

**Elk Rapids District Library Board of Trustees
January 14 Meeting held via ZOOM**

FYI - Item numbers correspond to the numbers on the Agenda

1. Call to Order: By President Barb Johnson at 5:03 pm and she wished everyone a happy New Year.

Members Present: Barb Johnson, Dick Hults, Karen Simpson, Liz Atkinson, Tom Stephenson, Julia Pollister Amos, Chuck Schuler and Diane Geddes

Also Present: Director Nannette Miller. This is a meeting conducted on Zoom due to COVID. Zoom shows 32 attendants at the start of the meeting.

Members absent: None.

2. Approval of Agenda:

Schuler wants to add: Lease Agreement Discussion in Unfinished Business

Johnson wants to add: Update on Audit in Unfinished Business

Motion to approve the agenda by Schuler/Stephenson

Roll Call:

Atkinson: Yes

Schuler: Yes

Hults: Yes

Johnson: Yes

Stephenson: Yes

Simpson: Yes

Pollister Amos: Yes

Geddes: Yes

Motion carried.

3. Public Comment:

Diane Richter , Elk Rapids, MI : In the January 7th edition of the Record Eagle, there was a letter to the editor signed by Richard Bellingham. There was a more complete version of his letter in the DDA packet for the 1-13th meeting and I believe there is a copy in your packet this evening. Mr. Bellingham wrote a book entitled Ethical Leadership and states he has studied ethics for 50 years. He states unequivocally in his letter that he has seen “no evidence of unethical behavior on the Library Board or the Capital Campaign”.

How would one describe Ethical Behavior? Ethical behavior includes among other things honesty, integrity, fairness and a variety of other positive traits. Respectful behavior is also ethical behavior.

So I would ask:

1. Is Richard Bellingham submitting a letter to the off site secret personnel file derogatory to Nanette Miller ethical behavior?

2. Is encouraging your relative (who does not know Nanette Miller) to also write a letter negative to her which was also placed in the off site secret personnel file ethical behavior?
3. Is violations of the OMA ethical behavior?
4. Is the CCC withholding information to Board members ethical behavior?
5. Is Board members withholding information on contacting the Board attorney ethical behavior?
6. When requested by the Village Council for the ERDL to submit a plan of no more than 4000sqft for the expansion to come back with a plan of 6300sqft. Was that the right thing to do?

Please evaluate what constitutes ethical behavior in the light of what I have pointed out in these comments. Thank you.

4A. Approval of Minutes dated December 10, 2020

Hults added a thank you to Julia for the detailed minutes

Motion to approve the minutes by Schuler/Hults

Roll Call:

Schuler: Yes

Geddes: Yes

Atkinson: Yes

Pollister Amos: Yes

Hults: Yes

Johnson: Yes

Stephenson: Yes

Simpson: Yes

Motion carried.

4B. Approval of Special Meeting Minutes dated December 21, 2020

Motion to approve by Atkinson/Schuler.

Roll Call:

Stephenson: Yes

Pollister Amos: Yes

Schuler: Yes

Johnson: Yes

Atkinson: Yes

Simpson: Yes

Geddes: Yes

Hults: Yes

Motion carried.

5. Treasurer's Report and Approval of Bills:

Geddes read through her report.

Motion to approve the Treasurer's Report by Schuler/Hults

Roll Call:

Geddes: Yes
Atkinson: Yes
Johnson: Yes
Schuler: Yes
Pollister Amos: Yes
Stephenson: Yes
Simpson: Yes
Hults: Yes
Motion carried.

Geddes presented the list of checks that need to be approved and must yet be written, she will come in to sign them Friday. Discussion by Hults regarding the Foster Swift bill. Good news is that there are no billings after 12/10/20 which is a good sign. The second thing is that the 11/30/20 first four line items amount to about 7.3 hours or \$1600. Is this the end of the FOIA back and forth billing? Are we sealed out now at the \$12-\$13,000.00 that's paid? Miller said that the \$12,000.00 was not all FOIA and, as far as she knows, these are the last of the FOIA requests. Hults asked Miller if there were any FOIA requests pending now. Miller stated no. Hults stated that he approves of the bill and sees no reason to not add it to the paid bills. Johnson asked about the audit bill, she doesn't see on the list. Miller pointed out that would be coming out of the Expansion account and there is a copy in the packet. Pollister Amos asked regarding when the software bill is paid. It's paid annually. Miller said it is worth the money for the software and perhaps we should pay it monthly until we know if the Friends are taking this over, we could pay for the year and be reimbursed. Pollister Amos suggested paying it monthly until we know for sure what's going on. Miller will check to see if that company will accept monthly payments. Johnson asked if the software was worth it. Miller stated that it would be an awfully big job to transfer to a new system. Johnson stated that we were going to review it in a year.

