

## La Porte County Public Library Board of Trustees Meeting Minutes

February 20, 2025 at 5:30 PM CDT

904 Indiana Avenue, La Porte, IN 46350

### **Attendance**

#### **Present:**

Dara Jeffries, Nicole Florek, Gina Alber and Tucker King

#### **Absent:**

Corey Campbell, Amy Jackson and Bonnie Snider

Also Attended

Fonda Owens, Director

Anthony Novak, Attorney

### **Call to Order**

President Dara Jeffries called the meeting to order at 5:34PM

### **Public Forum**

President Dara Jeffries called for questions or comments from the public. There were none.

### **Consent Agenda**

1. Minutes of the January 16, 2025 Board of Trustees Meeting
2. Minutes of the January 16, 2025 Board of Finance Meeting
3. Financial Report
4. Statistics Report

A motion was made by Tucker Kings and seconded by Nicole Florek to approve the consent agenda. The vote was taken and the motion carried.

### **Reports**

#### **Managers Reports**

Pam Okosun spoke about the American Renolit grant the Library received for the purchase of computers to teach coding. Holly Trott reported that a library customer donated bird watching kits to the library. The kits will circulate to customers. Dania Bocanegra introduced the new youth librarian, Liz Lugo and the school liaison librarian, Cassie Yeater to the Board. Dania, along with Cassie, informed the Board that the Library has been selected as the Organization of the Year for 2024 by the La Porte County Parks Department.

#### **Director**

Director Fonda Owens stated that it has been a very hectic month. Toni Kester Bulger and Fonda continue to work with Trudy Menke to finish the strategic plan. She and Ann Shaffer meet with experts from Baker Tilly to begin work on a long-term financial plan. Changes in property tax income will affect this strategy. Director Owens met with Mayor Tom Dermody to discuss the impact of property tax changes on the city. She and De Burke requested a meeting with General Insurance Services to talk early about the health insurance renewal process.

Director Owens also stated that funding for Dolly Parton's Imagination Library from the state is uncertain. She has contacted two of the other four library directors to discuss financial sources.

On a happy note, the Library's first 30-minute show on WIMS happened this month and has about 900 views on social media.

### **Legal Counsel**

Anthony Novak met with Director Owens to review the policies being presented. Also, they spoke about the shade structure and the bidding process.

### **Unfinished Business**

#### **a. Shade Structure**

Director Owens has received more details on the structure and is hoping to bring the bid documents to the March board meeting with a projection of opening the bids at the April board meeting.

### **New Business**

#### **a. Privacy Policy**

A motion was made by Nicole Florek and seconded by Gina Alber to approve the Privacy Policy as presented.

### **La Porte County Public Library Customer Privacy Policy**

The La Porte County Public Library ("LPCPL" or the "Library") is committed to protecting the privacy and confidentiality of customer records. The Library will not sell, share or trade our customers' names, personal identifiable information, or Library account information with any other entity except those working under contract or as required by law. Nor will the LPCPL send mailings to its customers on behalf of other organizations not directly affiliated with the LPCPL.

#### **Information Collected**

LPCPL strives to collect the least amount of personally identifiable information from customers. The LPCPL keeps customer's information as long as required by Indiana State Law. The library does not engage in practices that might place personally identifiable information on public view without customer consent.

It is standard Library practice to collect the following information:

- Information required to register for a Library card such as name, address, telephone number, email address, birthdate
- Library barcode number or guest pass number used to log on to public computers
- Records of items currently checked-out, requested, interlibrary loans, fines/fees owed, payments made
- Sign-up information for library programs

### **Website**

The Library collects and uses statistical information for the purpose of managing and improving service operations and to report statistics regarding the use of the Library's website. Servers and software programs automatically log website access information. Individual visitors are not identified by name through the gathering of this information. Persistent cookies (discussed below) may be used to gather further statistical information about website usage.

