

REGULAR MEETING

December 17, 2008

The regular meeting of the London Public Library Board was held on the above date in the Friends of the London Public Library Board Room at 5:40 p.m. with the following present:

From the Board D. Winninger (Chair), G. Barber, N. Branscombe, J. Colwell, J. Lubell, G. Leckie, S. MacDonald, J. Morgan and J. Tilley;

Senior Management: S. Hubbard Krimmer, A. Baker, M. Mitchell and C. Nurse;

Other Staff: J. Brandl, K. Moore;

Minutes taken by: J. White

APOLOGIES – none

DISCLOSURES OF INTEREST – none

L08/60 ELECTION OF OFFICERS

Ms. Hubbard Krimmer called for nominations for Chair, 2009.

Councillor Winninger was nominated by Ms. MacDonald.

It was MOVED by Ms. MacDonald and seconded by Controller Barber that nominations be closed.

CARRIED

Councillor Winninger was acclaimed Chair, 2009.

L07/60.1 Vice Chair, 2009

Councillor Winninger called for nominations for 2009 Vice Chair.

Ms. Lubell was nominated by Councillor Branscombe.

It was MOVED by Councillor Branscombe and seconded by Ms. MacDonald that nominations be closed.

CARRIED

Ms. Lubell was acclaimed Vice Chair, 2009.

L07/60.2 Third Member of Executive Committee

As past Chair, Ms. MacDonald will serve as the third member of the Executive Committee.

L07/61 CHAIRPERSON'S REMARKS

Ms. MacDonald thanked Library Board members and Senior Team for their assistance during the past year.

On behalf of the Senior Team, Ms. Hubbard Krimmer thanked Ms. MacDonald.

L08/62 CHANGES TO AND ADOPTION OF AGENDA/APPROVAL OF IN-CAMERA AGENDA

It was MOVED by Controller Barber and seconded by Mr. Colwell that the public agenda be adopted.

CARRIED

It was MOVED by Councillor Branscombe and seconded by Ms. Lubell that the in-camera agenda be adopted as amended.

CARRIED

L08/63 APPROVAL OF MINUTES

It was MOVED by Controller Barber and seconded by Councillor Branscombe that the minutes of November 19, 2008 (L08/51-L08/59) be approved.

CARRIED

L08/64 BUSINESS ARISING FROM THE MINUTES

Governance Task Force

Controller Barber provided an update on the Governance Task Force recommendations which were received at City Council. The report is now on the City's website and the recommendations will be deliberated on at the Committee of the Whole in March, 2009. City Council will be consulting with agencies, boards and commissions.

L08/65 MOTION OF WHICH NOTICE HAS BEEN GIVEN

It was MOVED by Councillor Branscombe and seconded by Mr. Colwell that the Board meetings will be held on the 4th Thursday of each month, excluding December (which will be held on the 3rd Thursday) and the summer months of July and August.

CARRIED

L08/66 REPORTS FROM COMMITTEES, MEMBERS, AND STAFF REQUIRING BOARD ACTION

LIBRO Library Road Show

Mr. Moore provided information on the LIBRO Library Road show which had two key objectives: to take services out into the community and to create awareness of the library and its services.

It was MOVED by Controller Barber and seconded by Councillor Branscombe that the report, LIBRO Library Road Show, be received.

CARRIED

L08/66.1 Service Excellence – Children's and Youth Services Update

Ms. Brandl highlighted the following Children's and Youth Services community engagement and outreach activities: 1st Annual Community Celebration of Family Literacy Day, TD Summer Reading Club, R.E.A.D. Program, and partnering with school boards, just to name a few.

It was MOVED by Mr. Colwell and seconded by Controller Barber that the report, Service Excellence – Children’s and Youth Services Update, be received.

CARRIED

L08/66.2 Balanced Score Card Report, 3rd Quarter 2008

Ms. Mitchell reported on the Balanced Score Card Report, 3rd Quarter for 2008. She elaborated on electronic database usage such as Research Pro, program attendance, new registrations/users, and renewals.

It was MOVED by Ms. Tilley and seconded by Ms. Leckie that the report, Balanced Score Card Report, 3rd Quarter 2008, be received.

CARRIED

L08/66.3 Draft 2009 London Public Library Operating Budget

The most recent version of the draft 2009 London Public Library Operating Budget was submitted for the information of Board members. A technical review was held with City staff and the following information was added: Collections Case and Update on the 2008 Sustainability Plan.

Administration was directed to investigate the benefits of libraries during these tough economic times. A business case will be prepared articulating the importance of libraries in the community.

It was MOVED by Ms. Leckie and seconded by Ms. MacDonald that the draft 2009 London Public Library Operating Budget be received.

CARRIED

L08/66.4 2008 Year End Budget Recommendation

It was MOVED by Controller Barber and seconded by Councillor Branscombe that consistent with previous year-end practice, it is recommended that a contribution of up to \$350,000 be made to the Collections Encumbrance Fund.

