

DAYTON METRO LIBRARY

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES

9:00 p.m., February 12, 2009

PRESENT: Barbara Hayde, Jeanne Holihan, Jane Katsuyama
Margot Merz, Joseph Oehlers, Dennis Turner

PRESIDING: Barbara Hayde, President

EXECUTIVE DIRECTOR/FISCAL OFFICER: Tim Kambitsch

CALL TO ORDER

The President called the meeting to order at 9:01 a.m.

DECLARATION OF CONFLICTS OF INTEREST

Trustees were asked if they had identified any area on the agenda where there was an actual or potential perceived conflict of interest. No conflicts were announced.

APPROVAL OF MINUTES

On a motion by Mr. Turner, seconded by Ms. Merz, the minutes of the Board meeting of January 21, 2009 were approved by the Board.

Ayes: All
Nays: None

RESOLUTION TO AMEND TAX LEVY RESOLUTION

The Executive Director thanked the Trustees for attending the Special Meeting of the Board on such short notice. He explained that after last week's official action by the Board of County Commissioners to place the Library Board approved issue on the May 5th ballot he had received word from the Board of Elections that the election is being considered a "special election" and not a "primary election." Further he was told that the cost to the Board to place the issue on the ballot could be as high as \$700,000. He told Trustees that as he understood it Boards of Elections now consider spring elections in odd numbered years as "special elections" when no primaries are on the ballot. With increased costs for all elections, the library could be charged as much \$1500 per precinct for nearly 500 precincts. He then introduced Steve Harsman, Director of the Montgomery County Board of Elections and told Trustees he had invited Mr. Harsman to the meeting to further assist in explaining the costs of the May 5, 2009 election. Mr. Harsman thanked the Board and Mr. Kambitsch for inviting him to the meeting and introduced Betty Smith, the Deputy Director of the Board of Elections.

Mr. Harsman began by saying that the cost of the May election will be determined by “who files and when” and told Trustees the final date for filing with the Board of Elections is February 19th.

Board member Margot Merz asked why the cost was significantly more than what the Library had paid in the past. Mr. Harsman explained that the previous Library levy was voted on in a primary election held in an even numbered year rather than an odd numbered year. In an even year the only charge allowed to Boards of Elections is the cost of the ballots. He said that in a special election, as in the spring of an odd numbered year, Boards of Elections are allowed to charge for services such as transportation, overtime costs, vendor contracts, poll workers costs, advertising, ballot costs and other incidentals. He also said that the new touch screens, a technology which replaced punch cards and is now used in Montgomery County elections, add considerable cost to the expense of an election. Mr. Oehlers asked if this was the first year the Board of Elections had been allowed to charge “odd year” costs. Mr. Harsman said it was not, but costs had increased because of evolution and changes to the voting system.

Mr. Harsman said that last week the Dayton Metro Library’s levy was one of the only issues on the May ballot. At that time his prediction of the cost to the Library of as much as \$700,000 was right on target. However, he said this week there have been other jurisdictions asking for information and applications to place issues on the May ballot. The cost of the election will depend on how many other jurisdictions have issues or candidates on the ballot and in how many precincts those issues are voted on. The cost for a special election is approximately \$1,500 per precinct. The cost is shared by all jurisdictions with issues or candidate races being voted on in each precinct. The Library levy would be voted on in 462 precincts.

Ms. Holihan said we had to be very confident that we can pass the levy based on our message to the voters. She said the Library has proven that they are very good stewards of the public funds entrusted to them. Ms. Katsuyama said that the Library is very prudent in its use of the taxpayer’s dollars. Mr. Turner agreed that this special meeting was indicative of how the Library has been very careful managers of the resources they have.

Ms. Merz asked Mr. Harsman to estimate the cost of the election to the Library at this time. He explained that there was no way to be certain before the filing deadline, but at this time he would estimate \$225,000 to \$275,000 if all jurisdictions decided to place their issues on the ballot. In November he would estimate the best cost scenario to be \$100,000 – \$150,000. He said he would be able to be more definitive after February 19th, the final date for filing with the Board of Elections. Board member Dennis Turner said that the cost is not as significant as everyone was lead to believe and suggested it might be wiser to stay on the May ballot. He said if the levy did not pass in May, there would be another opportunity in November to place the issue on the ballot.

Board President Barbara Hayde said that cost is not the only issue, a low voter turnout could pose a problem in the May election. She asked Mr. Harsman what a typical voter turnout might be in May. He said a 15 – 20% turnout is typical in May, and a 30 – 40% turnout is typical in November. Ms. Hayde also said another risk is determining what other issues the Library levy would be up against if placed on the November ballot rather than the May ballot.

Mr. Kambitsch said we wouldn’t want to have a negative impact on other issues such as a parks levy. Mr. Harsman said the 10 year MetroParks levy would expire in 2010 and he felt they were leaning toward placing their issue on the ballot during an even year (2010) rather than 2009 because of costs.

Mr. Oehlers asked what the “drop dead withdrawal date” would be if Trustees chose to withdraw the levy from the ballot. Mr. Harsman said he would research information for them as to what that date would be and also told Board members that there would be no cost involved if the decision was made to pull the levy. He also said he would pursue an extension of the pull date with his Board members. Mr. Oehlers also asked how the Board’s decision played into the timetable with the meetings of the Board of County Commissioners. Mr. Kambitsch said the next meeting of the Board of County Commissioners would be held on Tuesday, February 24th which would allow the Commissioners sufficient time to move forward with postponing the election. Mr. Harsman said that the County Commissioners would not need to be involved if a decision was made to withdraw. He said a letter from the Library Board stating their decision would be sufficient.

Ms. Merz asked Mr. Harsman if he would supply the Trustees with two pieces of information in order for them to make an informed decision:

- 1) confirmation of a solid pull date and time
- 2) what exactly needs to be done if the Board decides to withdraw from the ballot

Trustees agreed that it would be prudent to seek more information before making a final decision to withdraw from the May election. They will reconsider the question at the next regular meeting of the Board on February 18th. Mr. Oehlers said that for planning purposes the Library levy was still on the May ballot. Ms. Merz agreed and stated that the resolution that was passed at the January Board meeting should be filed with the Board of Elections. Ms. Hayde thanked Mr. Harsman and Ms. Smith for attending the meeting and for sharing information with the Trustees.

COMMENTS FROM THE GENERAL PUBLIC

The Board President asked if there were any comments from the General Public. Lori Rotterman, library staff member, addressed the Board questioning the status of staff campaign contributions and the overall levy campaign preparedness.

DAYTON METRO LIBRARY BOARD OF TRUSTEES MEETING

The next meeting of the Dayton Metro Library Board of Trustees will be Wednesday, February 18, 2009 at 4:00 p.m. in the Main Library Auditorium, 215 E. Third Street.

ADJOURNMENT

On a motion by Mr. Turner, seconded by Mr. Oehlers, the Board adjourned at 10:10 a.m.

Ayes: All
Nays: None