

HARVEY PUBLIC LIBRARY DISTRICT
REMOTE REGULAR BOARD MEETING FROM THURSDAY, JUNE 10, 2021
Meeting Minutes

Thursday, June 10, 2021
6:30pm

1. CALL TO ORDER

President Price called the Regular Board Meeting to order at 6:38pm.

Kim Peake read the Roll Call.

2. ROLL CALL

Present: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee McCaskill, Trustee Patterson, Trustee Williams, Vice President Patterson, President Price

Secretary Morgan corrected Kim Peake by saying the board members are all trustees except for President Price.

Roll Call was repeated again.

Roll Call

Present: Treasurer Nesbitt, Trustee Morgan, Trustee Garcia, Trustee McCaskill, Trustee Patterson, Trustee Williams, President Price

President Price stated that Secretary Morgan was still the Secretary until we elect a new Secretary.

Secretary Morgan stated she was not aware of that until after she read the minutes and she saw and she wanted to thank President Patterson for standing beside me and nominating me as Secretary but when I read the minutes, I thought there was no Secretary. According to that, it said it would be done at the next meeting.

President Price responded by saying, “because there wasn’t a Secretary elected, you still remain the Secretary as well as Trustee Nesbitt being the Treasurer.

3. Invocation

Director Menzies lead us all in prayer.

4. APPROVAL OF MAY 13TH MEETING MINUTES

President Price made a motion to approve the May 13th Regular/Finance meeting minutes.
Seconded: Secretary Morgan.

Roll Call

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Ayes: Treasurer Nesbitt, Trustee Garcia, Trustee Patterson, Vice President Patterson, Trustee Williams, President Tamika Price

Abstain: Secretary Morgan and Trustee Anthony McCaskill

5. APPROVAL OF BILLS

President Price made a motion to approve the bills that's presented
Seconded: Secretary Morgan.

Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia Trustee McCaskill, Trustee Patterson stated that she approves the bill with the exception of having only one signature on the checks. We should have two signatures on our checks and she doesn't think that it's right that we don't. She thinks that it's a violation and we should have two signatures on our checks.

President Price asked Trustee Patterson if it's a yes or no for the current motion?
Trustee Patterson responded by saying yes to everything except for the signatures of the checks.

President Price stated that the motion was to approve the bills?
Trustee Patterson responded by saying, "I guess I have to say No."

Continuation with the Ayes: Trustee Williams, President Tamika Price

6. CORRESPONDENCE & ANNOUNCEMENTS

No and this time stated Director Menzies, however, Secretary Morgan mentioned a grant through CEDA that's being passed out around Harvey.

President Price asked Kim Peake if she could recite if the motion has passed or failed for the record.

Kim Peake responded by saying, Yes."

Secretary Morgan stated, "she needed to find the flyer. She then stated, "she would give the information regarding CEDA to the director for him to pass around the library to anyone who wants to be part of their program. People have to volunteer but its to help the city of Harvey."

President Price expressed her condolences to the family of the Islamic Faith who were part of a terrorist attacked. There's been sort of an uptick for Islamic phobia so she knows that we have some members in the city of Harvey that practice that faith. She just wants to stand in solidary of that and the anti-acts that just occurred.

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Secretary Morgan found the flyer and read it to the board.

President Price asked if we could give a moment of silence to the mayor of Harvey, David Johnson who passed away.

7. TREASURER’S REPORT

President Price asked Treasurer Nesbitt if she could read the balances on the Treasurer’s report?

Treasurer Nesbitt asked if Kim Peake could read it for her. She could not find her report.

President Price asked Kim Peake to read the report.

Kim Peake asked, “just the balance or the whole thing?”

President Price responded by saying, “she can read the whole thing.”

Treasurer’s report was read by Kim Peake.

8. BOARD PRESIDENT’S REPORT

The board’s president read her report.

9. DIRECTOR’S REPORT

The director’s report was submitted in writing. But he wanted to highlight the Illinois Library Association Trustees Forum Virtual Workshop and congratulate President Price, Trustee Garcia, and Trustee Williams for volunteering to participate which was held on May 15th, 2021. They participated in Bootcamps for Trustees, Finance 101, Session Planning, and Forging Strong Relationships between Trustees and Directors. Director’s Menzies mentioned to the board that he invites them to participate as opportunities present itself in the Continuing Education piece and the Board Development piece.

President Price asks Director Menzies if he could speak to agenda items 9a, 9b, 9c briefly or deferent it to the attorney.

