

**Elk Rapids District Library Board of Trustees  
September 10, 2020 Meeting held via ZOOM**

APPROVED 10.8.2020 as amended

**1. Call to Order:** By President Barb Johnson at 5:07 pm

**Members Present:** Barb Johnson, Diane Geddes, Dick Hults, Julia Pollister Amos, Karen, Simpson, Liz Atkinson, Tom Stephenson, and Director Nanette Miller

Also Present: Since this was a Zoom meeting, it was difficult to tell who else was attending. Those acknowledged were William Cooper, Dianne Richter, Jacquie Thiel, Char Gretel, and Gabi Hill.

Members absent: Chuck Schuler

**2. Approval of Agenda:** Discussion to remove discussion of Village Lease Agreement. Motion to approve the agenda as amended by Hults. Seconded by Geddes. Motion carried.

**3. Public Comment:**

Dianne Richter asked about the exit interview for Jane Staufer as well as the rumors surrounding the director Nanette Miller. Richter also had a question about the open meetings act.

Jacquie Thiel: She said she is coming to understand that she needs to speak with more empathy. She apologizes for anything she's said to anyone she's hurt. She prays for healing.

**4. Approval of Minutes** dated August 13, 2020

Motion to approve by Simpson. Seconded by Hults. Motion carried.

**5. Treasurer's Report and Approval of Bills:**

As presented by Geddes

Motion to accept the treasurer's report by Simpson. Seconded by Atkinson.

Roll Call:

Atkinson: Yes

Geddes: Yes

Hults: Yes

Johnson: Yes

Pollister Amos: Yes

Stephenson: Yes

Simpson: Yes

Motion passed 7-0.

Nannette Miller noted there are more bills to approve from page 9. These are waiting to be

signed and sent.

Motion by Hults, seconded by Pollister Amos to approve the second list of checks as discussed by Miller.

Roll Call:

Atkinson: Yes

Geddes: Yes

Hults: Yes

Johnson: Yes

Pollister Amos: Yes

Simpson: Yes

Stephenson: Yes

Motion passed 7-0

Director Miller also pointed out the expansion report, which she presented yesterday. It has been received.

**6. Correspondence:** None

**7. Unfinished Business:**

A: Recording Secretary: Leah Nicholson

Pollister Amos said the personnel committee recommends Leah Nicholson as the recording secretary for the Elk Rapids District Library Board. Motion by Pollister Amos, seconded by Geddes at a rate of \$100/meeting.

Roll Call:

Atkinson: Yes

Geddes: Yes

Hults: Yes

Johnson: Yes

Amos: Yes

Simpson: Yes

Stephenson: Yes

Motion passed 7-0

B: Purchasing Policy Discussion:

Miller has a question regarding having a purchasing policy. Is there a purchasing and a bill paying policy? One suggestion is that we have a purchasing policy. Miller said she would also like to talk about the bill paying procedure. One problem is the billing cycles on some bills, such as Charter and the credit card. These fall between board meetings. Could these be preapproved? What can be considered a utility? Pollister Amos said we can ask to change the billing cycles. Would it be possible to have someone look over and approve the bills? Do we have a financial

committee? Simpson said perhaps the finance committee could get the list of bills and then give them approval. Geddes said she's happy to help develop this procedure. Geddes said this would need to be approved in a motion. Pollister Amos asked if there needed to be the third person on the finance committee. Johnson will see if Schuler would be willing to serve in this capacity.

C: Review Strategic Plan Goals: Simpson, Stephenson, Miller:  
Simpson said this was done at the meeting about a month and a half ago.

## **8. New Business:**

A. Elect Vice President:  
Simpson asked to table this election. We have some issues we have to work out and she would like to wait until the October meeting.

Motion to table the election of vice president until next month by Simpson. Seconded by Geddes.

Roll Call:  
Atkinson: Yes  
Geddes: Yes  
Hults: No  
Johnson: Yes  
Pollister Amos: No  
Simpson: Yes  
Stephenson: Yes

Motion passed: 5-2

B: Personnel Recommendation: Pollister Amos, Schuler, Stephenson  
Pollister Amos gave her report, included below.

September 8, 2020  
From the Personnel Committee to the Elk Rapids District Library Board:

President Johnson gave Director Miller a suspension letter because of the email that Director Miller sent to former Trustee Jane Stauffer on August 19, 2020. The Personnel Committee was charged to make a recommendation on what should happen next.

### **The personnel committee recommends the full reinstatement of Director Miller with no disciplinary action of any kind for the following reasons:**

The intention of our Bylaws Article VI Section 6 , the intention of the motions made at the October 10, 2019 and November 14, 2019 board meeting passed motions, as stated on page 6 paragraph 4 of the Michigan Public Library Trustee Manual , and section 11 of our Elk Rapids District Library Trustee Ethics/Code of Conduct Policy clearly state that individual trustees may not act alone and that the board chair has no more authority than any other board member. Based on our own policy that has been in place since 2016, we do not believe that President Johnson had the right to proceed as she did.

The Personnel Committee did not recommend that Director Miller should be suspended. We do not believe that the suspension of Director Miller was justified and should not have taken place without the recommendation of the Personnel Committee or the action of the full Board. Director Miller's email was a

reaction to the fact that earlier this year Trustee Stauffer posted derogatory remarks about Director Miller on Facebook. We are not supporting the action of the Facebook reply or the email, but the interim measures that President Johnson took to suspend Miller were not warranted.

After our conversation with attorney Mike Blum, it was apparent that he had not been fully informed about the situation and had not been given copies of all of our written board policies. Blum asked for, and has been sent, copies of the documents in our Trustee Handbook.