Motion to approve the list of checks from the operating budget Stephenson/Schuler

Roll call:
Geddes: Yes
Atkinson: Yes
Johnson: Yes
Schuler: Yes
Hults: Yes
Pollister Amos: Yes
Stephenson: Yes
Simpson: Yes
Motion carried.

Expansion Fund Invoices: Geddes discussed the software and DGN bills

Motion: by Pollister Amos/Simpson to approve these bills and to pay the software monthly if possible. Miller said she would check to see if that was possible.

Roll Call:
Simpson: Yes
Stephenson: Yes
Geddes: Yes

Pollister Amos: Yes
Johnson: Yes
Schuler: Yes
Atkinson: Yes
Hults: Yes
Motion carried.

Expansion Fund : Hults discussed the totals listed and on the bank balance for the Expansion Fund 12.31.20 of \$1,612,623.40 and Laura's (Savoie) I think Donor Perfect software of \$1,812,863.22 . If you deduct the donation pledges of \$182,900 which the auditor will review in the balance differs by about \$17,000 between what's in the bank. He doesn't see this as a big discrepancy. He asked Atkinson what she thought. Atkinson said she agreed regarding Donor Perfect. There are things in there like "in kind" donations and there are a few things that aren't listed. I am withholding my comment until I see the audit report. Hults pointed out that we are close.

Motion to approve the Expansion Fund report by Schuler/Hults.

Roll Call
Atkinson: Yes
Schuler: Yes
Hults: Yes
Johnson: Yes
Stephenson: Yes
Geddes: Yes
Pollister Amos: Yes
Simpson: Yes
Motion carried

6. Correspondence: Five letters were in the packet. From Terry & Andy Hogarth, Mac and Marcia Endo, Jane Stauffer, Rick Bellingham, and Paul & Paula Moyer
Johnson said she wouldn't read these letters but they are in the packet. Pollister Amos stated that there were two people who wrote letters supporting Director . Miller Hogarth's letter that was in last month that I completely missed and I am sure they would have liked it read into the minutes and Endo's this month - same thing. If we are not going to read them all Barb, we have to remember that some people do send us letters requesting that they be read into the minutes. Johnson said that she had contacted Hogarth's but had not spoken to Endo's. Hults asked if anyone had asked to have them read. Johnson stated they did not say so in their letters.

7. Unfinished Business:

A: Capital Campaign shift to Friends

Nothing to report by Simpson

B. Culture Audit and Resolution

Simpson reviewed the culture audit that was in the packet and said Rick (Bellingham) felt that the numbers spoke for themselves. The audit was pretty tough. The most important norms were reviewed along with the weakest areas where work is needed. Bellingham strongly recommends

the board address these cultural issues as a first priority. This is kind of echoing a lot of what I am hearing from the community and leaders in the community. We are an ineffective board if we can't learn to work together, hence that's where the resolution is . It is just basically restating some things that are in our code of conduct and that sort of thing, we felt strongly that we should say that we are willing to work together at this point.

Motion to approve the resolution as follows by Simpson/Schuler:

WHEARAS, the ERDL Board of Trustees acknowledges that we have a culture that precludes us from being effective toward our mission, strategy, and expansion project. We will need to commit to the rebuilding of our culture as a first priority.

WHEARAS the Board of Trustees has reviewed this culture audit and may need to amend our policies and code of ethics from time to time to provide written standards that are reasonably designed to deter wrongdoing and to promote the kinds of behaviors and communications by the Board of Trustees that are considered acceptable to the Board of Trustees and our community. Therefore, be it

RESOLVED that The ERDL Library Board is committed to provide the highest standards of respectful, ethical conduct in all our communication and Board business.

FURTHER RESOLVED, we commit to resolve disputes in a manner that is in keeping with professional, ethical, and responsible Board conduct and with the urgency deemed necessary by the Board.

FURTHER RESOLVED, we commit that as stated in our code of ethics, we must speak as one voice and will refer to our Library Director and our Library Board President as official spokespersons for any public or media situations or inquiries.

FURTHER RESOLVED, we know we will make mistakes – we will listen – we will learn – we will adjust. We are committed to embracing these challenges with humility and accountability. These resolutions will guide our decision-making and policy to sustain the work we do on behalf of the community and stakeholders. We look forward to moving ahead on this path and engaging in ongoing respectful, appropriate dialogue and action.