9a) Federal Tax Lien Update

Director Menzies stated, “that agenda 9a with regards to the federal tax lien update. He stated we have produced 940 and 941 tax forms that we were able to secure and we have presented that to the library’s attorney, Attorney Jarad and we are in the process of recovering W-2’s for the years in question to try to get a framework for what the actual fines and fees and the actual payment should be. Of course there was a time in this district where there was a major financial calamity and the district was bearing checks without a payroll service. That’s how employees were being paid. There is some

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discrepancy as it relates to payroll taxes that were paid during that time. So we are in the midst of finding out exactly what that was and we've asked our attorney to reach out and negotiate as a nonprofit organization to try to ripe out any fines and fees that exists but we're trying to get a handle on what is due and hopefully get a payment arrangement. As many of you may know, the IRS can just take the money. They don't have to have to wait for us agree to the arrangements."

Attorney Jarad added, "she was able to make contact with the Revenue Officer who was assigned the file, Mr. Evans. They had cordial conversation where in fact we had several of them. He provided me with 55 pages of documents that she just began to review. From her initial review, it appears as though for the first quarter 2018, form 941 which was due on April 30th 2018 was not filed by the district until July 8th 2019. Well over a year late. And as a result, penalties and interests were added to that quarter and no payments were made. The second quarter form 941 for 2018, was due on or before July 31th of 2018 but was not filed until May 13th 2019 and penalties and interests were assessed to that quarter and no payments were made by the districts. Third quarter form 941, while not timely filed, payments were made by the district sufficient to pay the tax liability and no penalties and interests were assessed to the third quarter 941 2018. Fourth quarter form 941 2018, the return was filed late but sufficient tax payments and deposits were made to pay the district therefore, tax liability and no penalties and were assessed to the this quarter. The other part of the tax lien deals with form 941 for tax year 2014, 2015, and 2016. All of those forms were filed late. Penalties and interests were assessed including an additional tax assessment that requires additional investigation which determines equitability. September 9, 2020, the IRS sent a certified letter to the district stating that taxes due for the periods in question totaling \$112, 917.62 were due. She was never contacted by the district regarding this certified letter. On May 19th, 2020, the IRS sent the letter to the district reciting that they have not received tax returns for the following taxes or tax periods. Form 941 for the tax period ending 12/31/2017, form 940 for the tax period ending 12/31/2017, form 941 for the tax period ending 12/31/2018, form 940 for the tax period ending 12/31/2019, Again, she stated she was never contacted by the district regarding that May 19th, 2020 letter either. This is based on her preliminary view of the 5 pages she received today from the Revenue Officer. Her recommendation is that the board allow her to complete the view of these records. Work with the director regarding any additional records that might be helpful and useful in terms of trying to determine the applicability of the additional taxes handled or the tax liability that the IRS is asserting and after that is done, we will try to move forward with some kind of installment payment arrangement with the IRS."

President Price asked Attorney Jarad if the years in question is just 2014, 2015, and 2016?

Attorney Jarad responded by saying, "and 2018."

President Price asked Attorney Jarad and quarter one and two of 2018?

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There was no answer due to Trustee Patterson phone being disconnected.

President Price did a recap of what Attorney Jarad had said.

Secretary Morgan asked, “just for clarification, 2018, first quarter and second quarter was not filed or paid. Third and fourth quarter was timely filed and paid for 2018.

President Price responded by saying, “No.” Quarter one and two, they were filed late but we didn’t make payment.

Secretary Morgan stated, “she thought she heard the attorney say it wasn’t filed until July 8th, but they are paid one and two? But quarters three and four are paid.”

President Price responded by saying, “correct.”

Attorney Jarad stated, “they were filed late and the required form 941 for the third and fourth quarter 2018, while they were not timely filed, the payment that the district made was sufficient to pay its tax liability and therefore, there were no penalties and/or interest were not assessed. So those quarters on the 941’s for 2018 are not an issue, it’s the first and second quarter where the 941’s forms were filed but was filed late and subsequently, no payments were made by the district and interests and penalties had accrued.

Secretary Morgan asked, “so years 2014, 2015, and 2016 were all filed late and not paid. Is that correct?”

Attorney Jarad responded by saying, “yes, they were all filed late the 940’s, which were the unemployment taxes that were due. They were filed late. All of them for 2014, 2015, 2016. Penalties and interests were assessed and on those an additional tax assessment was added which as additional investigation will be required to determine the exact ability. Moving forward to resolve with the IRS in terms of a payment and/or installment arrangement with them. If you do an installment agreement with them, you will have to remain current with all of your obligations and tax liabilities and interests that continue to accrue during the installment arrangement.”

Trustee Patterson asked if there was a way to get some of that interests revoked or cancelled?

