

Minutes
Oklahoma Department of Libraries
ODL Board of Directors
February 12, 2010
10:00 a.m.
Oklahoma Department of Libraries
South Conference Room

Chair Anne Geurkink called the meeting to order at 10:00 a.m. and asked for roll call. Board members present: Jon Douthitt, Ann Geurkink, Hannibal Johnson, Wally Turner, Harlene Wills, and Susan McVey, ex officio. Absent: Tom Terry and Shelly Wilson.

Guests and staff members present: Karen Currie, Jan Davis, Gengy Edwards, Susan Gilley, Carol Guilliams, Holly LaBossiere, Vicki Mohr, David L. Page, Kitty Pittman, Larry D. Reser, Linda Raulston, Vicki Sullivan, Judy Tirey, Gay Tudor, Lucy Usiukiewicz, and Pat Williams.

In conformity with the Oklahoma Open Meeting Act, advance notice of the 2010 regularly scheduled meetings was transmitted to the Oklahoma Secretary of State on December 8, 2009 and public notice of this meeting, together with the agenda, was posted in prominent public view on the glass exterior walls of the Allan Wright Memorial Building, 200 NE 18th Street, Oklahoma City, on 2/11/10, 8:15 a.m. The announcement of the Board meeting and agenda were posted on the ODL website at 1:00 p.m. on February 9, 2010.

Geurkink asked for consideration of the proposed amendment of administrative rules OAC 405:35-1-2 to revise the existing ODL fee schedule. A public hearing is being held today at the board meeting as part of the rulemaking process. A rulemaking notice was published in the Oklahoma Register and advised affected parties of the proposed changes. Background is included in the packet as well as a copy of all comments received to date. Individuals may make public comment.

Larry Reser from ODOT and David Page, District 5 Director for the Oklahoma Society of Land Surveyors, spoke. Mr. Reser requested the board consider an exemption for ODOT. ODOT is required to establish property lines and file major land corners. Approximately one thousand records are filed per year for the department alone. Consultant surveyors file about the same. The claims process for fees and payment would take man hours and resources.

Mr. Page said the proposed \$5.00 filing fee would have an economic impact on every surveyor in the state. Having to pay for getting the corner records back would be an additional economic impact and he didn't feel there should be a fee for something surveyors are required to do by law. Currently, there is a problem with surveyors filing corners, and if there is a fee involved, more surveyors will not turn in their records. Page said there is a minimum of five corners that should be filed for every property, or a minimum of \$25.00.

Douthitt asked if surveyors were paid for their services and if they could pass the fee on to the client asking for the survey. Page replied yes, it could be passed on, but many customers would not like the fee.

Jan Davis addressed issues and comments received previously and at today's meeting. ODL currently holds 155,000 corner filings. Included in the rules changes are three proposed amendments. The first

(Item A) is a language change from the names of the online legal services Westlaw and Lexis, which would be changed to the generic term “online legal services.” Also proposed (Item B) is eliminating some publications from the schedule that the agency no longer creates. The current fee schedule identifies items that are no longer produced. Another proposed change (Item C) is the \$5.00 filing fee for corner records.

Davis said 8,400 corner filing were received last year from surveying firms and ODOT, or about an average of 750 filings per month. A private firm, HUBTAC, has scans of all records and makes them available online for a \$50.00 per month fee for surveyors. Surveyors can use either source.

Davis said the state of Kansas has a \$4.00 filing fee for each corner. How ODL contrasts is the fee for requesting the records back. ODL charges \$1 for the first page faxed and 25 cents per additional page. Kansas has a \$10.00 fee for requests.

Davis said ODOT could be billed quarterly to eliminate some of the costs of processing financial transactions between agencies. She said ODL has been providing a service and absorbing the costs, rather than passing the cost to the beneficiary of these services, since 1979.

