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Library Board decides to obtain outside counsel...

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Library Board decides to obtain outside counsel...

We attended the Library Board meeting tonight. Here's the scoop:

Present: B. Deters, K. Engelbrecht, P. Geidel, J. Aynesworth, R. Lindbeck, J. Schaar, J. Fowler, D. Rakowski, M. Tyree.

7 p.m., [Barbara Deters](#) called the meeting to order.

Deters began with an explanation of the purpose behind the meeting. She stated there had been four [Open Records Requests](#) since winter. This, she felt, placed the library board members in a predicament that seemingly "violated our First Amendment rights" (I think she meant violated her right to privacy, or Bill of Rights, or something else, because this is not a 1 amendment issue.)

She went on to say that the library board members did not have "city emails for our protection" and complained that her request to the IT department was met with the response that the city was "under no obligation to give city email accounts" to the library board. Apparently, the IT department was given that statement from the [city attorney](#) in response to Deter's request.

Deters stated she had given a lot of thought to "this situation" and sought out people she had trust and confidence in, but made it clear that she did not speak to other board members. All counsel she received lent credence to her feeling that it was time to get a "second opinion from an outside source" as to the ORR issue.

The issue, stated Deters, was that the ORR sent to the mayor by myself used the term "library staff" and should not have, in her opinion, included the library board as they were not "paid or hired," according to the [DPI](#) (whom she confided in).

Furthermore, Deters was quite upset that "someone" had given out the city attorney's letter (see prior post) and it was [posted on Boots and Sabers](#) by 9 p.m. last evening. She said that it appeared the city was being run by [bloggers](#) and whoever leaked the information from the city attorney to Boots and Sabers was "unprofessional" and that it was inappropriate. She also said that [those involved](#) "did not have the best interests of the city in mind." She called the city attorney to clue her in to the blog post. Deters said that the city attorney told her that letter was "attorney/client privilege" and was not an open record to be shared. She glanced around the table, but nobody [fessed up](#).

Since Deters did not agree with the city attorney's definition of the ORR to include the "broadest" spectrum of information possible, and also felt that the city attorney's definition was in direct conflict with the counsel she received from others, she thought the city attorney's interpretation was inaccurate and has sought the assistance of [Atty. Robert Feind from Grafton](#). Feind, according to Deters, is experienced with ORR's and library issues. She was looking to the board to affirm her decision.

A number of questions came up, but nothing out of the ordinary.

The attorney fee, Deters said, was probably about \$250 per hour. She stated "I will go and meet with him alone" to gather the information she desired, and would bring it back to the next board meeting. This would be a one-time meeting, with no future plans to obtain counsel from Atty. Feind. The funds would come out of ENDOWMENTS, not library funding, which Deters felt was appropriate for this matter.

Atty. Aynesworth suggested Deters contact the DOJ for the information she was seeking. Deters responded that she did not wish to wait that long as she was sure they would not be a "priority" on the DOJ's list of things to do. She wanted an answer "now."

Deters told the new board members tonight that "I feel sorry for you. Since 1982 this has been a very boring job. We are making up for it now."

Rakowski said that this endeavor would, perhaps, get the city to speed up giving them email accounts.

All voted unanimously to hire Attorney Feind.

MY NOTE: I wonder why the board could not have simply agreed to go back to the city attorney and tell her that they required email accounts or would be forced to hire this attorney? Perhaps that would have just avoided the expenditure of the ENDOWMENT money all together. Just wondering...)