We are concerned that this incident may have caused damage to the relationship between the Director, the staff, the President and the community.

We are developing further recommendations to create an atmosphere of mutual respect and cooperation that would avoid future incidences of this kind.

Unanimously agreed by, Julia Pollister Amos, Chuck Schuler, Tom Stephenson on 09.08.2020

Motion by Pollister Amos to fully re-instate Director Nanette Miller. Seconded by Hults.

Roll Call:

Atkinson: Yes

Geddes: Yes

Hults: Yes

Johnson: No

Pollister Amos: Yes

Simpson: Yes

Stephenson: Yes

Motion passed 6-1

Hults discussed the following:

MOTION IS NOTED "FOR THE RECORD"

Also, "FOR THE RECORD" – No attorney opinion letter is available to the Board regarding this matter at the time of today's meeting.

Motion to Request Resignation of President/Board Member, Barb Johnson from the Elk Rapids Library Board

Barb Johnson's emotional over reaction suspending Nannette Miller, Library Director, without board approval has:

1. Violated Michigan State Library Act
2. Violated ERLIB bylaws
3. Violated Michigan Public Library Trustee Manual
4. Violated established Board policy – By violating Code of Ethics Policy (updated 11/10/2016).

I base my request on the following points:

- There was no emergency.
- Johnson's action has caused loss of library grant monies and has damaged public opinion of the library and capital campaign.
- Johnson was advised by two Personnel Committee members (Julia and Tom) to NOT take this action.
- Suspension of Miller was not warranted because of a third-party email.
- Board has been exposed to liability due to Johnson's unjustified suspension of the Library Director.
- Continual divisive attempts to undermine Miller's work and authority have caused irreparable damage to the function of this board to work with Director Miller.

Therefore, my motion also requests that Barb Johnson recuse/disqualify herself from voting on this Motion. It would be a direct conflict of interest. (Library Code of Ethics Item #2, second sentence).

Motion to request the resignation of Barb Johnson from the Elk Rapids Library Board and recuse herself from voting on this morning by Hults. Seconded by Pollister Amos.

Discussion:

Stephenson said this should be pushed back to the personnel committee for review. With what we are looking at, we are trying to calm things down a little bit. This is a very embarrassing situation.

Geddes asked how this came about from Milton Township. Atkinson said Milton Township is requesting Johnson's resignation.

Hults said this is his motion and he would like it to be voted upon.

Geddes said she's concerned about conflict of interest with three people on this board, who are also on municipality boards. Is this legal? Should these people be on the board? It's the appearance of conflict of interest.

Pollister Amos said if you look at the Michigan Library Trustee Handbook, there is a section that refers to your question. It doesn't say it's illegal. Geddes said it's the appearance. Pollister Amos asked who is the third person who has a conflict? Geddes said Pollister Amos, Atkinson, and Schuler. Atkinson said there is nothing to be gained by being on the library board and there is no conflict of interest.

Simpson said there are a lot of issues we should talk about with the personnel committee.

Roll Call:

Atkinson: Yes

Geddes: No

Hults: Yes

Johnson: ~~Recuse~~ Amended to No

Pollister Amos: Yes

Simpson: No

Stephenson: Abstain

Motion ~~passed 3-2~~. Amended to Failed 5-3 counting abstain as No

**Public Comment:**

Dianne Richter commented regarding conflict of interest. She doesn't see a conflict with people serving on multiple boards.

**9. Reports:**

A: Directors Report:

Miller presented her report, which will be included as an amendment to these minutes. Update on the reopening plan. Update on the strategic plan. Update on the Book Cellar. Update on programs. Update on current projects. Update on other business. A new check signer needs to be appointed tonight. Pollister Amos volunteered.

Motion to approve Pollister Amos as a check signer by Simpson. Seconded by Hults.

Roll Call:

Atkinson: Yes

Geddes: Yes

Hults: Yes

Johnson: Yes

Pollister Amos: Yes

Simpson: Yes

Stephenson: Yes

Motion passed 7-0

B: Friend's Report:

Gabi Hill presented this report. Update on administration and setting up a Facebook page. Update on support of Labor of Love Bridge Walk.

C: Personnel Committee: Pollister Amos said we are following the calendar and we will be distributing evaluation forms at the October meeting asking that they be returned by the December meeting. A summary of the findings will be submitted at the January meeting. The process will be the same as it was last year.

D: Strategic Planning Committee: Stephenson said he's been working with the telehealth communities and they are looking at expanding broadband in rural areas. With Covid-19 there has been a push for telehealth. With that, they are looking for assistance and we suggested they look at partnering with libraries. He's arranged a meeting between influential groups. Munson is excited to partner with the local libraries.

Simpson said a cultural audit was done in November. This will be sent out again to the board.

E: Capital Campaign Committee Report: Simpson gave an update on the Labor of Love event. We are at about \$20,000. We have a lot of things going on in the next few months. Update on events in the next few months.

F: Building Committee Report: Hults said he and Schuler would contact Cooper to go over the operating agreement lease and there will be a report at the October meeting.

**10. Board Comments:**

Hults asked Miller regarding the grant that wasn't filed when she was suspended. Miller said she was allowed to apply for that grant late. It was turned in this week and it was approved.

Geddes asked Hults to re-read his motion regarding the resignation by Johnson.

Johnson said she cannot be removed from her position and will not resign. She can only be removed by the governor. Hults said the decision is Johnson's if she would resign. She will not.

**11. Adjourn:** Motion to adjourn by Hults. Seconded by Atkinson.  
Meeting adjourned at 6:12 pm.

Respectfully,  
Julia Pollister Amos