

PONTIAC PUBLIC LIBRARY BOARD MINUTES

May 27th 2021

I. Roll Call : Chair Hatchett – Here, Vice Chair Earl – Here, Treasurer Maxey – Here, Trustee Richardson – Here, Secretary Rutherford - Here

II. Approval of Agenda

Treasurer Maxey made a motion to add to agenda an action item to consider and vote upon continuing the at-will employment of the Library Director, support by Secretary Rutherford.

Roll Call: Chair Hatchett – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes, Vice Chair Earl- Yes

Motion Passes

Trustee Richardson made a motion to remove the closed session from the agenda and to move the Chair’s report to Board comments after Action items, support by Secretary Rutherford.

Roll call: Chair Hatchett – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes, Vice Chair Earl- Yes

Motion Passes

Trustee Richardson made a motion to table the Friends of the Library to the next meeting, support by Secretary Rutherford.

Roll call: Chair Hatchett – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes, Vice Chair Earl- Yes

Motion to approve agenda as amended.

Roll call: Chair Hatchett – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes, Vice Chair Earl- Yes

Motion Passes

III. Moment of Silence

Motion made to restart meeting by Trustee Richardson, support by Treasurer Maxey.

Roll call: Chair Hatchett – Yes, Vice Chair Earl – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes

Motion Passed

IV. Public Comment -

Library Staff member Elizabeth R. read a statement in support of Director Green and her work at the Library and what the state requires in qualifications for a Library Director

Youth Librarian Bonnie B spoke on the work of Director Green and what she has done for the library especially during covid.

A third individual spoke but did not state her name. She was concerned with numbers that were brought up at the previous meeting in regards to library funds being used to help support a private business and the legality of renting library property to private businesses. She continued to state that she was concerned that the Board would be putting itself in danger of legal repercussions if they were planning on removing the director without doing due diligence.

Tameka Ramsey was the next to offer public comment. She is all for improvements on the pavilion but only if it was a revenue stream for the Library, not for a private entity. She has seen many improvements in the programming over the last few years but would like the infrastructure to get the same treatment since there is apparently funders available. She believes any change in leadership at the library should be made public so the community know why changes are made.

Chair Hatchett thanked each person for their comments and said the Board would take note of them and keep the public informed.

V. XP League –

Costs breakdown chart was show for XP League by phase. Total costs of XP League phase 1 is \$22,895 and Total cost of Phase 2 is \$1,500

Total Library Cost for phase 1 is \$1,200 and total cost for phase 2 is \$12,100

Library Phase 2 cost is not a requirement, but suggested upgrades and purchases. XP League would look for corporate partners to absorb some of the costs.

Secretary Rutherford asked for clarification that the cost to the library for the first year of the program would be \$1200

Treasurer Maxey was concerned that all players signing up would be guaranteed a spot on a team and no one would be excluded.

VI. Pavilion Project –

Stacy Bishop and Jermaine Branner were present for a presentation. An updated budget was presented from Community Cuisine Kitchen asking the library to make upgrades to the pavilion in the amount of \$57,600

Secretary Rutherford asked for clarification on the RFP for getting the kitchen hood fixed / replaced. Jermaine Branner said the estimates for the hood range from one thousand to forty thousand.

VII. Approval of Minutes

Motion to approve the minutes by Secretary Rutherford, support by Vice Chair Earl.

Roll call: Chair Hatchett – Yes, Vice Chair Earl – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes, Trustee DuVall – Yes

Motion Passes

VIII. Financial Report – Fiscal Year to date

Total operating expense - \$729, 344.79

Assets - \$1,420,206.26

Total Equity and Liabilities - \$1,420,026.22

Motion to approve by Treasurer Maxey, Support by Secretary Rutherford

Roll call: Chair Hatchett – Yes, Vice Chair Earl – Yes, Treasurer Maxey – Yes, Trustee DuVall – Yes, Secretary Rutherford – Yes, Trustee Richardson – Yes

Motion Passes

IX. Chair Report

X. Director's Report

Director Green went over the proposed Budget of July 2021 through June 2022

Proposed Property tax income is \$1,016,196.73

Proposed Expected Grants - \$25,000

Penel Fines - \$92,000

Expected income for library charges - \$18,378.36

Gross Profit - \$1,227,680.69

Expenses – Professional services - \$127,275

Director Green asked the board to approve the increased rate for the financial services.

Total Expenses - \$1,227,680.69

Director Green answered the Boards questions on capital improvement funds in the next scheduled fiscal year.

Chair Hatchett stated that she was concerned with the fact that the pavilion project is asking for some much capital when things inside the building, specifically the elevator, is not getting replaced considering it has repeatedly stopped with people inside.

Secretary Rutherford ask the accountant to state the amount in the budget that we had for investing that was not invested. She stated her concern was that the public would accuse the Board of misappropriating funds if they did not hear how much the Library had.

