

**MINUTES OF A
SPECIAL JOINT MEETING OF
THE JACKSON COUNTY BOARD OF COMMISSIONERS
AND THE FONTANA REGIONAL LIBRARY BOARD
HELD ON JUNE 19, 2025**

The Jackson County Board of Commissioners met in a Special Joint Meeting with the Fontana Regional Library Board on June 19, 2025, 5:30 p.m., Justice and Administration Building, Court Room One, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present:

Jackson County Board of Commissioners:

Mark A. Letson, Chairman	Kevin King, County Manager
Todd Bryson, Vice Chair	John Kubis, County Attorney (Via Zoom)
Jenny Lynn Hooper, Commissioner	Angela M. Winchester, Clerk to the Board
Michael Jennings, Commissioner	Darlene Fox, Finance Director
John W. Smith, Commissioner	

Fontana Regional Library Board of Trustees:

Cynthia Womble, Chair	Tracy Fitzmaurice, FRL Director
Marva Jennings, Board Member	Rady Large, FRL Attorney
William R. McGaha, Board Member	
Tony Monnat, Board Member	
Lori Richards, Board Member	
Deborah Smith, Board Member	
Kathy Smith, Board Member	
Ellen Snodgrass, Board Member	

Absent: Marsha Moxley, Board Member

Chairman Letson called the meeting of the Jackson County Board of Commissioners to order. He stated this was a special called joint meeting and there would be no public comment.

(1) **AGENDA:** Commissioner Bryson moved to approve the agenda. Commissioner Smith seconded the Motion. Motion carried.

(2) **DISCUSSIONS:** Chairman Letson stated the purpose of the meeting was for open dialogue with the Fontana Regional Library Board (FRL) to learn processes, gather financial information and send FRL back with requests to gather more information. They were there to learn and work towards a decision.

Chair Womble stated she had been on the FRL for four years, serving as acting Chair since January. FRL was both a local government agency and a nonprofit. She saw there were concerns expressed in the Jackson County Board of Commissioner meetings. Since she became the acting Chair in January, she had no specific feedback, issues or concerns from any county commissioner from any of the three counties. Issues and concerns had been brought up by FRL Board Members and the Regional Director.

As of July 1, the FRL Board was comprised of nine people with three from each county, would have had an almost complete turnover in the last year. They were planning a board retreat in September to provide information, knowledge and resources to all board members on the processes, policies and finances of FRL, libraries and staff.

In the last two years, FRL reviewed a number of policies and processes, to include an update to the Child Safety Policy, the Collection Development Policy and implemented a Juvenile Library Card. They were also actively reviewing revisions to the Circulation Policy. They would be forming committees in July, including a Finance Committee.

In accordance with the FRL Agreement, both the Finance Officer and Regional Director worked directly for the FRL Board. Any concerns or questions about their performance or any issues with them should be addressed to the FRL Board. Any concerns or questions about operations of any of the six libraries in the FRL System should be addressed to the Regional Director or the FRL Board. All FRL policies were available on the website, in addition to audits and budgets.

She hoped to leave the meeting with a better understanding of the concerns of the Commissioners and the Commissioners would have a better understanding of the opportunities and limitations they had as a library board of trustees.

General discussions were held.

Commissioner Hooper stated Jackson County paid the Jackson County Librarian. Who did the librarian answer to?

Chair Womble stated she answered to the Regional Director. All the FRL employees worked for FRL. None of the employees worked for any of the counties.

Commissioner Bryson stated the Jackson County Librarian answered to the Regional Director. So, she answered to herself?

Chair Womble stated yes and then she answered to the FRL Board.

Commissioner Hooper asked if the Jackson County Librarian was a full-time job.

Chair Womble stated in 2006, when the full-time Regional Director of FRL retired, the FRL Board at that time realized they did not have the funding to pay both a full-time regional director and three full-time county librarians. They chose to dual hat one of their county librarians as the regional director. If they separated those positions, it would require more funding.

