

Mark & Emily Turner Memorial Library
Board of Trustees Minutes
Held In the Library Multi-Purpose Room
Wednesday, June 11, 2008

Present: Chairman Kevin Sipe, Treasurer Elaine Sipe, Secretary Paul Hamlin, Judith Burleigh, Greg Curtis, Deborah Dunn, Germaine Scott, Library Director, Sonja Plummer-Morgan, Assistant Librarian, Susan McPherson,

Chairman Kevin Sipe called the meeting to order at 3:30 p.m.

Chairman Kevin Sipe extends a welcome to City Solicitor Hugo Olore.

Members present introduce themselves to Solicitor Olore.

Chairman Sipe then explains the recent history of the accounts of the Mark and Emily Turner Trust account as it is understood this far. He then asks for clarification from a legal point of view concerning issues unclear to the board. How much can be spent now and how much later? Is it restricted? In the event of an expansion project happening in the future, what would be the consequences concerning involvement of city funding. Can it be ascertained for certain how the division of funding would be divided. Specifically, the separation of 20 years of accumulated interest on funds from the principal and how much was earned without restriction. The Board questions the feasibility of setting money aside from the earned interest?

Solicitor Olore explained that historically, money was given to the Library expressly for the Library. He further reiterated that members must be careful of funds that are dedicated to certain accounts. Strict attention must be paid to restrictions when managing separate accounts. Bundling donations is more practical for interest bearing accounts.

A possible solution according to Solicitor Olore would be to ask for a court doctrine that asks if funds could be used for charitable purpose but not specifically as bequeathed. He cited the case of White in Massachusetts as example. He further reiterated that Michaud funds could be used for expansion with intent of reading room component. It was further stated that \$500,000.00 of the Turner Fund is unrestricted. According to Solicitor Olore \$75,000 including interest of the non-fiction fund amounting to \$200,000 was not mentioned as being restricted.

Solicitor Olore stated that \$100,000 of the Emily Turner Fund is restricted for non-resident fee designation due to the City requesting the Library charge non-resident fees. Discussion about what former board stated? Solicitor Olore informed the current

members that he suggested the former Board take a look at a change of policy of not taking fees. His suggestion was tabled. Then when it was brought up again the fee issue was re-instated with the understanding that the City get's \$5000 per year.

1. Chairman Sipe read a portion of City Council minutes from the year 1990 concerning non-resident fees.

Solicitor Olore stated the \$100,000 that is part of the Trust should be revisited by the Board concerning the original wording of the statement as it was documented. Based on his review of the other accounts listed on the donations sheet, it is his opinion that if the bulk of the funding is based on unrestricted funds then it is not worth going to court.

Treasurer Elaine Sipe then read a statement concerning minutes about Emily Turner designation of \$100,000 does not restrict the fees used and applied to Mark & Emily Turner Library. It was further state that Linwood Norton said "there was no more money available to be used for the Library." Confusion erupted between the Turner Foundation and Mark and Emily Turner Foundation, The question arose, what was the intent from Emily? \$500,000 was used to purchase 45 Second Street. At the time the funds were encumbered.

A discussion of Library expansion was proposed at a rate of 1.1 million. An estimate of a bottom line price of 2 million would be necessary. The 45 2nd Street rental property income was to be used for the benefit of the Library. The Library adhered to that requirement. The next inquiry was regarding what part of 1 million to use toward expansion and recognizing the difficulty of not having the Trust support, would it be better to spend half (\$500,000) , borrow, or do fundraising?

Solicitor Olore stated no reason to petition courts because it is clear the fund are unrestricted. Using funds for books will still lie within the requested guidelines as historically stated.

Discussion then moved to the Espa Michaud fund. Solicitor Olore stated that the Board of Trustees must spend down the amount, and further state that that the Library Director must give an accounting every year. Member Deborah Dunn inquired if interest money can be spent early on allocated funds as long as the principal remains the same? It is stated that Michaud funds are restricted to non-fiction. Solicitor Olore gave his opinion that no court is going to get excited as long as the funds are used for the betterment of the Library.

Discussion then turned to the Dorothy Dingwall fund which is designated to non-fiction purchases. Library Director Sonja Morgan proposed could the funds be used in the processing and maintenance of non-fiction and the purchase of non-fiction databases. Solicitor Olore said he wouldn't recommend pushing the envelope just use the funds as designated on non-fiction at today's definition.

Discussion of the safety deposit box led to in the opinion of Solicitor Olore that on the amount of \$100, 000 interest only to be used and keep the principal clear.

MOTION: Chairman Sipe requested motion to accept the minutes of May 15, 2008.

Secretary Paul Hamlin requested to table the motion to accept the minutes until the next scheduled meeting to give him the opportunity to review them thoroughly. It was seconded by Member Judith Burleigh. Vote was unanimous.