The public hearing concluded. Johnson moved the language referring to specific online legal products in the fee schedule (Item A) be amended as proposed. Wills seconded. Votes were as follows: Douthitt, yes; Geurkink, yes; Johnson, yes; Turner, yes; Wills, yes; absent: Terry and. Wilson. Item A passed.

Wills moved and Johnson seconded to approve Item B regarding eliminating fees for publications no longer being produced by the agency. Votes were as follows: Douthitt, yes; Geurkink, yes; Johnson, yes; Turner, yes; Wills, yes; absent: Terry and. Wilson. Item B passed.

The board then considered Item C, to establish a \$5.00 fee for the filing of public land survey corner records. Johnson moved that the \$5.00 fee be accepted on public land survey corner records, due at the time of filing, and Turner seconded. Votes were as follows: Douthitt, no; Geurkink, yes; Johnson, yes; Turner, yes; Wills, yes; absent: Terry and. Wilson. Item C passed.

There was a discussion on an option to exempt state agencies from the corner record filing fee, but there was no motion.

Geurkink asked for consideration of the board minutes of the December 4, 2009 board meeting. Douthitt moved the minutes be approved. Johnson seconded. Votes were as follows: Douthitt, yes; yes; Geurkink, abstain; Johnson, yes; Turner, yes; Wills, yes; absent: Terry and Wilson. The motion passed and the minutes were approved.

Director’s Report: The number of bills introduced this legislative session for consideration is 2300, in addition to those introduced last year (2-year session). One bill affecting libraries would change the requirements for depositing publications created by state agencies with the Oklahoma Publications Clearinghouse (OPC). OPC receives multiple copies of publications in print to distribute to depository libraries so they can provide government information. Senator Anderson introduced a bill that would remove the requirement for the deposit of print copies of publications; instead, electronic copies would be filed when available. There has been a movement on the federal level to move to a non-print environment. Depository libraries would be affected most of all.

In the Governor's Executive Budget, cuts are recommended in all state agencies for the coming fiscal year. New cuts would be on top of the reductions agencies have already received this current fiscal year. Annualized, the reductions to ODL have been 7.5% so far. At that reduction, State Aid to public libraries would not be cut; one construction grant to public libraries would be lost; and remaining cuts would be to administrative, travel, and carryover funds.

McVey said the Governor's recommendations, in addition to the 7.5% cut, would be to cut another 3% in FY11. For the majority of agencies, this would mean a 10.5% reduction. All depends on revenue projections.

Update on ODL broadband grant application: Mohr, Tirey, and McVey are talking to CSMG consultants in Boston weekly, and have been meeting with state officials who are preparing the state-level application for a BTOP grant. Libraries are considered anchor institutions, which is a major benefit for ODL's application. A 68-page draft of the application has been received from CSMG. The final version will be turned in March 15th, 2010. ODL is in line to receive \$750,000 in matching funds from Gates should the application be successful, and may be able to use another \$150,000 from Gates, as well as the services of CSMG, as a cash match. ODL is requesting a grant between 3.5 and 4 million dollars. The state-level group is applying to bring in fiber or broadband technology to Oklahoma, especially in the areas that now have low or no connectivity. Letters of support are needed by the end of February.

The Oklahoma Book Awards event is coming up on April 17.

The board moved to consideration and possible vote on selected Federal Fiscal Year 2010 Library Service and Technology Act grant project proposals. Johnson moved the proposals be accepted and Douthitt seconded. Votes were as follows: Douthitt, yes; Geurkink, yes; Johnson, yes; Turner, yes; Wills, yes; absent: Terry and Wilson. The motion passed.

Vicki Sullivan distributed ODL's budget request. The request includes financial information and performance measures. The request goes to the Governor, House, Senate, and fiscal staff.

The next board meeting will be Wednesday, April 21st at the Oklahoma Library Association Conference, held at the Cox Convention Center.

The board adjourned at 11 a.m.

Susan McVey, ex officio