Attorney Jarad responded by saying, “before we do that, I think we should determine the applicability of the additional tax assessment that was added.

Director Menzies asked if it was ok to proceed with 9b?

President Price answered was yes. Debt Service Update please.

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9b) Debt Service Update

Director Menzies stated, “at this time, we have a report from Elizabeth Lance who is our banker at Regions. And the balance in the tax Escrow account, we have an email here with bond information with in the packet regards to debt service. The balance in the tax Escrow account as of the last notice is \$448,533.10 which is more than enough to satisfy the Debt Service. Elizabeth Lance of Regions Bank withdrew the payment of \$179, 275.00 from this tax escrow account on June 1st. June’s payment, she informed us its an interests only payment. Thee December’s payment will be a principal and interests payment. We **admitted a ammonization** scheduled in the May board packet. We have that available in the district office for anybody who wants to see what the bond looks like but what is says to us is when there’s a shortage in tax escrow account, the shortage is made up out of the district’s General Fund Account. I was not aware of, the district has a tax escrow reserve account which has not had to be touched as of yet. So the district is a sound financial standing as it relates to the ability to pay this bond without having the jeopardy of having anything taken from the general fund as of now. We have more than enough to satisfy June 1st Debt Service payment. And we will be in good shape to satisfy December’s payment. We have that ammonization schedule available for all of you at the district office.”

President Price asked Director Menzies if he could provide the current balance post the June 1st payment.

Director Menzies stated, “the last number that he received was \$448, 533.10 from the tax escrow account. He doesn’t have the Reserve Account.”

President Price stated, “she wanted to give an updated balance that on June 1st, \$179, 275.00 came out. O our current balance is about \$269,000.00.

Director Menzies stated, “tax money is still coming in.”

Attorney Jarad stated, “the next payment as Director Menzies correctly pointed out is the principal and interests which is due December 1st,that total amount is going to be for \$459,271.00.

Trustee Patterson asked if she could go back to the Debt Service update? Trustee Patterson stated, Director Menzies said, “that payment was interests and principal. She was not aware there was interests and principal on this payment? She stated, she thought for the first two years, the library paid interests only. She asked if she was incorrect in that thinking?

Attorney Jarad stated, “Director Menzies correctly pointed out, that the June 1st payment interests only of \$179, 275.00. And that’s how your bond issuance is set up. With the exception of the first year which was interests only payments but since then, every single

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year, you have two payments that are due which are due on June 1st of every single year, and then December 1st of every single year and on June 1st, and again as Director Menzies correctly pointed out, that is going to be interests only and as Director Menzies also pointed out, the December payment will be both interests and principal. And that's how your bond issuance is structured. There is an annual schedule that shows you that amount but for the December 1st payment which will include \$280,000.00 in principal plus \$179,275.00 in interests for a total of \$459,275.00 total Debt Service due December 1st. And as Director Menzies also pointed out, your taxes are continuing to come in so that the current balance that was reported by him \$400 and some change minus the 179 payment for June 1st. Hopefully, the district will reach the 459 by December 1st to make that payment. And as Director Menzies also pointed out, as a reminder to the board, you also have a Debt Reserve Fund that is available that has over \$600,000.00 in the event that shortfalls that could be utilize in the event is such a shortfall."

9c) Audit Update

Director Menzies stated, "President Price has been working well as of late with the auditor to tell you this is a highly unusual, we certainly thank for President Patterson, former staff Antonia McBride for your former labor with this project. This is a highly unusual audit process and as of late, President Price is able to secure some bylaw with Lauderbach and Amen. That information was emailed to you. Director Menzies asked the board with President Price's permission who all received the email? We had to deliver physical packs after receiving this information. He wanted to know if he needed to read this or if it has already been obtained? He asked, if there was anyone who has not received the letter from Lauderbach and Amen?"

Trustee Patterson said, "she receive it in an email."

Treasurer Nesbitt and Trustee Garcia stated, they didn't.

Director Menzies read the letter in its entirety to the board. He thanked President Price for securing that information.

10. NEW BUSINESS

ACTION ITEMS

a) NAMING OF THE FLEXROOM

There were no discussion.

