CITY OF BIRMINGHAM
MUSEUM BOARD MEETING
556 W. Maple
Thursday, July 11,2024
5:00 PM

Members Present:	Kristy Barrett (Alternate), Bev Erickson, Alexandra Harris, Eva Kirkman (arrived at 5:04), Marty Logue
Members Absent:	Pat Hughes, Judith Keefer
Administration:	Museum Director Leslie Pielack

The meeting was called to order at 5:00 PM by Chairperson Logue.

Election of Chair

MOTION: by Harris, seconded by Erickson:

To nominate Marty Logue as Chair.

VOTE: Yeas, 4
Nays, 0

Approval of the Minutes
Minutes of June 6, 2024

MOTION: by Logue, seconded by Barrett:

To approve the minutes of June 6, 2024.

VOTE: Yeas, 4
Nays, 0

New Business

Members introduced themselves and welcomed Ms. Kirkman. The board discussed general approaches to the upcoming strategic planning process, which is set to begin in earnest at the September board meeting. Discussion included consideration of the appropriate scale of the museum's potential impact; the appropriate place of board, community, and staff values; the importance of structuring the survey process to gather meaningful input from the community, affinity groups and stakeholders; the consideration of collaboration in implementing the strategic plan, and the role the board may play in active fundraising. Ms. Kirkman has tools available through her non-profit work that may be of help in the strategic planning process relating to collaborative and fundraising goals and offered to make them available when the board takes up those issues in the months to come.

Communication and Reports

Director Pielack shared the final design and cost estimates from Nagy Devlin land designs for the first phase of the Pond landscape work (the area along Willits). The board

acknowledged their understanding that the design's recommended hybrid elms were in compliance with city tree policy. Some funding has already been received from a major donor to install trees, a bench, and a bike rack. The balance of the estimated costs would have to be covered by a combination of city funds in the museum's 24/25 budget and from other sources. Ms. Barrett asked if the City would be able to provide the trees from its ongoing tree-planting project, but Director Pielack clarified that this design is a separate initiative and the cost of the trees is not covered by the City. Ms. Erickson asked if it would be permissible to seek donations from landscaping contractors that provide services to the City. Director Pielack will look into this issue and report back for the September Museum Board meeting and will also review the items in the cost estimate and available funds in the museum's budget for this project and provide that information at the September meeting. She also clarified that the RFP process would not be possible until the fall at the earliest, with hoped-for installation in spring of 2025. She also pointed out that the CDBG-funded work for the pond area ADA pathway and boardwalk will also be in process at the same time but has separate funding that involves federal funds and matching City funds.

In lieu of a typical Director Report, Director Pielack distributed a copy of the current Around Town newsletter that includes a summary of the accomplishments of the museum in the last ten years. She also highlighted some key trends in museum work that resulted from her two week seminar in history leadership. Some of the key trends were touched upon in the strategic planning discussion, but were clarified further. These included the role of values in the implementation of museum programming and services; the increasingly collaborative nature of museum work; the integral connection of the museum to all people in a community, both past and present, and the possibilities of using the museum's efforts to achieve greater inclusion of all. Members especially appreciated the idea of 'humanizing history,' as it incorporates the goals and values of social equity and justice in a positive and proactive way. Director Pielack reiterated the museum's past and current emphasis on the importance of *people*, not *objects*, which is made explicit through the museum's mission statement. She also clarified that museum ethics and standards are distinct from the City's Ethics Ordinance, and that they are not in conflict with each other in application to the museum board and staff. Other current issues, such as generative AI, will be further addressed during the strategic planning process; however, Director Pielack mentioned that the City has developed a Gen AI policy for its employees that requires disclosure of the use of AI for any written reports or materials.

Member Comments

None.

Public Comments

None.

There will be no Museum Board meeting in August. The next Regular Meeting is scheduled for Thursday, September 5, 2024, at 5:00 PM.

Ms. Logue adjourned the meeting at 6:20 PM.

