

**MINUTES
BENBROOK LIBRARY DISTRICT
BOARD OF TRUSTEES MEETING
MAY 01, 2000**

Benbrook Senior Citizens Activity Center
1065 Mercedes Street
Benbrook, Texas 76126
7:00 P. M.

MEMBERS PRESENT:

Rick Heyser	Ann Ziehe
Roxanne Hoyt	

MEMBERS ABSENT:

Will Powers	Jean Sherwin
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ALSO PRESENT:

Mike Baldwin	Bob Green
Robert Christensen	Al Griner
Nancy Cooper	Carroll B. Larson
Pat Dunkin	Tim Long
Manny Gonzalez	Tish Trojak

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. A quorum was present and due notice had been published.

II. INVOCATION - Ann Ziehe

III. CONSIDERATION OF MINUTES

The minutes of the meeting of the Board held on April 3, 2000 were distributed. Motion (Hoyt), second (Heyser), carried (unanimous) that the minutes be approved as distributed.

IV. REPORTS

A. DIRECTOR

Baldwin submitted the *Library Director's Report for May 1, 2000* consisting of twelve points detailing his activities on behalf of the Library District during the month of April, 2000.

B. TREASURER

1. MARCH, 2000 REVISED Summary (reflects additional \$4,115.23 revenue):

Beginning Balance	\$ 75,962.95
Total Deposits	33,580.44
Total Expenses	3,4445.46
Ending Balance	\$106,097.93

2. APRIL, 2000 Summary:

Beginning Balance	\$106,097.93
Total Deposits	27,620.18
Total Expenses	10,261.21
Ending Balance	\$123,456.90

V. OLD BUSINESS

A. LIBRARY STAFFING

Baldwin presented the document *Library Director's Recommendation for Increased Library Hours and Staffing*.

The Library is currently open 22 hours a week. Keeping it open for 30+ hours per week will require hiring an additional half-time staff person, a clerk who would work 20-29 hours per week. The Director asked for a recommendation from the Board on extending Library hours. Further information will be gathered also from the Library volunteers. Motion (Ziehe), second (Hoyt), carried (unanimous) to table this item pending the gathering of further information.

B. BUDGET

Baldwin presented the document *Proposed Budget for Benbrook Library District for Fiscal 1999-2000, 2000-2001, and 2001-2002 (Rev. 4/26/00)*. Changes reflect projected revenue reduced to \$339,470 based on 5 months actual sales tax revenue received projected to one year. Assumed were no changes in column A (staying in current building through the end of the current fiscal year), and reductions in expenditures in columns B and C reflecting the assumed reduced revenue.

The Board President recommended that the Director make adjustments to the projections in order not to show a deficit at the end of any fiscal year. Motion (Heyser), second (Ziehe) and carried

(unanimous) to table discussion of the budget until the next meeting.

C. OTHER OLD BUSINESS

None

VI. NEW BUSINESS

A. Telecommunications Tax

Baldwin presented these documents: (1) *Month By Month Comparison of Sales Tax Revenues for Benbrook Library District with the Benbrook Economic Development Corp & the City of Benbrook from Oct. 1999 - Feb. 2000* (2) *Letter from [the District's Attorneys] Re: Library District Sales Tax Revenues* (3) *Order of the Benbrook Library District Repealing the Sales Tax Exemption on Telecommunications Services; Providing a Severability Clause; Providing for Publication; and Naming an Effective Date* and (4) *Certificate of Order*.

The letter from the attorneys for the District explained that telecommunications currently exempted from taxation can be taxed by the District and detailed the procedure to be followed by the Board in order to repeal the exemption.

Question from the audience: "Who votes to repeal the exemption?"
Answer from the Board: Members of the Board of Trustees of the Benbrook Library District.