Forgoing resolution offered by: _____

Second by: _____

Roll Call Vote “aye” _____

Roll Call Vote “Nay” _____

Result Pass/Fail_____

Discussion: Hults asked who wrote this? Simpson stated that she put it together by using a number of different sources on the United for Libraries website and other folks in other non profits. Hults stated that all of these things are covered in the Library handbook either under ethics or policy section. Hults said that he takes offense to #5 that we must speak as one voice to media outlets as he feels it's a violation of the U.S. Constitution. It should be removed. Simpson

said that's #3 in our code of conduct and it's very common practice for non profits as well as companies public or private to have resolutions like it. Schuler read #3 in the board code of conduct.

Atkinson said she wouldn't forsake her first amendment rights to speak out. This cultural audit makes it sound like the problem is about personalities but it's not. The problem is due to a lack of transparency, a lack of following procedures and policies, a lack of accountability and a total lack of respect for partnering municipalities. She takes exception that there is a "gag" order on me for stating the truth and for discussing what's best for the public knowledge. The public has a right to know what's going on. Pollister Amos stated, absolutely, that's part of our job to keep the public informed. Some may not like what they have been informed about, but that's what the deal is. Atkinson continued that she will not be in lockstep with some wrong doings and will not keep her mouth shut if money is being spent on things that it should not be spent on. It just goes against everything that she believes in.

Schuler asked if she suggests we throw out the ERDL Ethics and Code of Conduct policy removing #3? Atkinson said it should be reviewed because you are not going to give me a gag order and keep me from letting people know what is going on. Schuler said it's not a gag order. Pollister Amos said, it's a gag order Chuck, unless it's something you feel strongly about and you want to say in public, and then maybe you don't consider it a gag order, but for those people who have different opinions, they have the right to say them in public. That's what this is all about. Schuler stated that it doesn't say you cannot speak up at a board meeting if you oppose something, but if the board as a whole decides in a vote that this is what we should be doing. But from that point, you move forward and the battle is over. You can object, but to say we need to throw out The Ethics and Code of Conduct, I don't agree with that at all.

Pollister Amos said we are talking about a board member talking about opposition in a board meeting. What is the difference? That's where half of the information gets out is from board meeting recordings. We should have the right to speak out. Schuler disagreed. Atkinson stated that she will not have her constitutional rights taken away. Schuler disagreed that was what this is. Members disagreed. Simpson said being on the board isn't a right. It's a responsibility, and you have a responsibility to the board. One of our biggest issues is a lack of knowledge of our policies, and maybe a lack of understanding of our board and how you govern, and how you do things, and how you have civil discourse and that kind of thing. That's how it was described to me, that you have a responsibility when you are on a board. This resolution to me is a commitment to work together and how to have our issues taken care of not through the media but through civil discourse with each of us working together and partnering with each other. That's why people have these policies, boards that I have been on all had them, most even stricter.. Atkinson said she's never been on a board that had those kind of policies that restricted your right to discuss. Schuler said it's not restricting you Liz. Atkinson said it for sure is. Johnson stated it was in the Library Trustee Handbook. Atkinson said she didn't care, when the public has a right to know, they will know. Johnson said that the Trustee Handbook also said we should not talk about things outside the board. Pollister Amos interrupted saying that's the problem, right there! Johnson stated the some things are confidential. You agreed to be on this board, so you agreed to follow this policy. Hults said you understand this is a public meeting and you're suggesting keeping things secret? Johnson said that was not what she said. Simpson said it's not

that you can't speak out; it's saying that you stand together in an official board response.

Hults said lets talk about the actions taken on August 22, was that acting under the authorization of the Board? What are we talking about following policy when we want to and not when we don't?

Johnson called point of order, we are talking about this policy that comes from the Ethics Policy that we have. They are one and the same and we are asking for reaffirmation of this policy.

Simpson said we are all frustrated with the fact that we don't have a good on boarding process , we clearly have folks who have not read the Code of Conduct who may not have read the Bylaws and we really need to stop and look at our culture that is one of total distrust, and a lack of respect. The resolution is for us to determine if we want to work this way? Because we will not have an effective board if we continue this way.

Miller said we couldn't divulge patron information. There is nothing else this board does that is confidential, nothing at all. Simpson said right. Johnson reiterated that this is from our policies. Pollister Amos stated that some of them have not been reviewed in several years. The Personnel Committee talked about reviewing this very policy, The Ethics and Code of Conduct policy.

Stephenson said this isn't productive and should be send back to committee. Simpson said that was fine with her. Johnson stated no, we need to make a decision. Hults agreed with Stevenson that it needs to go to committee to be cleaned up, it has many flaws in it. Atkinson agreed. Schuler said that he doesn't think this says anything that you cannot speak out at a board meeting and disagree when you say we are trying to hide something from people out there and so forth. We are not trying to hide anything it says in here there are certain things trustees shall not speak to groups or the media.