CARRIED

L08/66.5 2009 Committee Membership

It was MOVED by Mr. Colwell and seconded by Councillor Branscombe that the Committee Membership for 2009 be approved as follows:

FRIENDS OF THE LIBRARY:	Board Member: Gina Barber Staff: Margaret Mitchell Meets the first Tuesday of every month. No meeting January, 2009.
HISTORIC SITES COMMITTEE:	Board Member: Gina Barber Hilary Bates Neary, Gary Kerhoulas, John Lutman, Ann McKillop, Michael Murphy, Cliff Oliver, Jonathan Vance, Jason Jordan Staff: Margaret Mitchell, Arthur McClelland Meetings for 2009: February 4, April 1, June 3, October 7, December 2.

THAMES TRUSTEE COUNCIL: (part of Southern Ontario Library Service)	Board Member: Joanne Tilley All public library boards are requested to appoint a representative to its area Council. Meets twice per year, April and October.
WESTERN FAIR ASSOCIATION:	Board Member: Josh Morgan Meets once or twice per year, has voting privileges for AGM in August Library is included as Civic representative, one of three categories including agriculture and member-at-large
C.E.O.'s APPOINTMENTS	
LONDON COUNCIL FOR ADULT EDUCATION:	Danna Bushfield Heidi Williams
PILLAR:	Jennifer Hesse
UNITED WAY:	Anne Baker
INVESTING IN CHILDREN:	Margaret Mitchell

CARRIED

L08/66.6 Board Meeting Schedule – 2009

It was MOVED by Controller Barber and seconded by Ms. Leckie that the Board Meeting Schedule for 2009 be approved as follows:

Public Session 5:30 p.m.	
1. Thursday, January 22, 2009	
2. Thursday, February 26, 2009	Masonville Branch Library
3. Thursday, March 26, 2009	
4. Thursday, April 23, 2009	Jalna Branch Library
5. Thursday, May 28, 2009	
6. Thursday, June 25, 2009	
7. Thursday, September 24, 2009	
8. Thursday, October 22, 2009	Westmount Branch Library
9. Thursday, November 26, 2009	
10. Thursday, December 17, 2009	

CARRIED

L08/67

CONSENT ITEMS

It was MOVED by Mr. Colwell and Mr. Morgan seconded by that the following consent items be received:

Events of Interest to Library Board Members
Press Clippings
Draft Agenda for January meeting
Historic Sites Minutes, October 8, 2008

CARRIED

At 6:40 p.m., the Board entered in-camera session. The meeting resumed at 7:43 p.m.

L08/68

REPORT ON MATTERS FROM THE EXECUTIVE SESSION

Councillor Winninger reported that progress was made on personnel, labour and legal matters which will remain confidential.

Internet Filtering Policy

It was MOVED by Controller Barber and seconded by Mr. Morgan that the following summary of a letter from Lerner's LLP to London Public Library re: London Public Library – Internet Filtering Policies be released into public session as follows:

The position of the Library Board is based on an examination of the *Canadian Charter of Rights and Freedoms* (the *Charter*), and specifically upon section 2(b) of the *Charter* which protects the right of "freedom of thought, belief, opinion and expression, including freedom of the press and other communications" and is premised on "both the expansive definition of expression that has been articulated by the Supreme Court of Canada and the principle of content neutrality". The "expansive definition of expression" means that the protected freedom captures virtually every medium of communication, including the Internet. "Content neutrality" means that the protected freedom does not take into account the social value of the expression in question.

The right of freedom of expression, protected by the *Charter*, also captures every form of communication that conveys or attempts to convey meaning. This may include communication that some people may consider objectionable and/or offensive, including pornography. The Supreme Court of Canada, through case law, has held that pornography as a form of communication is considered a protected form of expression as long as it is not obscene. Obscenity is defined in and prohibited by the *Criminal Code*.

After determining whether the right to freedom of expression has been violated, the analysis turns to a consideration of whether a violation can be justified pursuant to Section 1 of the *Charter*. Section 1 provides that *Charter* rights are subject to "such reasonable limit as can be justified in a free and democratic society". The letter advises that "it is almost certain that the protection of minors is a sufficiently important objective to limit an individual's freedom of expression". However, in order to ensure that the policies comply with the *Charter*, the measures employed must place the least restrictions on the right as possible to achieve the stipulated objective (i.e. the protection of minors).

Premised on the above, any policy adopted by the LPL will be based on the two fundamental principles:

- Providing the broadest internet access possible to its patrons in a way that is in accord with the *Charter* should be LPL's foremost concern, which includes due regard for the privacy of patrons who access the internet through unfiltered terminals.
- In instances when exceptions to the above general principle are necessary to protect others (i.e. minors) the restriction should be as minimally invasive as possible.

CARRIED

L08/68.1 Employment Resource Centres

The Ministry of Training, Colleges and Universities is looking at a new Employment Ontario Service Delivery model and the re-distribution of funding for Employment Resource Centres.

It was MOVED by Mr. Colwell and seconded by Councillor Branscombe that the Library Board contact the Minister, MPPs, relevant senior government officials, Ontario libraries with ERCs and the Federation of Public Libraries of Ontario to encourage the Ministry of Training, Colleges and Universities to continue to fund employment services in public libraries and further;

That the draft letter be sent to the Library Board Executive for approval in January.

CARRIED

L08/68.2 Tax Clinics

Tax clinics held at London Public Library locations were discussed and it was clarified that the Library can offer space to this group at a discounted rate.

L08/68.3 Board Planning Session

A Board Planning Session will be held on February 24, 2008.

ON MOTION, the meeting adjourned 8:00 p.m.

Chair

Secretary