Commissioner Bryson asked about the four full-time employees at FRL Headquarters.

Chair Womble stated the four full-time employees included a finance officer, finance assistant, administrative assistant and I.T. Director. Two part-time employees included the regional director and courier.

General discussions were held.

Commissioner Bryson stated it had been stated the Board of Commissioners illegally appointed board members to the FRL. In their view, did Jackson County Board of Commissioners illegally appoint any member?

Mr. Large stated he was not aware of any illegalities in the appointment of the current board.

General discussions were held.

Chairman Letson asked about programming at each library.

Ms. Fitzmaurice listed the programming provided in the libraries. All programming followed the 2027 long-range plan filed with the state. The long-range plan was adopted in 2022.

Chair Womble stated most of the action items on the plan had been completed. A topic at the retreat would be the next long-range plan.

General discussions were held.

Chairman Letson asked about the process to appeal a book.

Chair Womble stated it was covered in the Collection Development Policy. Forms were available with the steps on how to file a request for reconsideration of materials in the library.

Ms. Fitzmaurice stated when someone filed an official challenge, it would go to the librarian and then to the director. The librarian reviewed, researched and provided an assessment. The director reviewed and then made her assessment before the FRL Board for a decision.

General discussions were held.

Chairman Letson asked how many books had been challenged and overturned or removed.

Ms. Fitzmaurice stated she was not aware of any books that had been removed.

Commissioner Bryson asked about decisions for new books.

Ms. Fitzmaurice stated library staff used Peer Review Journals or patron requests for purchasing new books.

Chairman Letson asked about removing books that were not being checked out.

Ms. Fitzmaurice stated the process was called “weeding” and was covered in the policy.

General discussions were held.

Commissioner Bryson asked about money sources or revenues of the library.

Chair Womble stated that in addition to the funding that came from individual counties, they received grant funding from the state and nonprofits; donations from Friends of the Library, foundations and individuals.

Commissioner Bryson stated most of the funding came from counties. Were there any other large funds they received?

Ms. Fitzmaurice stated she wrote a grant in 2024 for additional state funds in the amount of \$300,000 for all libraries over two years.

Commissioner Bryson asked about the \$1.4 million for Jackson County libraries provided by the county.

Ms. Fitzmaurice stated about 96% was for employee salaries and wages. Every library had a funding stream and the monies never crossed. Each librarian was in charge of their budgets.

Commissioner Hooper asked if the Library paid its own utilities on the building.

Ms. Fitzmaurice stated the county paid the utilities.

Commissioner Hooper asked how much the library paid to the county for rent of the building.

Ms. Fitzmaurice stated they paid \$1 per year. She discussed the Community Room rentals.

Chair Womble stated the Meeting Space Policy was dated 2012, so that would be one they would want to look at.

General discussions were held.

Commissioner Bryson asked if there was a possibility to get a policy in place where there could be an advisory board of Jackson County regarding the collection development.

Ms. Fitzmaurice stated they were researching this in Yancy County, but they were not trained.

Chair Womble stated this was being discussed across the United States. Different choices had been made in different locations with a number under litigation. They would turn to their legal counsel to make sure they were compliant with the North Carolina laws to change the Collection Development Policy.

The Board took a ten-minute recess.

Chairman Letson called the meeting back to order.

Chairman Letson asked if reclassification of a book would be the same process and how many books had been reclassified.

Ms. Fitzmaurice stated since 2020, one book had been moved with five reviewed.

Commissioner Bryson asked which book was reclassified.

Ms. Fitzmaurice stated the book was “Let’s talk about it”. If a book was moved, it was moved in all libraries. One book had been challenged in Jackson County “It’s perfectly normal”.

Commissioner Bryson asked the result of the challenge.

Ms. Fitzmaurice stated it should stay because the book had been on the shelf for 11 years, never had a challenge before and it was written for that age group.

Chair Womble stated the FRL Board voted on that and he questioned a decision of the FRL Board at that time. She did not think it was appropriate for him to be question.