## **Non-Persistent Cookies**

The Library may store some information on a customer's device when you view the Library's website. This information will be in the form of a "cookie" or similar file and helps the Library in a number of ways. Most Internet browsers allow users to block all cookies, erase cookies from users' devices, or receive a warning before a cookie is stored. Users should refer to a help screen or the instructions for the computer's browser to learn more about these functions. Non-persistent cookies may be used on the Library's website to manage a user's session. They are only necessary to maintain session information, are temporary, and become invalid after the web browser has been closed.

Users will still be able to use the Library's website if cookies are disabled while using the Library's website; however, cookie-dependent features will not be able to be used.

## **Persistent Cookies**

In order to improve our users' online experiences, the Library may use persistent cookies to gather statistics regarding its website usage. No personal identification information is captured through the use of persistent cookies.

Any personally identifiable information given to the Library in email messages, web forms, in-person or telephone reference, or other communications is used only for the purpose for which it was originally collected.

## **Public Computers and Wifi Network Use**

The Library's website is encrypted with Hypertext Transfer Protocol Secure (HTTPS) which is used widely for secure communication between a computer network and the internet.

The Library uses software programs that monitor network traffic to identify unauthorized attempts to upload or change information intended to cause damage. No other attempts are made to identify individual customers or their usage habits.

The Library uses restoration software to remove personal data and browsing history each time a customer ends their session on a public computer. Library card numbers and Guest Passes are used to reserve public computers.

## **Access to Customer Information**

All customer records are confidential and may only be disclosed to:

- Library staff performing job duties
- Cardholders upon proof of identity
- Under court order or subpoena
- Parents or guardians of minor children (limited access) The Library will not allow a noncustodial parent access to the child's Library records if a court has terminated the parent's legal rights and the Library has received a copy of the court order or has actual knowledge of the court order.
- If a Library cardholder is under the age of 18, the parents or legal guardians may only be given information associated with items currently checked-out, requested, interlibrary loans, fines/fees owed, payments made.

- Library customers may access their personally identifiable information and are responsible for keeping it accurate and up-to-date. This can be done online or in person. Proof of identity is required to update information in person and a password is required to update information online.

**The LPCPL may use your information and Library usage history to:**

- Develop reports based on aggregate data
- Send you information about upcoming events and programs based on your borrowing history and past event/program attendance
- Send you information on new additions to our collection, based on personal interest categories that you choose
- Items placed on hold for Library customers are shelved by the customer's last name and maybe shelved in public areas of the Library.

**SECURITY**

The LPCPL uses reasonable measures to help protect information from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction. You should understand that no data storage system or transmission of data over the Internet or any other public network can be guaranteed to be 100 percent secure. Please note that information collected by third parties may not have the same security protections as information you submit to us, and we are not responsible for protecting the security of such information.

**Third-Party Vendors**

The Library enters into agreements with third-party vendors to provide online services, digital collections, streaming media content and more. Because third-party vendors have their own privacy policies and confidentiality practices, your interaction with their systems will be governed by their individual privacy policies.

**Surveillance**

The Library uses digital video surveillance inside and outside of most of its Library locations. Digital video is kept for 30 days. Video is only available to view by authorized Library staff.

**Enforcement**

Library customers who have questions, concerns or complaints regarding the LPCPL's handling of their privacy and confidentiality rights should request to speak to a Library manager. The Library will respond in a timely manner and may investigate or review of practices and procedures.

Library records are not made available to any agency of state, federal or local government without a subpoena, warrant, court order or other legal document requiring the library to do so.

All staff have been trained to refer any law enforcement requests to Library administrators.

The vote was taken and the motion carried.

#### **b. Access to Public Records Policy**

A motion was made by Nicole Florek and seconded by Tucker Kings to approve the Access to Public Records Policy as presented.

#### **La Porte County Public Library Access to Public Records**

The Access to Public Records Act (APRA), Indiana Code 5-14-3, provides that a person has the right to access information regarding the government and the official acts of public officials and employees. The statute also states that government officials have a responsibility to provide that information.

APRA covers all "public records" [as defined by IC 5-14-3-2(r)] of a "public agency" [as defined by IC 5-14-3-2(q)], including but not necessarily limited to writings, reports, maps, tape recordings, and photographs. You can request to view or copy these items at any time, so long as these public records are not confidential or otherwise non-disclosable by law. The La Porte County Public Library (LPCPL) is a "public agency".