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MUSEUM BOARD MINUTES
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Supplement to July 11 Minutes

Text from email sent by Museum Director Pielack to the Museum Board on June 21, 2024 regarding Caroline Ashleigh's departure, with notice that it would be included in Museum Board materials for July 11, 2024 meeting and meeting minutes:

"Attached, please find the following:

1. Draft Museum Board minutes for 6/6/2024
2. Document shared by member Jay Shell at that meeting regarding the departure of Caroline Ashleigh from the Museum Board

To provide more complete information regarding Museum Board member Caroline Ashleigh's departure from the Museum Board, I would like to share the following facts, all of which are in the public record, for your consideration in the matter of Ms. Ashleigh's resignation from the board.

- *In **December of 2023**, a class action lawsuit was entered into against the City of Birmingham with Ms. Ashleigh as lead plaintiff, regarding damage to personal property due to flooding. The lawsuit alleges that the City of Birmingham was responsible and parties in the lawsuit are seeking damages from the City.*
- *In the **early weeks of January, 2024**, City Manager Ecker attempted to reach Ms. Ashleigh several times by phone and email to make arrangements to discuss her role in the lawsuit and her role on the Museum Board as a potential conflict; however the two did not connect. During this time Ms. Ashleigh was apparently out of town and not available.*
- *On **March 15,** after failing to connect with Ms. Ashleigh by phone, City Manager Ecker sent a letter stating the City's position regarding a potential conflict of interest between Ms. Ashleigh's position on the Museum Board and her participation in a tort action against the City, citing the City's Ethics ordinance in that regard, and suggested that Ms. Ashleigh consider resigning her position on the Museum Board accordingly. In addition, Ms. Ecker informed Ms. Ashleigh that the City Commission may wish to take action to remove her through a public process that includes a public hearing (which would be set by the Commission, if they decided to take action, at their meeting on April 8, 2024), followed by a waiting period until May 6, 2024, when the City Commission may then consider whether to take action to remove her.*

Ms. Ashleigh was advised of her options to resign, or to continue in her MB role, but if she decided to continue, Ms. Ecker asked her to refrain from attending Museum Board meetings until the matter was decided.

- *On **March 26**, Ms. Ashleigh responded in writing to assert that she did not agree that there was a conflict of interest and that she wanted to continue on the Museum Board, and that she would like to request the public hearing for May 6, 2024.*
- *On **March 28**, City Attorney Mary Kucharek sent a letter to Ms. Ashleigh suggesting that an appropriate course of action for all concerned would be to appeal to the City of Birmingham's Ethics Board for their recommendation about the matter, and citing previous recommendations/findings from the Ethics Board in a similar case in the past. The Ethics Board is composed of Birmingham residents with legal background and expertise who review potential conflicts of interest regarding city officials and employees, and they make recommendations to the City Commission on matters that come to their board for review.*
- *On **April 8,** the City Commission considered the matter and decided to request that the Ethics Board review and make recommendations to the City Commission regarding Ms. Ashleigh's position on the Museum Board. The following excerpt from the Commission Meeting Minutes pertains to this action:*

  "04-099-24 Museum Board Member Caroline Ashleigh (Item G)
  Commissioner Long removed Item G from the consent agenda and recommended the Commission request an advisory opinion on the matter.

  MOTION: Motion by Commissioner Long, seconded by tMPT Longe: To request an Advisory opinion from the Ethics Board to determine whether or not Ms. Ashleigh is creating an irreconcilable conflict of interest and unable to serve on a voluntary board when she is in the position of being a Plaintiff in a multi-Plaintiff cited lawsuit against the City and potentially acting in a position which is adverse and in conflict to the City's best
  interest.

  ROLL CALL VOTE: Ayes, Commissioner Baller tMPT Longe Commissioner Haig Commissioner Host Mayor McLain Commissioner Long Nays, None" (p. 4)

- *On **April 19, 2024,** Ms. Ashleigh personally delivered a letter to the Clerk's Office stating that she wished to resign her position. As a result, no Ethics Board review was scheduled. The City Commission duly noticed the public that there was an open position on the Museum Board.*
- *The resulting Museum Board opening was noted at the **May 2** meeting of the Museum Board.*

Please note that this information is being presented to you in response to Mr. Shell's statement to clarify that there is, in fact, a transparent public record that documents these events, which I would have been able to clarify had I been present at the June 6 Museum Board meeting. While this information is being provided to you in between Museum Board meetings as an "Information Only" communication, the full text of this information will be available at the Museum Board meeting, and will be incorporated into the Museum Board's minutes."