Commissioner Bryson stated it was 100% appropriate. He was elected by the majority of Jackson County, so he would ask about the books. He was responsible for taxpayer dollars.

Commissioner Jennings stated he thought part of the reason there had been only one book challenged was because everyone was not going to look at every book there. Also, people did not know about the challenge process. He had material to show that was in question.

Chair Womble stated that was not the process in the policy of FRL.

Chairman Letson stated because of the sensitive nature of some of the material, they should view the material in closed session.

Commissioner Hooper stated if it was so sensitive, why was it in the children's section?

Commissioner Jennings stated if a five-year old could read it, why could adults not look at it?

Ms. Fitzmaurice stated when a book was moved to an area it was not published for, they opened themselves up to censorship challenges. Also, a book written for children moved to a different section would lead children into sections written for other age groups.

Chairman Letson asked where the age for books was set.

Ms. Fitzmaurice stated it was done by the publishing companies.

Chairman Letson stated this was not their personal choice, it was set by the publisher. They had to honor that or it would be litigated.

Ms. Fitzmaurice stated she could not say if it would be litigated, but it had happened across the country.

General discussions were held.

Chair Womble stated what she was hearing, was the Commissioners had concerns about the Collection Development Policy and wanted them to relook at that. As she already stated, they would be looking at all of their policies to see whether or not they needed to be changed.

Chairman Letson stated he was seeing that it was in process with the Collection Committee to look at how they obtained and displayed the books they were getting.

Chair Womble stated they did not have a committee to look at the Collection Development Policy. They could form the committee in July. The policy was last reviewed on March 12, 2024.

Commissioner Smith asked if they felt it conformed to the Parents' Bill of Rights?

Ms. Fitzmaurice stated the Parents' Bill of Rights did not govern public libraries, it covered school Student Access Cards, which they were no longer doing in Jackson County. The school felt it may be in violation of the Parents' Bill of Rights.

Commissioner Smith stated the letter from Kevin Corbin stated it did apply to libraries.

General discussions were held.

Ms. Deborah Smith stated the Commissioners were facing a decision about getting out of the FRL and she thought the FRL Board should be willing to hear everything the Commissioners wanted to say and everything they wanted to show in the interest of transparency.

Chairman Letson asked Mr. Kubis to weigh in on the issue.

Mr. Kubis stated regarding the imagery that was discussed, they could go about it in two ways. There had been concerns about presenting this in an opening meeting. If those concerns persisted, he recommended they go into closed session to view. If the Commissioners were of the opinion they wanted the imagery displayed during the course of the meeting, he did not see a reason they would not be able to do so.

Chairman Letson stated when he and Chair Womble spoke, they were not going to display or have these types of things, it was going to be a discussion. He was not aware of the images until after they spoke. He felt they should adjourn without the images and come back to that at a later time.

Chair Womble asked if they showed the images, were the Commissioners asking FRL to take action? They said they were not going to take action at the meeting. She did not think it was worth the time, especially if the books had been reviewed in the last couple of years.

Commissioner Jennings stated the reason he asked was for the new collection group, so maybe FRL could understand what the Commissioners were not looking for.

Chair Womble stated if a committee was formed in July, they could ask for the Commissioners' input.

Ms. Fitzmaurice stated the Collection Development Policy could not tell them to not order certain books.

Ms. Jennings stated she agreed with Ms. Smith. She thought the public needed to see the images so they could understand what it was about.

Commissioner Jennings stated if they rewrote the Collection Policy, it was up to FRL to accept the Commissioners' input and it was up to them to place what they wanted in the library.

Chair Womble stated that was correct, in accordance with the FRL Agreement.

Mr. Large stated it was obvious the Commissioners had serious concerns about one publication and wanted to show individual images that illustrated their concerns. The FRL Board was not trying to be nontransparent by saying there was not any good that could come from that in the meeting. The review of a piece of work in the library had to be subject to the Miller test. If the form was completed for a challenge, there would then be a full review.