Pollister Amos asked to yield some time to the Friends representative Sharon Bacon who was asking to speak.

Sharon Bacon, who is the Friends liaison , said she said she's to attend our meetings and is frustrated that she is muted and cannot participate in the discussion. She would like to address this particular issue. What I have to say is an example of what you are talking about. It is very common in non profits for there to be a designated spokesperson and , in the case of the library, as you have read, that is our Director. On Giving Tuesday, we all received a solicitation to support the Capital Campaign. Many of the Friends board found this solicitation very disturbing. What disturbed me most, was that it implied that the Capital Campaign was already moving to the Friends a fait accompli . I don't think we have made that decision. It also said a consultant had been hired. Since when? Did this board approve the hiring of a consultant? The Friends sure didn't. It implied that the Friends hadn't been getting along with the Library. It seems to point the finger at the Friends as the source of the Campaign's problems. I don't think the Friends have any problems with the Library; only with the Capital Campaign Committee and the Trustees. On the contrary, the Friends organization work very hard and is very strongly committed to supporting and enriching the library and it's programs. Finally, the solicitation

requested that willing volunteers contact “Us” at erlib.friend@gmail.com implying that this address would reach the Friends and it also misleads into believing that the Friends are responsible for writing this piece. Here's why this is relevant, if this letter had gone before the Director she would have caught all of these errors. It would not have been sent out. What you've done is put the Friends in the position of having to defend themselves to the public, you have actually diminished us in the community and that is unjust. You don't know what good friends you have in the Elk Rapids District Library Friends. Most non-profit organizations do have PR policies that specify a whole list of publication procedures. This shouldn't have gone out and if Miller had reviewed it, it wouldn't have. You might have sent out a solicitation letter but it wouldn't have this derogatory tone and it wouldn't have these errors in it.

Motion withdrawn : Hults asked if Simpson wanted to remove her motion. Simpson said yes and removed her original motion

Pollister Amos asked which committee it was going to. Simpson suggested this issue go to the Strategic Plan Committee - Board development. Hults asked who was on that, it's Miller, Stephenson and Simpson. Geddes asked if it should go to policy committee, Johnson said no that it should go to Strategic plan. Geddes said in the meantime, the policy is in effect and has been for some time and we should abide by it.

Miller asked what is going to committee? Simpson said the resolution will be reviewed. The Ethics and Code of Conduct policy will have to follow.

Johnson asked how this fits with the Michigan Library Handbook because it's said in there, this is not just our policy, it's all libraries policy? Pollister Amos said she and Johnson have had several conversations regarding what is in those policy handbooks we use that you have not wanted to follow. I'm sure you remember that. So at this point in time we don't need to waste our time talking about what's in there that we use or don't use on a certain occasion. Let's move on to the next one. Stephenson, Hults, Atkinson and Schuler supported that.

7D. Audit Update: Johnson talked to Aaron (Mansfield from DGN) on January 12th and he hasn't gotten any information except from Laura Savoie. He was hoping to have it before now, because now we are in tax season which means it will be a longer time to get it done. He doesn't have enough information to do the audit. Hults asked what's missing? Johnson read from the list of the missing items: all the bank statements and reconciliations for the Capital Campaign Independent bank account from November, prepare a narrative for the processes, procedures and controls including check signing, authority related to the Campaign and recorded transactions, provide the ERDL Audit Financial statements for the years covering the Capital Campaign from inception. Johnson does not know where the Friends are in the reports they need to supply. So until he gets those it makes it hard to push it off from January because now it's tax season. Hults asked if doing electronic transfers from the banks could speed this up? Miller said he wouldn't have the reconciliation reports. All of this must be scanned and sent electronically and this takes a lot of time, which she hasn't had since January 4th. Hults asked if there was a way to help Miller get this done successfully? The Friends assistant treasurer Nell Lockhart is in the hospital. Wittbrodt has all of her records in his Florida office, so she doesn't know when they will have their material ready. Simpson asked if it could just be dropped off, Miller stated that

per his instructions it all had to be scanned and send electronically. Simpson asked if the reports could be emailed from QuickBooks. Miller stated that doesn't seem to work with the version we are using. Reconciliations can only be accessed by scanning those in the monthly report packets. Hults asked if this laborious scanning could be hired done. Miller stated that account numbers are all over them and Geddes concurred that's not a good idea. Geddes reminded us that about two years ago someone did hack into the Library bank account at Fifth Third, both checking and savings. Hults commented that it also happened to him, what he is asking is if there is a way to help Miller get this laborious task taken care of securely. Stephenson asked if he should volunteer his wife. Miller will ask staff to start on it tomorrow and get it done as quickly as possible. She also listed the papers that need to be copied and will ask if any digital transfers could speed it up. There is no way to send the reconciliation statements electronically without scanning them. Miller stated that she received the request right before she went on vacation so that's part of the hold up. Johnson asked that it get done asap so that the audit could be completed.

