with the Library, including a volunteer position, that involves significant contact with minors or vulnerable adults.

Under this policy, a “qualifying prospective employee” means an individual who is 18 years old or older and applies for a qualifying position with the Library.

Under this policy a “minor” means an individual who is under 18 years old.

Under this policy, a “vulnerable adult” is an individual who is (1) 65 years old or older or (2) a dependent adult who has a mental or physical impairment which substantially affects that individual’s ability to provide personal protection, carry out the activities of daily living, or comprehend the nature and consequences of remaining in a situation of abuse, neglect, or exploitation. (See Utah Code § 76-5-111(1)(a)(xiv)(A), (D), (F).)

Under this policy, “significant contact” is recurring contact.

### **Process**

All qualifying prospective employees must submit to a criminal background check as a condition of employment (or prior to volunteering) with the Library.

As part of the application process, a qualifying prospective employee shall consent to, and provide the information necessary to obtain, a criminal background check. Prior to the Library making an offer of employment, the human resources department of Highland City will run a criminal background check and review the results.

If the criminal background check reveals any prior criminal offenses, the Library may disqualify the qualifying prospective employee. If a qualifying prospective employee is disqualified based on the information obtained through the criminal background check, the Library will give the qualifying prospective employee written notice of the reasons for the disqualification and two business days to submit a written response to the reasons for disqualification.

The Library may charge a fee for the cost of the background check.

### **Effective Date**

This policy is effective as of July 1, 2024.