

Pontiac Public Library Board of Trustees Meeting  
Pontiac Public Library, 60 East Pike Street, Pontiac, MI 48342  
Board Meeting- November 15, 2017  
5:30 P.M.

The meeting was called to order by Chairperson, Rosie Richardson. Roll Call: Allen, absent; Duvall, present; Jones, present; Richardson, present; Waterman, present; Jenkins, present A quorum was present.

#### APPROVAL OF AGENDA

The board reviewed the meeting agenda. Trustee Waterman pointed out that there were two different agendas in front of the board and wanted to determine if they needed to be combined.

*A motion was made to approve the agenda with amendments to add correspondents, and a follow-up to the reprimand letter under old business; Motion Trustee Waterman, seconded Trustee Duvall; Roll Call; Duvall, yes; Richardson, yes; Jenkins, yes; Jones, yes; Waterman, yes. Motion carried.*

#### PUBLIC COMMENTS

Cynthia Samples, the volunteer coordinator for the Friends of the Pontiac Public Library addressed the board and stated that the library director is a good person with integrity and high character. She spoke on her behalf in light of accusations against the director.

Mattie McKinney Hatchet addressed the board concerning papers that circulated which accused the library Director of embezzlement of public funds. She asked the board to pass a resolution to make a matter of record that the board doesn't support the document that accused the director of embezzlement.

Melanie Rutherford addressed the board concerning the same document and mentioned that no one had access to the document except the Director and the Chairperson of the library board. She wanted to make it clear that the person who circulated the documents was trying to discredit Mayor Waterman, but in doing so accused the Director. She also spoke against the evaluation of the Director which is on the agenda and which the board has not voted to have.

#### MEETING MINUTES

The Chairperson requested a motion be made to table the minutes because she felt the board didn't have enough time to review them. She also stated that at the prior meeting she did take the recorders, but that the Director had been able to make a recording of the meeting from the video recording. Trustee Duvall asked why the recorders were picked up in the first place and the Chairperson responded that she picked them up because there was nobody down there and they were just lying on the table.

Trustee Waterman asked for a chance to review the meeting minutes here for approval because she felt there were a number of items on the agenda related to the minutes from the prior meeting. She requested that the letter which was drafted by the board at the last meeting be included with the final draft of the meeting minutes.

*A motion was made to table the approval of the October meeting minutes; Motion Trustee Jenkins, seconded, Trustee Jones; Roll Call; Duvall, yes; Richardson, yes; Jenkins, yes; Jones, yes; Waterman, no. Motion carried.*

## FINANCIAL REPORT

Mr. Harden, the library's accountant reviewed the profit and loss budget vs. actual report for the board. There is a favorable variance in property taxes, and income; Debt service is right on budget; Professional services have a favorable variance; the collection budget has a favorable variance; the total net income for the period has a favorable variance due to being over budget in revenues and under budget in expenditures.

The balance sheet reflected figures that were on target for the board's expectations.

Trustee Waterman stated that since the board doesn't approve the financial report, she felt it was important for the board to approve the audit for the fiscal year. She said that there were unanswered questions that the auditor was asked, including that the board has no process for a procurement policy in a management letter. The Chairperson responded that the auditor had only given an initial report and that they would be back in December for the board to provide approval.

## TREASURER'S REPORT

Trustee Duvall gave an ending balance of \$804,000 in the account and discussed some notable deposits on the millage in October for over \$6,000 and over \$4,000. She also stated that the investment had gained the library \$63,000.

## SPECIAL PRESENTATION

Attorney, Matthew Derby addressed the board on issues raised to the release and publication of materials concerning Trustee Waterman and the Library Director. He handed out the initial materials in question and stated that he was requested to be present to address concerns for defamation of character and how to address them going forward. Mr. Derby suggested that the board pass a resolution that they didn't authorize the release of the document that they didn't order it, and that at this time they aren't endorsing anything contained within those documents. He suggested that the board may want to have the matter investigated, but said that they should have someone else investigate the matter because he may be a potential witness for the matter and his fees would be expensive if he were the investigator.

Chairperson Richardson asked about the attached federal case in the packet and how it applied to their case. Mr. Derby responded that this case is a unique federal case that contains all elements for defamation on a plaintiff who was a library director and that he was using it to cite the legal area they would be dealing with.

Trustee Jenkins mentioned that the document which was passed out also stated that the board knowingly refused to terminate the Library Director despite the embezzlement which is an outright lie. She felt that this puts the board in a bad light because it claims that the board knew and didn't do anything about the matter. She said that it had to be a board member who gave this information to the public, or the attorney and she wants to get to the bottom of how it got out of the library. Trustee

Jenkins stated that she felt that the board member who gave it out was the Chairperson. She requested that two resolutions be made, one regarding that the board denounce the documents and another regarding the Chairperson's involvement.

Trustee Duvall agreed with Trustee Jenkins and felt that the board should proceed with an investigation to get to the bottom of the matter.

Trustee Waterman requested that specific statements be included in the resolution; that the embezzlement itself is a falsity and that the board had no knowledge of any embezzlement, she also said that the board needed to disavow that the legal counsel advised the board to terminate the Library Director, and that there was never a vote to remove the Library Director from her position. She stated that the board should also note that the statement was anonymous which is reprehensible.

Trustee Jones stated that he stood behind the board to make a resolution to absolve Mayor Waterman, the Library Director, and the board from this document.