7C. Lease Discussion: Schuler said an email was received from Janisse and Cooper to have a meeting with them on Tuesday the 12th that Hults was not able to attend. The meeting was held and we came up with this document you have. I'd like to say that this is a document that is just a draft. It's a place to get started. Schuler read from the document:

From: William J. Cooper, Village Manager

Date: January 13, 2021

Subject: Library Lease Amendment

Per our conversation, I believe that these are the key points to be included in the Library Lease Amendment.

1. The current lease would remain unchanged which identifies maintenance responsibilities for both the Village and the Library regarding the Island House.
2. The amendment would clearly state that the Library is responsible for all maintenance on the addition, both interior and exterior maintenance. This is what was originally discussed following the Village approval of the addition.
3. The amendment will include two key clauses regarding termination of the lease agreement:
 - A. If the Library terminates the lease, the Village will immediately take possession of the addition.
 - B. If the Village terminates the lease, the Village will be responsible for reimbursing the Library, on a pro-rated basis, for the period of time remaining on the lease.
Example: (This is for demonstration purposes only. Specifics would have to be agreed to as part of the lease)
Cost to construct = \$4,000,000

Lease period = 40 Years (480 months)

If the Village were to terminate 20 years into the lease the Village would have to reimburse the Library for 240 months at a rate of \$8,350 per month for each month remaining on the lease.

In this example, 240 months x \$8,350 per month = \$2,004,000

This protects both sides should there be an early termination of this lease by either party.

4. The amendment should include an extension of the lease to bring it back to the original 40-year period of the lease. The current lease expires in 2038. The amendment should extend the lease until 2060.

I have discussed this proposal with Jim Janisse, Village President. He tentatively agrees to this draft, which is why I am able to present this for consideration by you and the Library Board. However, a complete lease will need to be drafted, and the Library Board will have to approve the draft least before I can take it to the Village Council for approval.

We both realize that the lease will have to be reviewed and approved by our respective attorneys. Hopefully this will not delay the process for an unreasonable period of time.

I thank you for working through this first draft of the amendment to the Library lease with me. I feel that we were able to successfully outline a proposal that both parties can agree to, even though we may have to make some additional changes before we are done. I look forward to finalizing this agreement.

I am sure that there are some concerns regarding negotiating the lease and gaining approval with a new Village Manager coming in soon. I can assure you that this will not be a problem as I have been asked to remain, at least on a part-time basis, until we can finalize this lease.

Please let me know if I have missed anything, or if you have any questions.

Schuler said specifics would have to be negotiated. This would protect both sides if there was an early termination to the lease. It's a rough, rough draft. Hults applauded Schuler for getting this done. Hults said there are a number of things that will need to be added, but it can be worked out as we go through this process. They will meet in February to discuss.

Geddes asked about #3A. Will the addition be separate from the library building? The verbiage implies it will be separate. Johnson says the Village already owns the Island house. Schuler said if the library does want the library there anymore, they will leave and the board will get nothing. If the village decides they don't want the library in the building, they would have to pay. Geddes clarified. Atkinson said she hoped Tracy Fosdick would take it to Village Council and they consider forming an ad hoc committee to review the original deed with Ordinance 492 and the lease agreement. This greatly affects the end result and impacts the direction we are going in soliciting funds. Right now it's the elephant in the room, so I do hope they consider that. Schuler

said that the Council reviewed all of that before, Tracy should go in and talk to Bill Cooper about this . Johnson said she was talking to someone about another similar library situation that could help us in this. She is hoping to have a copy of a lease agreement that another library has that may be similar to our situation.

8. New Business:

A. Legal Services Policy:

Miller presented the draft and requested any comments. She read from the policy:

Elk Rapids District Library

Legal Services Policy

Two people are authorized to contact the Library attorney, the Library Director and the President of the Board, under the following conditions:

Director

1. The Library Director can contact the Library attorney regarding policies and Freedom of Information Act (FOIA) requests as necessary.
2. If the Director needs to contact the attorney for any other reason s/he must have the approval of three board members, one representing each municipal partner in the Library District.
3. If the Director violates this policy s/he will be subject to disciplinary action as recommended by the Personnel Committee and determined by the board.

President

1. The Board President may contact the attorney about a legal emergency or critical legal issue with the approval of three board members, one representing each municipal partner in the Library District.
2. The President may authorize another board member to contact the attorney about a legal emergency or critical legal issue with the approval of three other board members, one representing each municipal partner in the Library District.
3. If the President violates this policy s/he will be removed as President immediately.