Secretary Paul Hamlin asked a procedural question concerning a motion made by City Financial Officer Pat Webb. Secretary Hamlin state that it needed correction.

MOTION: Chairman Sipe requested motion to accept the Treasurer's Report.

The motion to accept the Treasurer's report was submitted by Secretary Paul Hamlin and seconded by Member Germaine Scott. Chairman Sipe inquired about the current bill from Caron's Landscaping and it was stated they hadn't fulfilled the contract. Chairman Sipe requested the bill not be paid until the work is completed. Board voted unanimously to accept the Treasurer's Report

The vote was unanimous.

Copies of the audit report were then passed to members. Members discussed the process of tax report filing. It was stated the issue has been resolved by Treasurer Elaine Sipe. Member Judith Burleigh questioned about permanent restrictions. Treasurer Elaine Sipe responded that next year it will only state exact restriction.

Chairman Kevin Sipe then asked for Librarian's Report.

Library Director Sonja Plummer Morgan reported on the management audit initiated by the City Council and explained the goals of the meetings.

Circulation statistics rose setting records. Memorial donations were received in the amount of \$375.00.

Sixty passport applications were received and processed

The Gates Foundation decided not to pull funding so the Library is waiting for determination of what will be the outcome.

Sonja Plummer Morgan questioned if the Board would be drafting a letter of public acknowledgement to the Presque Isle Garden Club for their efforts in beautification of the Library? It was discussed that an advertisement in the Star Herald would be the way to go.

MOTION: Chairman Kevin Sipe made the motion to send the acknowledgement to the Star Herald in the form of a 4x4 advertisement and fund it in the amount of \$150.00. The motion was seconded by Member Judith Burleigh. Chairman Sipe agreed to sign the acknowledgement when it was ready. Members voted unanimous to accept the motion.

Librarian Sonja Plummer Morgan continued her report with a statement of the Library's involvement in the Potato Blossom Festival in Fort Fairfield on July 19, 2008. Susan McPherson will co-ordinate the event. A rented costume of Peter Rabbit will be present on the float.

Senior Day activity is to be held on July 16, 2008. John Hon, former Presque Isle citizen and now author will be the guest speaker. Chairman Sipe asked if any board member would be willing to attend these meetings. Secretary Paul Hamlin said he would try.

The Library Book and Bake Sale is scheduled for Saturday and Sunday, July 19 and 20, 2008.

Curious George, previously rented in May, was on the Memorial Day Float and attended many schools, daycares, and ACAP Headstart Centers.

Maine's Poet Laureate, Elizabeth "Betsy Sholl" appeared at the Library for an evening of poetry accompanied by local author Dr. Melissa Crowe. Mrs. Sholl also did a presentation at Presque Isle High School in the afternoon for students. Secretary Paul Hamlin encouraged members to attend these activities as a show of support.

Library Director Sonja Plummer Morgan continued her report with the announcement that she was elected as Vice-President Elect/ President Elect of the Board of Directors of the Maine Library Association. She also has been nominated as a member of the Board of the Rural Library Association of American Library Association.

MOTION: Secretary Paul Hamlin motioned to accept the Librarian's Report. The

Motion was seconded by Member Deborah Dunn and voted unanimous by attending members.

The issue of lawn ground maintenance was the next issue on the agenda. Library Director Sonja Plummer Morgan requested assistance on the quotes. Chairman Kevin Sipe asked questions concerning specifications and what were the board's suggestions about necessity of liming and aerating the grounds. It was felt that liming once a year was sufficient.

The issue of paving was discussed. Member Deborah Dunn felt that it seemed the paving was tied to the Library expansion and that if the Library expansion was not happening for some time then the paving couldn't wait. It was discussed that the Community Center was the priority right now for the City. The board wondered if they paid for the materials would the Department of Public Works do the paving. It was suggested that Library Director Sonja Plummer Morgan would talk to Jerry James, Public Works Director to ascertain the cost of paving. Treasurer Elaine Sipe interjected that there is a Certificate of Deposit maturing which could be considered a funding source. It was requested that Director Sonja Plummer Morgan have the figures on the paving by next board meeting in July. Chairman Kevin Sipe inquired if Open House expenses were paid? It was stated that a delay exist due to lag of purchase order processing from the city.

NEW BUSINESS:

It was determined the next meeting date of the Board of Trustees would be Thursday, July 24, 2008 at 3:30.

Agenda items currently would be paving, lawn care, re-contact the landscapers.

Chairman Kevin Sipe agreed to contact the landscapers and bring 3 proposals to next meeting.

Chairman Sipe asked for motion to adjourn.

MOTION: Member Judith Burleigh moved to adjourn the meeting. Member Deborah Dunn seconded the motion. The Board voted unanimous to Adjourn at 4:50 p.m.



Attest: Secretary Paul Hamlin