Commissioner Jennings stated it was not one book, it was what would replace it down the line. If they could get the Collection Policy to reflect what they did not want, it would save a lot of everyone's time.

Ms. Richards noted a book could not be re-challenged for three years. The book "Its perfectly normal" could not be re-challenged until 2026. Also, she had heard questions about what the Commissioners' objections were. The Commissioners wanted to show their objections and people were saying they did not want to see the objections.

Mr. Monnat stated there was nothing the FRL Board could do about it. They could show all they wanted, but they were not in a position to vote on anything, so it would be a waste of time.

Commissioner Bryson stated he did not think it was a waste of time to look at what so many people were concerned about in Jackson County. The Commissioners were not asking the FRL Board to take action that night. The meeting was set up to bring the concerns of Jackson County residents to this board, but the FRL Board did not want to see it.

Chair Womble stated she understood the point. Ms. Smith and Ms. Jennings both brought the point up also. She was not saying they were not willing to, she was not sure what the point would be. She asked for the process to be followed.

Commissioner Bryson asked if it was illegal to move the book to the adult section. An adult could check the book out for their child if they wanted to.

Ms. Fitzmaurice stated that was correct. Part of the reason was because it was rated as a sex education book for ten and up.

Commissioner Bryson stated some people may not see it as a sex education book. Some parents may not be ready to have that conversation with their child at 10 years old.

Ms. Fitzmaurice stated if they placed the book in the adult section, then the child would have to go to the adult section to get the book, in which case they would be introduced to other books written for adults. If the book was challenged again, it would be up to the FRL Board if they wanted to move it. She would never put that book in the adult section.

Commissioner Bryson asked if it was illegal to move the book to the adult section?

Ms. Fitzmaurice stated it was not illegal. If they moved the book, it was considered censorship because it was not in the area where it was written for that age group.

Commissioner Jennings asked at what age a parent had to be present.

Mr. McGaha stated the Safe Child Policy stated a parent had to physically be with the child up to 8 years old and present up to 12 years old.

Ms. Fitzmaurice stated the Juvenile Limited Card stated the child could not check out anything 15 years and under unless it was in the children's section.

Chair Womble stated the FRL Board could look at the Safe Child Policy again. It was last done in 2023.

General discussions were held.

Commissioner Jennings stated if someone challenged a book and the FRL Board said the book should not be in that section, what would happen then?

Chair Womble stated the book would be moved to the appropriate section.

Commissioner Jennings asked if that would be illegal?

Chair Womble stated they did that with one book and they had not been challenged yet. The FRL Board would follow its Collection Development Policy and ask for legal advice from its attorney in making a decision. Then, they would vote and take the action and Ms. Fitzmaurice would be required to execute what the FRL Board wanted.

Chairman Letson asked if it required a unanimous vote on the decision.

Chair Womble stated no. The bylaws stated it was by simple majority. She asked if there were any other concerns.

Ms. Deborah Smith stated she felt somewhat bound by the ethical statement she signed to not share things she would otherwise share.

Mr. McGaha stated the ethical statement was developed by the board and could be looked at. There were many things he was interested in pursuing that were touched on in the meeting. Macon had a slightly different position, but his duty was to do the best he could and they would be looking at the policies.

Ms. Cathy Smith stated she wanted to support the libraries and make them the best they could and review the policies brought up by the Commissioners.

Mr. Monnat stated he hoped the Commissioners went away knowing the FRL Board cared and they served everyone.

Ms. Richards stated she agreed with Mr. McGaha and Ms. Cathy Smith.

Ms. Jennings stated everyone on the FRL Board needed to be concerned with Kevin Corbin's statement on the Parents' Bill of Rights. It stated they were legally responsible for the control and management. They needed to take it seriously.

Chairman Letson thanked everyone for hearing their comments and concerns.

Informational item.

There being no further business Commissioner Hooper moved to adjourn the meeting. Commissioner Bryson seconded the Motion. Motion carried and the meeting adjourned at 8:12 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Mark A. Letson, Chairman