Johnson said this is cumbersome for the Director and the President and it can be difficult to get three people and she would like to see it the way it's always been. Miller thought that Schuler didn't like a sentence in the policy, but he said that he agreed with all of it. Miller pointed out that we have had this policy for nearly 1.5 - 2 years and it gets violated routinely, so we felt that the consequences needed to be spelled out in the policy. It would make sense for the President to approve of another board member calling the attorney who knew more about the questions to be asked - ex: the lease renegotiation. Schuler said we had a motion that three of us would be on this committee , Hults, Schuler and Geddes, and we would be the three people contacted. It would be a member from each municipality. Hults said he agrees with this. It's cumbersome, but because of the large expenditures, we have to do this to get ourselves cleaned up. It's required until we get operating correctly with the attorney.

Motion: by Schuler /Stephenson to approve the Legal Services Policy effective today 1/14/2021. It was given to the board over a month ago so it's not the first reading.

Geddes said we cannot wait on this. This should go forward right away. Schuler asked how we would do that, Pollister Amos stated that we vote on it . Hults suggested that the 3 members of the current approval group be listed. Pollister Amos suggested leaving it vague so that it didn't have to be rewritten each time we change the people that are on it. Miller concurred. Hults, Stephenson, Simpson agreed. Johnson asked what should happen if the vote is 2-1. She was reminded that meant that you don't call. Hults stated common majority will rule and called the question.

Roll Call:

Geddes: Yes

Atkinson: Yes

Johnson: No

Schuler: Yes

Hults: Yes

Pollister Amos: Yes

Stephenson: Yes

Simpson: Yes

Motion carried.

B. Reopening Plan Amendment

Miller discussed the two policies in the packet that will need to be added to the Reopening Plan per the MIOSHA requirement. We have to say that people that can work at home must work at home. I am mostly the only person who can do part of my job at home and I am doing so. This policy is very general and very vague but I think it covers the bases. Occasionally other staff may have something they can do from home, they just need to talk to me and we will work that out. The Electronic Participation policy came from Foster Swift because it deals with the Open Meetings Act and the changes to the OMA and it pertains to the board participating electronically. The dates were all wrong when she sent it because they extended it to March 31st. This policy is in place until then , if they extend it we will have to change the dates again. So those are the two policies that need to be added to the Reopening Plan.

Motion by Hults/ Simpson to add Remote Work and Electronic Participation Procedure to the Reopening Plan

Roll Call:

Simpson: Yes

Stephenson: Yes

Geddes: Yes

Pollister Amos: Yes

Johnson: Yes

Schuler: Yes

Atkinson: Yes

Hults: Yes

Motion carried.

9. Director's Report

As presented by Miller

Miller stated that she wasn't going to read her monthly report since we have already talked about some of it and we have a lot more to get through. Beth Howard has moved to Traverse City and subsequently found a job in Traverse City so she left the library. We are very sad because she was a great employee. She hired a new library assistant will start on Monday. His name is Ken Bier. He worked at a very large library in Indiana. He left there and moved north to be near his family. He is also a musician and a music teacher.

10. Standing Committee Reports

A. Personnel Committee Director Evaluation: Pollister Amos, Schuler, and Stephenson Pollister Amos stated the personnel committee met on Monday Jan. 11, 2021 to review the Director evaluation forms that were completed by the board. You have all been given copies of the summaries. Director Miller's overall average was 2.44. The personnel committee will meet with Director Miller to discuss the evaluation hopefully in the next week. We have begun gathering information on creating a new evaluation form for next year and will appreciate any additional input that the board has on this, several of you have given ideas and we appreciate that. We also want to work on revising the grievance form since we are the ones who deal with it the most. It has been suggested, it was actually Stephenson's idea, that we have the Director's personnel file stored in one of our municipalities' offices instead of the library if that would make some people more comfortable. We also agreed on a recommendation for raises for 2021 which I assume will be on the agenda for our next meeting.