Treasurer Maxey asked for clarification about whether or not the state is fining the library for its use of funds balance. The accountant clarified it was not fining the Library, but was sending cautionary statements putting the Library on notice about doing so.

Trustee Richard made a motion that the Board acknowledges this is the first read and hold their decision until a special budget meeting. Support by Trustee DuVall.

Chair Hatchett wants to have a special meeting to discuss the budget and using money earmarked for investments for working on the pavilion.

Vincent Harding stated we were making a sizable return on interest on the funds when they were still invested.

Roll call: Chair Hatchett – Yes, Vice Chair Earl – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes

Motion Passed

It was clarified that if four Board members attend that a public notice would need to be posted, however if only 3 board members come for clarification than no public notice is necessary.

- XI. Old Business
 - none
- XII. New Business
 - None
- XIII. Action Item
 - Pavilion – Trustee Richardson made the motion that all information received about the pavilion project be forwarded to the Library Attorney, support by Vice Chair Earl.

Chair Hatchett stated that one hour prior to the Board meeting, she received legal paperwork from the company interested in the Pavilion in her email. Director Green also received a copy and forwarded it to the rest of the Board.

Roll Call: Chair Hatchett – Yes, Vice Chair Real – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes

Motion Passes

XP League – Motion made by Trustee Richardson to go ahead with phase one, support by Secretary Rutherford

Roll Call: Chair Hatchett – Yes, Vice Chair Earl – Yes, Treasurer Maxey – Yes, Trustee Richardson – Yes, Secretary Rutherford – Yes

Motion Passes

Added Item – Voting on continued employment of Director Green.

Chair Hatchett asked for a Board member to make a motion to terminate Director Green and go into resignation agreements by June 11th, 2021 if not termination occurs on June 11th 2021

Secretary Rutherford made the motion Chair Hatchett asked to entertain. Motion Supported by Treasurer Maxey

Discussion

Vice Chair Earl stated that he did not believe that firing the Director was the right course of action. Not only did he approve of the job she was doing, the Board had not been doing its diligence in completing performance evaluations of her job in regards to things they would like to see changed.

Secretary Rutherford stated that Director Green forwarded an email saying she had been threatened to someone not on the Board and that the email did not name, but implied that it was her. She continues that what she said was not a threat to Director Green, just that she had to watch her back because her car had been keyed and people in Pontiac start to act out of order around election time. Furthermore Secretary Rutherford told the Board that after she contacted Director Green to say that there had been no threat, that Director Green's husband called her and left a threatening voicemail. Secretary Rutherford believes the conflict was all about a contract that was before the board that had not been voted on yet.

She also stated that she felt tricked that she was not aware of anything in Director Green's file that was a negative report which is why she made the motion.

Director Green responded by saying she was called by Secretary Rutherford and told to watch her back and the she needed to do what these people say. That her job was not in jeopardy, but she still needed to watch her back, her car was keyed and this is why she carries a gun.

Director Green sent a statement to the Board regarding what she was told and believes that is why she then received a call from Secretary Rutherford while at home.

She also stated the Secretary made threats on the phone against her and her husband.

Over the last three weeks Director Green has been receiving messages from others in the community telling her she was going to be fired and were told they have the votes. Due to chest pains Director Green is attending the meeting from home.

Chair Hatchett read the employee conduct policy regarding employee evaluations and using them and many other factors in regards to removing staff members. Chair Hatchett continued that none of that effects the conditions of at-will employment and either party is allowed to end current employment at any time for any reason or without cause without notice.

Vice Chair Earl believes that there should be an investigation into all claims before a decision is made.

Director Green said there was no proof that she and her husband left threatening messages for Secretary Rutherford. Secretary Rutherford asked if Director Green would like her to read the police report or play the voicemail for the Board and Director Green said she would like her to.

Chair Hatchett asked the attorney if Secretary Rutherford was allowed to play the voicemail recording where she says Director Green and her husband threatened her and was told that Secretary Rutherford could. Chair Hatchett then asked Secretary Rutherford if she would play the recording and she replied that she had decided not to.

Roll call: Chair Hatchett – Yes, Treasurer Maxey – Yes, Secretary Rutherford – Yes, Trustee Richardson – Yes, Vice Chair Earl – NO

Motion Passes

Chair Hatchett passed out prepared statements to the Board regarding the Director's termination. It was a resignation and release agreement. She stated she will send a copy through certified mail on the next day to Director Green.

XIV. Board Comments

Trustee Richard wished everyone to stay safe.

Chair Hatchett called to attention that over the last 6 months certain board members have not understood their roles. She will be making sure all Board members receive a copy of bylaws and responsibilities. Chair Hatchett plans on going through all employee files and reviews.

XV. Adjourn

XVI. Motion to adjourn by Trustee Richardson, support by secretary Rutherford

Roll: Trustee Richardson – yes, Treasurer Maxey – Yes, Vice Chair Earl – Yes, Secretary Rutherford – Yes, Chair Hatchett - Yes

Meeting adjourned

DRAFT