Chairperson Richardson wanted to know what action she needed to take as the person who is being accused. Mr. Derby stated that he couldn't give the Chairperson personal advice because he is the attorney for the entire board.

*A motion was made for the board to retain Mr. Derby to draft the statement and language for the resolution for points to disavow the slander that was circulated anonymously and that he circulate this to the board in advance and they hold a special meeting on the matter; Motion Trustee Waterman, seconded Trustee Duvall; Roll Call; Duvall, yes; Richardson, yes; Jenkins, yes; Jones, yes; Waterman, yes; Motion carried.*

*A motion was made to continue on with the investigation; Motion Trustee, Duvall, seconded, Trustee Jenkins; Discussion; Trustee Waterman suggested that Mr. Derby investigate two names of certified investigators that are not residents of the city. She amended the initial motion to include this suggestion; seconded Trustee Duvall; Roll Call; Duvall, yes; Waterman, yes; Jones, yes; Jenkins, yes; Richardson, yes; Motion carried. A roll call was taken for the main motion; Roll Call; Richardson, yes; Duvall, yes; Jenkins, yes; Jones, yes; Waterman, yes; Motion carried.*

*A motion was made for the board to make a resolution in support of the Library Director, Devan Green and against these false allegations; Motion Trustee Jenkins, seconded Trustee Jones; Discussion; Trustee Waterman said she wanted to go deeper and say that the board is giving a vote of confidence in the ability of the Library Director and that they want her to continue to operate fully in her duties as Library Director and stand behind her; Roll Call; Duvall, yes; Richardson, yes; Jenkins, yes; Jones, yes; Waterman, yes; Motion carried.*

#### CORRESPONDENTS AND FOLLOW-UP

Trustee Waterman requested a copy of the letter which was passed out to the board and wanted it attached to the meeting minutes of the prior meeting. The letter was passed out to the board by the Library Director. It was disseminated to the library staff.

#### DIRECTOR'S REPORT

The Library Director discussed partnerships with a work study program through Dorsey and internships for the library. She discussed the special programs in October including the haunted house, the annual Halloween party. She mentioned that she wasn't sure about the status of the air conditioning system and that she hadn't had much contact with Lizut, but she was prepared to sign-off on payment once it could be verified the work was complete. The Director also discussed her work with Mr. Harden on the financial reports and the audit for the previous fiscal year.

#### CHAIRPERSON'S REPORT

The Chairperson further discussed the contact with Lizut for the air conditioning system. She mentioned that there would be no penalties on interest towards the agreement with Lizut. She gave the board a copy of a document from Lizut about their concerns and a copy of a document on the Leisure Company and what they have stated that there is a \$500 difference not accounted for in the contract that will need to be covered by the Library.

Trustee Jenkins asked the Chairperson if Lizut had provided a date for completion of their services. Chairperson Richardson responded that the coordinator Chris Handsy is in the hospital and so there is no one present tonight to talk to the board. Trustee Duvall pointed out that at the last meeting they stated that their service should be completed within two weeks and that now they are beyond that estimate. Chairperson Richardson requested that the Library Director put something in writing to Lizut in order to address board concerns and get updated on the status of their work.

Trustee Jones discussed the \$60,000 which the Library hadn't paid to Lizut yet for their service. Chairperson Richardson stated that she felt something should be put in writing to Lizut rather than having the board speculate on the matter since they weren't present.

David Graham, who was the investor for the Library with Fifth Third no longer works there and there will be a new person assigned who will be in contact with the board. The Chairperson discussed check signing for October and that she hadn't signed them; she also discussed the chairs for the Holiday Extravaganza which the Library rents yearly and how she felt the Library should purchase them. The Chairperson also discussed her desire to have an evaluation by the board of the Library Director and to get staff comments on her performance and read them to the Library Director.

Trustee Waterman felt it was inappropriate for the Chairperson to be involved with the evaluation of the Library Director based on actions that the board has had to take.

*A motion was made to terminate the evaluation of the Library Director; Motion Trustee Waterman, seconded Trustee Duvall; Discussion; Chairperson Richardson said if she is not to be involved in an evaluation that perhaps there should be an evaluation given by another group of people; Trustee Jenkins felt that since the term of the current board members would be shortly ending and the Director has gotten excellent reviews in the past that the matter should be moot for the current board; Trustee Duvall felt that an evaluation was unnecessary as well; Roll Call; Duvall, yes; Richardson, abstain; Jenkins, yes; Jones, yes; Waterman, yes; Motion carried.*

#### OLD BUSINESS

Trustee Jenkins felt that business for the board through the end of the year should merely be housekeeping matters on what this board had already been involved in. She thought that any future planning should be left on hold until the new board was formed.

#### NEW BUSINESS

No new business was discussed.

#### BOARD COMMENTS

Trustee Jenkins stated that she had enjoyed the last four years with the board and was happy to see members of the newly elected board present. She stated that she would be involved in the Friends of the Library despite the distance though she wouldn't be able to make all the meetings.

Trustee Jones thanked the board for condolences on the loss of his uncle. He congratulated the new board and hoped that they work well together for the library.

Trustee Waterman recommended that the board may want to help with the transition of the new board and invite them to come to the next meeting so that the current board could pass things on.

Chairperson Richardson said that when they started their term that they received an orientation which didn't occur during a regular board meeting and felt that the same process should be followed for the new board in January.

The meeting was adjourned.

Submitted, December 14, 2017

Joshua Campeau, Library Assistant, Administration  
Pontiac Public Library