President Price made a motion to name the flex room after Dr. John and Ruth Bradley.
Seconded: Treasurer Nesbitt

Roll Call

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Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee McCaskill, Trustee Patterson, Trustee Williams, President Price

Motion carried

b) REOPENING REVIEW GUIDELINES

Director Menzies stated, “that we are strategizing with Attorney Jarad in compliance with the various health mandate as it related to how we will open the library. Post pandemic. As you all are aware, we are still in the midst of Coronavirus issue. However, we see the local government is opening back up. I will say this as it related to the city of Harvey. We’ve been having dialog with the Family Health Center as well as the Cook County Department of Public Health. What we want to do to operate in the abundance of caution as safe as we can be. The numbers for the city of Harvey states that there is about 17% residents of the city of Harvey that has been vaccinated. And, the Cook County Department of Public Health is trying to get through the herd immunity which is approximately 70% equal to about 17,000.00 people. So, we are a little short of reaching herd immunity. The challenge that he has is how to validate vaccination cards. We have people who are falsifying documents every day. We do know that schools are asked to come back full strength and in person in the fall. We certainly have seen an uptick of people coming into the library. The best practice is to not relax the mask mandate but he doesn’t know if we are ready to receive the masses of back in as of yet. At least, in the city of Harvey. The numbers in the state are better, larger regional on footprint and the numbers in the city, I don’t think we’ve reached herd immunity. Here in Harvey, we are nowhere near close where the Cook County Department of Public Health has suggested, so we want to be prepared for the reopening. We’re drafting guidelines for your review but we welcome your commentaries.

President Price stated her opinion, “that we don’t relax the mask mandate. Everyone, vaccinated and not vaccinated required to continue to wear a mask and not relax the cleaning process. I wouldn’t bother with the approving or reviewing the vaccination card because as Director Menzies stated, “you can buy one of those.”

Trustee Patterson was in agreement with President Price. She doesn’t think we should relax anything. She thinks we should still maintain masks. As far as people with cards, that’s not really valid. Anybody can have a card. Until we have 70% stated by Biden, here in Harvey, we can look at opening some things. In her opinion, she doesn’t think we should.

Trustee Garcia was also in agreement with President Price and Trustee Patterson. Trustee Garcia stated, she had her two vaccines back in March and she had Covid two weeks ago.

Trustee Williams position is, she agrees. We shouldn’t relax any requirements and she agrees we should keep the precautions and things that are in place. She suggests that we look ahead to planning out what it’s going to look like for us to reopen. When the schools open, the kids are going to need some support from the library. She wants us to be in the

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position to service the children when they go back to school if they go back full time so she does recommend looking at what we can do to extend or open up a little bit more.

President Price stated, “Director Menzies are working on the guidelines. We should have something here soon.”

Trustee Garcia also stated, the safety of the employees as well. They are going to be around the people that come into the library. There are people who don’t believe that Covid exists and they don’t want to get the vaccines, then you have the employees that have to be there then they have to be at home with their family and if they get Covid, it’s a whole.....

Trustee Williams stated, “if we are waiting on Harvey to be 70% vaccinated, that’s not going to happen.”

President Price stated, “that is not realistic for this community.”

**c) MOTION TO APPROVE ANNUAL NON-RESIDENT PUBLIC LIBRARY
CARDS ORDINANCE**

President Price asked Attorney Jarad to summarize what that is since we have new trustees.

Attorney Jarad stated, “this is the annual non-resident card policy for the library that has to be adopted every twelve months. The last one that was adopted was June of last year. Its adopted in June every single year. It allows the board to decide based if we’re going to participate and allow for non-resident cards to the extent that you are and if there’s going to be a charge. The district has historically always based it on tax bills but that law has since been expanded to include rentals. Attorney read the Ordinance Section 2.”

President Price made a motion to approve the Annual Non-Resident Public Library Card Ordinance for 2021.

Seconded: Trustee Patterson

Roll Call

Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee McCaskill, Trustee Patterson, Trustee Williams, President Price

Motion carried

11. ELECTION OF OFFICERS

President Price stated, “nominations will be taken for each officer seperately.”

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Secretary Morgan made a motion to nominate for Trustee Roberta Patterson for Vice-President

Seconded: Treasurer JoAnn Nesbitt

President Price made a motion to nominate Trustee Williams for Vice- President

Seconded: No one seconded it.

President Price asked for nomination for Treasurer

Trustee Patterson nominated JoAnn Nesbitt for Treasurer

Seconded: Treasurer JoAnn Nesbitt

President Price made a motion to nominate Trustee McCaskill for Treasurer.

Seconded: No one seconded it.

Nomination was taken for Secretary

Trustee Patterson nominated Charwana Morgan for Secretary.

Seconded: Treasurer JoAnn Nesbitt

President Price asked Kim Peake if they can have a roll call for the Vice President nomination for Trustee Patterson

Roll Call

Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee Patterson, Trustee Williams, President Price

Nays: Trustee McCaskill

Motion carried

Trustee Williams stated that the vote was wrong. 6:1 She was calling a point of information of what Attorney Dee said. She said it was 6:1. That's not accurate. It would have been 3:4.