Miller asked about storing this at a municipality office - then how does anybody put anything in it? Like, how would I put this evaluation or would you put this evaluation in the file or whoever is going to put things in it - how does that happen? Pollister Amos said the personnel committee would go to that office and put it in there. If there was something else that had to be put in there it would be put in there. Miller then asked if she wanted to see it she would have to go there? Pollister Amos said that's what she didn't like about it, I think that you should be given copies that you can keep wherever you want to keep, but the master personnel file would be off site. Atkinson asked - under lock and key? Hults stated that Atkinson looked this up a couple of months ago and I believe the state law requires that the personnel file for the employees all employees be kept at the place of business. Pollister Amos stated that she agreed and that it was also her personal opinion. Stephenson stated that he agreed if that was the law. Atkinson stated that was the law. Pollister Amos said it will stay in the library and that's it. We will have one personnel file, which is all that we have ever had in my opinion, and the rest of this stuff that is not personnel file worthy. The personnel committee also agreed that we should probably shred this stuff and just be done with it. Stephenson stated that when Anne (Seurnyck the attorney) looked it over and she said this is no good, that is no good, I totally agree. This is a 1948 library we still have a lot of those old rules, habits and everything else since then so we have to clean it up so I have no problem with that. Schuler said that sounds good. Hults asked what Miller's aggregate score was last year do you have that? Pollister Amos stated it was 2.40. Hults stated then she's made progress. Lots of laughter... Pollister Amos stated it was 2.7 in 2018 and Miller stated it was 2.2 back in 2014 & 15. Stephenson said that a lot of what is on that form is outdated and really didn't apply. Some of that stuff now Aaron (Hill) is doing and things like that. Miller said he was misunderstanding, because it's all her responsibility and it's all in her job description. The evaluation goes line by line with her job description, that's how it was set up. It's nearly impossible for board members to know those things, that's the problem. Stephenson

and Schuler agreed. Miller said you wouldn't let the staff weigh in so you didn't have that. Miller thanked board members for taking the time to fill it out because she knows it's not easy. Honestly 2.44 out of 3 I think is pretty good. Miller continued, during this challenging year the staff and I worked very hard, we've worked to achieve the strategic plan goals that are staff responsibility. We worked on them and updated you regularly on them, and yet no one mentioned any of that in any evaluation form. It was not brought up at all. The board did nothing on the strategic plan goals that are board responsibility, so my question is, is the strategic plan important? Stephenson said that's a good question. Hults said that Miller deserved an answer to that and we don't have an answer. It's like our review and we are not coming up with a 2.4 there is what you are saying. Miller said no one seemed to care that the staff had been working on it asked if it was important, should we be bothering with it? Geddes asked if the board was up to date on their responsibilities? Miller said no, the board has done nothing. Hults agreed that we have definitely been sidetracked and off rail on a number of things and that's a way of calling us all out. Stephenson agreed, I think we need to get back to being a library board. Hults and Schuler agreed. Pollister Amos said what a novel idea! Stephenson replied, yeah, what a novel idea, let's build a library! Schuler and Stephenson agreed that the strategic plan committee will review this. Simpson stated that she thinks it's up to the board, but it's definitely not something we are going to answer today probably. Stephenson said Covid has caused a lot of problems, so it's hard to meet and Zoom all the time.

**B. Financial Committee: Geddes Schuler Miller
2020-21 Draft Budget Review**

Geddes said that Miller had filled in 1.3% for cost of living was that correct? Miller stated yes that was in the budget notes that she did this year and that explains that the 1.3% cost of living was per social security. Simpson thought that was not the number. Miller said it was 1.3%. Atkinson stated that was just a starting point. Stephenson said right. Miller said she had to put something. Geddes called it a place holder. Hults said we had just about verbatim this same discussion last year and asked what the gross staff payroll cost was for everybody combined - roughly. Miller asked if he meant FICA, social security, Medicare, pension and everything. Hults asked for the gross payroll. Miller stated that we budgeted for this year \$199,416.00 for this year. Atkinson said with the cost of living increase that brings it up to \$200,000.00. Geddes and Miller listed other costs. Atkinson said there are other costs to add to payroll, but for pay increases if you do a 4 or 5%, it's really not that much money, and if you break it down per paycheck it's not even noticeable. Simpson asked if we are deciding that today. Miller said yes we have to.

Motion by Hults/Atkinson that the pay increase be 5% for the director and staff. Pollister Amos said that the personnel committee recommended 3%. Simpson asked for reasoning for either of those? Hults reasoning is to make a statement on someone's paycheck. 5% is hardly noticeable and because of all of the conditions they've had to deal with and they have done a very good job. I see 5% as certainly affordable. We have sat here and authorized 12-14k of legal expenses, I don't see why we can't pay our staff \$10k. Atkinson said if you just do cost of living, you just have the buying power you had last year. So if you do 5% their raise is the difference between that and 1.3%. Simpson asked if there was a reason for the 3% from personnel. Pollister Amos said it was just a vote between 2 and 3% and the best idea I heard was 2% raise and 1% bonus for dealing with this year. Johnson said she thought we had talked about separating the

Director's increase from the staff. Pollister Amos said we talked about that and our recommendation was for both - across the board. Hults called the question. Schuler asked to have the motion repeated. Pollister Amos said it was for 5% across the board for staff and Director.