The LPCPL has the responsibility to protect its public records from loss, alteration, mutilation, unauthorized access, or destruction, and regulate any material interference with the regular discharge of the functions or duties of the library and its employees.

A request for inspection or copying of public records owned by the LPCPL must identify with reasonable particularity the record(s) being requested. The request must be in writing on the "Request for Access to Public Records" form provided by the LPCPL. Completed request forms can be submitted in person, by fax, mail, or e-mail.

No request may be denied because the person making the request refuses to state the purpose of the request, unless such condition is required by other applicable statute.

A LPCPL customer shall be allowed access to his/her LPCPL records concerning currently checked out material and history of previously checked out items if the customer has opted to retain such history. The LPCPL is not responsible for information gained by anyone other than the customer if the customer has lost or loaned his/her card or, if someone has obtained the customer information by illegal or inappropriate methods.

A legal guardian and/or parent of a child may also have access to a child's records concerning items currently checked-out, requested, interlibrary loans, fines/fees owed, or payments made. The LPCPL will not allow a noncustodial parent access to the child's LPCPL records if a court has terminated the parent's legal rights and the LPCPL has received a copy of the court order or has actual knowledge of the court order.

#### **Requesting Records**

Upon receiving an APRA request, the LPCPL director shall acknowledge such request, and in the absence of the director, the assistant director shall acknowledge the request. The LPCPL's attorney may be consulted, as needed, when a request is received.

Pursuant to Ind. Code 5-14-3-4.4(c)(1), acknowledgment of the request shall occur within twenty-four

(24) hours if the request is delivered personally to the LPCPL, is made by telephone, or is a request for enhanced access.

Pursuant to Ind. Code 5-14-3-4.4(c)(2), acknowledgement of the request shall occur within seven (7) days if the request is delivered by mail or facsimile.

Responses will be made in writing if the request was made in writing. If a request is denied, the response will include: i) a statement of the specific exemption or exemptions authorizing the withholding of all or part of the public record; and ii) the name and the title or position of the person responsible for the denial.

If the request is not denied, the LPCPL shall either allow inspection or provide copies to the person as requested. The LPCPL has a reasonable period of time to provide copies or permit the copying of the records.

Originals shall not be removed from LPCPL premises and inspection may be supervised.

The LPCPL will not charge any fee to inspect a public record; or to search for, examine, or review a record to determine whether the record shall be disclosed.

If someone requests the certification of or a copy of a public record, then the LPCPL may charge a fee for doing so.

In accordance with IC 5-14-3-8(d), the LPCPL board of trustees has established the following fee schedule

for copies provided by the library:

1. Photocopies, letter or legal size - \$.10 per page
2. Photocopies, ledger size - \$.20 per page
3. Photocopies, color - \$.25 per page
4. E-mail transmission - no charge (E-mail transmission is only available if the record(s) is in electronic format suitable for duplication on such medium.)

### **Exceptions to Disclosure**

Some records are excepted from disclosure by law (see IC 5-14-3-4). Requests to inspect or receive copies of such records will be denied unless access is specifically required by a state or federal statute or is ordered by a court under the rules of discovery. These records include, but are not necessarily limited to:

- Personnel files of employees and files of applicants for employment except for:
  - The name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the LPCPL.
  - Information relating to the status of any formal charges against an employee; and
  - The factual basis for disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to an affected employee or the employee's representative.

- Administrative or technical information that would jeopardize a record keeping or security system.
- Computer programs, computer codes, computer filing systems, and other software that are owned by the library or entrusted to it.
- Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1.
- Identity of donors of gifts made to the library if the donor or donor's family requests nondisclosure as a condition of making the gift.
- Information identifying library customers in accordance with provisions in the Indiana Code (IC 5-14-3-4(b) and IC 5-14-3-4(b) (16)).
- Personal information of library trustees, except for name, appointing body and dates of appointment, library contact information such as library address and library email address.

The vote was taken and the motion carried.