It was explained to the audience that the Resolution was drafted by the attorneys for the Benbrook Library District: Taylor, Olson, Adkins, Sralla & Elam, L.L.P., and that the District would be among many municipalities and taxing entities who vote to repeal the exemption in order to benefit from this tax.

Michael Baldwin, Director of Library Services for the Benbrook Library District, read into the record the *Order of the Benbrook Library District Repealing the Sales Tax Exemption on Telecommunications Services ...* and the *Certificate of Order*.

Motion (Heyser), second (Hoyt) to accept the resolutions as written by the District's attorneys with the exception on the order that the officers present be given as those that are actually in attendance today.

Question by Ziehe: Will the Resolution be retyped to note only those Trustees present? Answer from Heyser: Those present will be noted on the Resolution as written so that it will accurately reflect those actually in attendance.

Question from audience: Has this action been brought to the notice of the public? Answer from the Board: It was publicly posted as part of this meeting's agenda as required by law.

Manny Gonzalez as a matter of record disagrees with the method of this action. Al Griner also disagrees with the method and is concerned about laying another tax burden on the citizens.

Hoyt: At the time the ½ cent sales tax increase was passed, the Board as well as the citizens thought that it covered all matters of sales taxation (including telecommunications). The citizens of Benbrook overwhelmingly voted in favor of this ½ cent sales tax. The Board was only later informed it did not cover telecommunications.

Board President Heyser strongly stated that the state Comptroller's Office has not clearly explained to the Board of Trustees from the beginning matters related to taxation. He asked that the Director of Library Services (as the District's representative) relate to the Comptroller's Office that it should be upfront with every Library District from "day 1" what it can and cannot tax so that the Districts do not have to guess. He should relay in writing the request that they clearly outline what Boards can and cannot tax and how they go about doing this. Heyser had several discussions with the Comptroller's Office at the onset and not once did they mention this matter. The Board assumed (erroneously) that telecommunications was part of the sales tax package. This information also needs to be relayed to other Library Districts.

The Director stated that information on this topic will be presented at the next meeting of Library Districts in Salado.

Al Griner recommends communicating to the City and/or the citizens about issues involved in making this decision.

Following this discussion, the Board voted on the motion. It carried unanimously.

B. LIBRARY POLICIES WORKSESSION

It was proposed that the Board begin to hold worksessions regularly at a time other than the first Monday of the month meeting in order

to discuss and formulate policies for the Benbrook Library District related to such matters as eligibility for Library services, acquisitions, challenged materials, Internet access, etc. Current policies set up by the Friends of the Benbrook Public Library will remain in effect until the District sets up its policies. A quorum will be needed for these policy worksessions, but no action will be taken.

The Board agreed to meet at 6:30 p.m. on May 15, 2000 at the Benbrook Public Library.

C. OTHER NEW BUSINESS

None.

VII. SPECIAL RECOGNITION

Tim Long, a founding Trustee of the Benbrook Library District, was honored with a plaque reading: "Presented to Tim Long in grateful appreciation for your service to the Benbrook Library District as a Library Board Trustee 1999-2000."

VIII. PUBLIC COMMENT

Bob Green: He is not against the Library, but as a City Council member wants to make it clear that the citizens should have had the right to voice opinions an the sale of the Senior Citizens Activity Center to the District.

Manny Gonzalez: Asked how much lower was the District's revenue than had been initially projected. He also asked whether a clerical worker would be full or part time and what was the bond amount based on.

Al Griner: For a part time clerical worker consider hiring a college student home for the summer or even during the school year.

Pat Dunkin: Also not in opposition to the Library District, supports it 100%. Asked the names of the District's attorneys. Disagrees with the way the District and the City have handled the sale of the building and land.

Bob Green: In defense of the Board, this meeting was publicized in our local paper.

IX. ADJOURNMENT

There being no further business, motion (Heyser), second (Ziehe), and carried (unanimous) that the meeting be adjourned at 8:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ann K. Ziehe".

Ann K. Ziehe, Secretary