

Mariya Hurwitz:

I'm going to call the meeting to order, it is 5:03 PM on March 29th, 2021. This is Mariya Hurwitz, and this is a special meeting of the Sherman Library Board of Trustees. So, I asked for this meeting, this is a special meeting just to discuss one topic, and that is a need that I think we have to have legal counsel at our disposal that we can consult on an as needed basis. And the reason that this first came up is because as we were doing the fundraising, the planning for the golf outing, the question of serving alcohol came up, and what is the potential risk to the library for events that we sponsor, where alcohol is served, and we don't know the answer to it. We know we've held events in the past and there has never been question or issue, but the question did come up recently and I feel it's important enough question that we consult with a professional and just get advice from somebody who knows the law and can tell us what our liability is.

Mariya Hurwitz:

Ashleigh consulted with our insurance company, and Ashleigh was, he was also in agreement that getting legal counsel was the right approach, right?

Ashleigh:

Correct. He did say what insurance covers and doesn't but he said for these deeper questions, that it would be best to consult legal counsel.

Mariya Hurwitz:

Okay, so, that's sort of the primary pressing topic that I would like to consult with counsel on. Then I feel like there's been other issues that's come up over time. We consulted with used pro bono when we were going through our bylaws. So, I think there are going to be issues that come up. I think, whether it's staffing, employment law issues, I wrote down a couple of them. Raffles for fundraisers, any contracts or legal documents that we have to sign, we just may find ourselves needing to consult or wanting to consult with someone.

Mariya Hurwitz:

So, does anybody have anything they want to ask, or any questions we can have a discussion about this, I'm going to end up making a motion at the end to vote, to do that, to engage an attorney, but let's talk about it first if anybody has question.

Elly Bockley:

My question is what type of attorney would be able to or would one attorney be able to handle all the different types of questions that we would come up with.

Mariya Hurwitz:

Right. I did ask Jen, she's not here on the call, I did ask Jen if there was a type of practice, and she wasn't familiar with an exact type of attorney that does exactly that, it may be. And she's still looking into it, it may be that we need to consult different attorneys for different purposes. I think when it seems logical to do so, I'll always try to get pro bono work, and we used, Laura remind me of the exact name of the firm that we used or the service.

Laura Jagodzinski:

Pro Bono Partnership.

Mariya Hurwitz:

Right, self-explanatory Pro Bono Partnerships. And Laura was great and looked at their website. There's a process that I can go through. I didn't want to start it until we had had this discussion, but there's a process. Anytime you have a subject that you'd like to request that they provide pro bono services or that they find an attorney for us that would provide those services, there's a process where you described your situation and they figure out whether it's covered and whether they can find an attorney. So I think I would always try to do that unless we had a really big topic that came up for some reason that we felt we needed to hire an attorney for. But I'm going to approach Pro Bono Partnership for this issue and see if they'll find somebody to support us.

Barb Ireland:

And Mariya, we would not have somebody on retainer. We would do it on an hourly basis. Right?

Mariya Hurwitz:

I believe so because I think on retainer means you're giving them a chunk of money. Right. And you chip away at that.

Barb Ireland:

Yeah.

Mariya Hurwitz:

Yeah. So I don't think that is the way we'd approach it because it's back to Elly's point, how do we even know who we would consult with on certain topics?

Laura Jagodzinski:

And I did check on the Pro Bono Partnership's website. They do list the types of services that they provide counsel on. And one of them has to do with fundraising.

Dee Ratterree:

Oh, good.

Barb Ireland:

With what?

Laura Jagodzinski:

Fundraising

Ro D'Ostilio:

I have a question. You guys probably already know this though. I mean, for the legal counsel, I always think that's a good way avenue to go, just to dot your I's and all of that. But I do have one question. It's my understanding if alcohol is at an event, you actually take out a policy for that event to cover yourself.

And it's just a one-time thing. It's a special event it's through your insurance company, because we deal with that. We have that in our clause for our insurance, for the brewery. If we go somewhere and we bring our alcohol, or somebody carries our alcohol, that kind of stuff. So I'm just wondering if that's

Mariya Hurwitz:

I know, and then maybe Ashleigh might have something to add. I know when we've done events in the past where we brought in somebody who's going to serve the alcohol for us, they've had, we've had, we've had a rider, right. Ashleigh?

Ashleigh:

So they're licensed and insured. The bartenders are generally.

Mariya Hurwitz:

Right. But I think I remember one of them asking us to list them as an additional insured on our policy. Yeah.

Barb Ireland:

I think there's a question about when you have events at the library and when you have events off site, what are the liabilities for the board and for the library itself?