Roll Call:

Atkinson: Yes

Schuler: Yes

Hults: Yes

Johnson: No

Stephenson: Yes

Geddes: No

Simpson: Yes

Pollister Amos: Yes

Motion carried.

Miller said thank you very much.

Expansion Budget Discussion by Miller: Looking at what was raised this year, we decided to use those numbers for next year. The fiscal year has been fixed and is now the same as the library fiscal year. The estimated income will be a little higher than \$166 because we haven't gotten a check from the Friends yet and it may not be in January. It won't be until Lockhart comes back and gets the checks that are sitting there right now deposited. So we budgeted for \$200k. Our interest rate of 2.2% went down to .1% . We put in another \$10k for legal and professional, and \$10k for campaign expense. Nothing for land improvements, construction, equipment or design. \$6k for consulting even though she only used \$250 last year. Then the discussion was about budgeting for refunds, but two of us didn't think that was a good idea so we didn't. That's how we formatted this budget. If anyone would like to do it differently we can talk about it. Pollister Amos asked if we needed two motions to approve the Expansion Budget and the Operating Budget? Miller stated that we will have to have a budget hearing next month. We have them tonight to review and make any changes for the budget hearing. They must be ready for the public at the budget hearing. Bacon asked if there should be a target figure in the grant line? Miller said because we got zero this year. Bacon asked how many were applied for. Miller said she didn't know. Simpson said three . Bacon asked in what amount? Simpson said she believed about \$30k . Miller thought one was \$50k and one was \$100k and said Simpson had projected \$450k in grants and we got zero. Simpson said that was because we started doing grants and then Covid came and we were told they were not doing Capital Campaign grants, so we decided to wait until this year. Bacon asked if that meant there should be a target figure in that line item... if you don't ask and cultivate...? Simpson said we can put a number in there, but right now we are on hold until we get this audit done and we get the board working together and so we really can't move forward . Atkinson asked if Simpson had any ideas on what might be out there for grants. Simpson said there are quite a few and she will provide a number to Miller tomorrow. Miller asked if that meant the campaign was on hold. Simpson stated that was not the case and it was just until the audit is done. We are working committee wise but really not soliciting right now. Miller asked for a number to put in the budget, Simpson said she would send one tomorrow.

11. Ad Hoc Committee Reports

A. Strategic Plan Committee: Simpson, Miller, and Stephenson

Simpson said she thought Miller just gave our strategic plan report. Stephenson agreed, looks like we will be doing some work on that.

B. Capital Campaign Committee: Simpson

Simpson said there is a report from Laura Savoie. We are keeping in contact, and reaching out, but we are waiting for the audit to get done. There was no meeting in December, too many people on vacation etc. I am hoping in the next couple of weeks. We've had some strange things with people on the committee.

C. Building Committee: Hults, Schuler, Miller

Hults said the building committee has been well discussed between Schuler and I. Our focus is on the lease right now.

D. Policy Committee: Johnson, Geddes, and Miller

Nothing additional to report

12. Friends Report

Bacon said the Friends aren't meeting during the winter and will not be active until the audit is done. We did participate in the Capital Campaign Committee. We will survey area libraries that have had completed campaigns and try to identify their success factors. We are prepared to move ahead with that. We have prepared, what I think is, a very good survey instrument and frankly I think we want to let the dust settle for a little while. We don't want to be answering difficult questions from the library directors that we will speak to. So, we are ready to go when the time is right. That will provide input to the Friends board decision I want to make it clear.

Johnson said she was sorry that Bacon felt that the library board didn't not support the Friends.

13. Public Comment: Same rules as previous public comment

No one wished to speak

14. Board Comments:

Stephenson spoke regarding the article that we all saw that went out and gave kudos to Aaron (Hill) who did a great job . It went out to national. He's been contacted by a local reporter regarding a telemedicine library article. They put the ERDL report was on the desk of Sharon White and also the director Randy Reilly at Library of Michigan - they got it today. Good news. Positive things.

Hults said he wants to thank Miller and the staff for a great job done under the most difficult circumstances that any of us have ever seen. Thanks to Stephenson for the positive press. We need to show our communities that we are getting something done. We must support our director and staff and stop the bad behavior that is a backward momentum. Hults said he's asking to be reappointed but he will not make it a lifetime appointment.

Johnson thanked everyone for being here and for their comments with the Friends and Board and

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staff.

15. Adjournment

Motion to adjourn by Schuler/Seconded by Hults

Adjourned by order of the chair at 6:48pm.

Respectfully,
Julia Pollister Amos
Secretary Elk Rapids District Library Board

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