### **c. Retention of Records Policy**

A motion was made by Nicole Florek and Tucker King to approve the Retention of Records Policy as presented:

#### **La Porte County Library Records Retention Policy**

##### **Definition:**

The La Porte County Public Library's ("LPCPL" or the "Library") records consist of information documented in performance of the Library's official business. Any information documenting official business, in any format, may constitute a record. Official records are generally considered to be those that document decisions, policies, procedures, resource expenditures, operations or delivery of services.

##### **Purpose:**

This Records Retention Policy will serve as a guideline for Library staff that ensures compliance with federal and state record retention requirements. The policy will also ensure the proper storage, labeling, and organization of records.

This policy outlines LPCPL's records management which includes definitions, schedules and retention of public records in accordance with IC 5-14 (Public Records and Public Meetings) and IC 5-15 (Preservation of Public Records).

A Public Record is "any writing, paper, report, study, map, photograph, card, tape recording, or other material that is created, received, retained, maintained, used or filed by a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, electronically stored data, or any other material, regardless of form or characteristics." These records will be maintained by Library staff.

##### **Records Retention:**

The Library follows both the County & Local Government Records and Public Library Retention Schedules which are located on the Indiana Archives and Records Administration website. The schedules provide a list of Record Series which include detail of what records and how long to retain. These schedules should be consulted before any documents are destroyed.

Retention is based upon content, not storage media.

Documents will be separated into relevant categories as defined in the retention schedule and scheduled for destruction or archiving. All documents that are eligible for destruction will be destroyed following the required notification process.

Paper copies of permanent records are stored in their designated area. No documents will be retained beyond their scheduled destruction date unless they are reasonably needed as reference materials. In all cases, multiple copies of documents are discouraged and retention can be limited to one copy of each relevant document. All other copies may be destroyed at any time.

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document categories on the retention schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be moved to an "archive" e-mail folder. All e-mails discussing projects, procedures and policies should be retained. E-mails that are of a temporary nature that do not serve to formalize or perpetuate knowledge, set policy, establish procedures, certify a transaction, or serve as a receipt may be considered transitory and may be deleted after it is read. Backup and recovery methods will be tested on a regular basis.

All physical documents will be stored in designated areas in clearly marked boxes, binders, or bound volumes.

Certain public documents such as Library Board meeting minutes and agendas and library policies will be maintained on the library website so that they are easily accessible to the public.

The Library Director is responsible for the ongoing process of identifying records which have met the required retention period and overseeing their destruction. Members of the administrative staff may be appointed to assist in records management. Annually, the Library's Finance Professional will review records to determine which records need to be retained and which can be destroyed, based on the retention schedules. A Records Management System which includes, location, box number/file drawer and type of file, will be updated by the Financial Professional. For records that can be destroyed, the Notice of Destruction of County/Local Government Records (State Form 44905) will be completed.

Any documents slated for destruction that contain confidential financial or personal information will be shredded.

#### **Confidentiality of Library Records:**

The Library protects the privacy and confidentiality of its customers and staff as required by state and federal law. Confidential Library records that include personally identifiable information shall not be released or made available to a federal agent, law enforcement officer, or other person unless an official court order is presented.

**Requests for Public Records:**

All requests for Public Records will be sent to the Library Director. Unauthorized staff should not disclose information of any kind unless special permission is given. In the case of a legal request for confidential records, the Library Director will consult appropriate legal counsel before providing the records.

The vote was taken and the motion carried.

**Approval and Payment of Claims – APV Batch Thursday, February 20, 2025**

A motion was made by Nicole Florek and seconded by Tucker King to approve the payment of claims APV batch dated February 20, 2025. The vote was taken and the motion carried.

**Questions or Comments from the Public**

President Dara Jeffries called for questions or comments from the public. There were none.

**Questions or Comments from the Board**

President Dara Jeffries called for questions or comments from the Board. The March board meeting will be held at the Coolspring Branch.

**Adjournment**

A motion was made by Gina Alber and seconded by Nicole Jackson to adjourn the meeting at 6:14 PM. The vote was taken and the motion carried.