Trustee Patterson stated, "she has 6:1."

President Price responded, "it was 6 yeses."

Trustee Williams stated, for the point of information, she asked if we could call the roll again? Can each person say what they did?

President Price asked, "for Vice President?"

Trustee Williams said, "Yes."

President Price asked Kim Peake to read the roll call back.

Trustee Williams asked, "to restate the motion as it was presented. We're taking both nominations at the same time. Is that what was stated?"

President Price responded by saying, "No. They're separate."

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Kim Peake announced that everybody agreed that Trustee Patterson would be the Vice President except for Trustee McCaskill.

President Price asked Attorney Jarad if we cannot proceed with the nomination for Vice President for Trustee Williams?

Attorney Jarad stated we had a vote already. Once you get a majority vote, voting in for officer, you don't need to have another roll call. Your Vice President has been elected by the majority.

Trustee Williams called for a division of the house.

Director Menzies asked Kim Peake to read the Ayes and the Nays.

Trustee Patterson asked, "what does division of the house mean?"

President Price asked, "if we can recall the roll for Vice-President?"

Both Trustee Nesbitt and Trustee Morgan both stated that it's been already done.

Trustee Williams stated, so the record is clear, she's not asking for a revote. She was asking for the division of the house which means we go back trustee to trustee and they say rather or not they confirm their vote. (Roberts Rule of Order)

Kim Peake reread the roll call for Vice President.

Trustee Patterson nominated Treasurer Nesbitt for Treasurer
Seconded: Treasurer Nesbitt

Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee Patterson,

Nays: Trustee McCaskill, Trustee Williams, President Price

Motion carried

President Price made a motion to nominate Trustee Williams for Vice- President

Ayes: Trustee McCaskill, Trustee Williams, President Price

Nays: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee Patterson,

Motion failed

President Price nominated Trustee McCaskill for Treasurer

Seconded: Trustee Williams

Ayes: Trustee McCaskill, Trustee Williams, President Price

Nays: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee Patterson,

Motion failed

President Price stated, "we do have the newly elected Vice President Patterson, Treasurer Nesbitt and remaining Secretary is Secretary Morgan." And for the record, going

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forward, President Price asked Treasurer Nesbitt to be prepare to read your report for the meetings.

Vice President Patterson made a comment saying Treasurer Nesbitt comes from having a procedure and she's not always very well. She makes it here every time even though she's not feeling well. So it's a small thing to have Kim read the treasurer's report because most of the time when she comes, she's not feeling well.

Secretary Morgan asked, if there's ADA Accommodations for the trustees?

President Price responded by saying, "that's an International Statue. She hasn't made any special request.

Treasurer Nesbitt stated, "she would do her best to do her job."

12. APPOINTMENT OF COMMITTEES BY PRESIDENT

President Price stated, "Director Menzies asked in his report for the board to provide a brief bio of two or three sentences and she would like to table the appointment of committees until she can review to see who would be best suited for the committees. She then asked if there were any trustees that have an interests in a particular committee.

Vice President Patterson stated she was interested in the Planning but if that doesn't go along with what you are thinking, I'll be ok wherever you want to place me.

Trustee Williams asked what were the committees?

President Price responded by saying, we have Building and Grounds, we did not have a personnel committee but now we do, Finance and Planning and Development.

Secretary Morgan asked what does the personnel committee consists of?

President Price stated, "it's issues that need to be brought to the board."

Trustee Williams and Trustee Garcia both are interested in being on the Personnel Committee.

Secretary Morgan stated, "she was interested in the Planning and Development Committee

We skipped voting for the Secretary. We had to go back and vote on the nomination

Trustee Patterson nominated Charwana Morgan for Secretary.

Seconded: Treasurer JoAnn Nesbitt

Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee Patterson, President Price

Nays: Trustee McCaskill, Trustee Williams,

Motion carried

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President Price congratulated Secretary Morgan.

13. AUDUENCE PARTICIPATION

President Price told the board to receive verbal comments because the policy calls for written public comments.

Jerelene Harris addressed the board regarding the qualifications for the Treasurer.

Comments were added by each board members.

President Price made a motion to adjourn the meeting.

Seconded: Vice President Patterson

The meeting was adjourned at 8:15pm.

Roll Call

Ayes: Treasurer Nesbitt, Secretary Morgan, Trustee Garcia, Trustee McCaskill, Trustee Patterson, Trustee Williams, President Price

Motion carried