Mariya Hurwitz:

Yeah. And these are the questions we have to ask because I don't know the answer to them and if you're charging or you're not charging or all these, we just don't know. And it didn't sound like the insurance company felt comfortable giving us sort of like, yes, you should be fine. Cause they're not going to say that. So I think it's an important enough issue that we want to know what the answer is. And if there's risk, then we make a decision. Are we willing to take the risk or not? And you know, are the, is it the library that's liable? Is it the board members that are liable? We just need to understand, because at the moment I feel like I can't explain it.

Dee Ratterree:

And is there a waiver? A possibility, especially for something like this, which is not at the library for the golf thing, for instance, could you ask people just to sign a waiver and that would cover us,

Laura Jagodzinski:

That's part of the, that's one of the questions that we would counsel [crosstalk 00:07:32].

Mariya Hurwitz:

I mean, I can, I certainly should probably, if you guys have questions, let me, let me come up with a list of them. So can attendees sign a waiver?

Barb Ireland:

I also think that we need to answer the question that Laura and I talked about at one point, and that is, I think we've been to lots of events where you show up and they give you a ticket, like two drinks. Okay and after that, you're on your own, you buy your own, but you get two free drinks. And I could see that working in addition to a waiver for the golf tournament or any number of events that we have at the

library itself. Where you people get like those raffle tickets they get two tickets and that's where to drink. Is that enough of a coverage for us?

Dee Ratterree:

I wouldn't think it is.

Barb Ireland:

I don't know. I don't know.

Laura Jagodzinski:

Mariya.

Mariya Hurwitz:

Yes Laura.

Laura Jagodzinski:

Let me make a suggestion. So for purposes of the meeting, let's focus on whether or not the board wants to proceed with engaging counsel. And then I think we could separately put together a list and get additional items to add to the list so that we have a complete list of questions when we actually do meet with counsel.

Mariya Hurwitz:

Yeah. That's a great idea. Let's do that. Let's all come to an agreement on hopefully that consulting an attorney's the right way to go. And then I'll send out an email asking people to submit their questions and I'll compile a list of questions. Okay? Does that make sense? Good suggestion. All right. But are there any other questions or clarifications from anybody before I ask us to vote on the attorney topic? Because I'm going to ask that we vote to approve consulting an attorney for any issues that come up, this isn't just for this one issue, but for any issues that come up with the caveat that I will or whomever is leading we'll consult or try and get pro bono work first. But if that's not available that we would then pay for those services. I don't want to have to come back every single time. Now, of course, it's big issues that warrant further discussion. But if we need to have a contract reviewed, I'd like to just be able to have that done without having to revote on it every single time. Does anybody want to talk about that before we vote on it?

Mariya Hurwitz:

Okay. All right. Did Henry join? No. No. All right. But we have a quorum. So I'm going to go ahead.

Elly Bockley:

I got a text from Henry sent just now. Said sorry.

Mariya Hurwitz:

Okay. All right. We have a quorum, so, and it doesn't sound like it's a particularly controversial topic, so, all right. I'm going to go ahead and make my motion and Laura. So I make a motion that the board approve engaging legal counsel paid, or when possible pro bono regarding topics around liability, fundraising, contracts, and staffing as questions may arise from time to time.

Barb Ireland:

Second.

Mariya Hurwitz:

Okay. Thank you, Barbara. All in favor?

All:

Aye.

Laura Jagodzinski:

Okay. Okay. That's everyone's approved.

Mariya Hurwitz:

Okay. All right. Thank you. So the motion has passed, so that's it for today. I will follow up with an email. So put some thought into some questions that I can pose. Yes, Laura?

Laura Jagodzinski:

I just, I forgot to ask earlier. Can I have two people to review the minutes I got Barb and D. Thank you. I'll get those out tonight.

Barb Ireland:

Okay. And Mariya, I have a question about how soon we can engage this attorney, because I don't know if you've done any initial things. I'm sure it's important for Lauren and AI to have this information as soon as possible.

Mariya Hurwitz:

Yeah, I will. If I can hear back from you guys this week, I'll start the process for Pro Bono this week. And I don't know how quick the turnaround is. Do you recall Laura, how quickly they turned around and answer for supporting? You are on mute still. Hey, Laura? You are on mute.

Laura Jagodzinski:

Sorry. It was only a couple of days from when they accepted our matter, accepted us as a case in the matter, but then it took a couple of weeks for them to find the appropriate attorney to match up with our matter. So I think we could probably with the list of questions that we have so far, we could probably initiate that and then continue to refine that list. Okay.

Mariya Hurwitz:

Well, yeah, you send me the link, Laura. So I'm going to take a peek at their website, but I'll send out an email as we hang up and if anybody has immediate questions, send them, but I'll start the process right away. All right. Thank you everybody. I'm going to adjourn the meeting at 5:16PM.