



Approved by the Administrative Board of Trustees at its Regular Meeting on February 25, 2020

Venue: Eudora Welty Library

Call to Order: Chairman Rickey Jones called the meeting to order at 4:05 PM with a quorum of 7 members being present.

Meditation: Ms. Berry led a short meditation and prayer.

Roll Call: ***Trustees Present:*** Dr. Earline Strickland, Ms. Mary Garner, Dr. Alferdteen Harrison, Mr. Ricky Nations, Rev. Wayne McDaniels, Rev. Danny Ray Hollins, Ms. Brenda Bethany, Mr. Chester Ray Jones, Mr. Rickey Jones, Ms. Rosalyn Sylvester and Ms. Sue Berry

Trustees Absent: Ms. Imelda Brown

Also Present: Ms. Patty Furr (Executive Director), Ms. Kimberly Corbett (Deputy Director); Mr. Justin Carter (Director of Finance), Ms. Brenette Nichols (Director of Human Resources), Ms. Miao Jin (Director of Technical Processing), Ms. Shannon Presley (IT Administrator), Ms. Millie Rodabough, E-rate Consultant for JHLS, Ms. Judith Turnage (Executive Secretary)

Approval of Minutes
Regular Board
Meeting,
December 3, 2019

Mr. Nations noted one small correction, the need to substitute "County" for "City" in the Facilities Committee report relating to Raymond Library.

The referenced change being made, Dr. Harrison moved, second by Ms. Garner, to approve the Minutes of the December 3, 2019 Regular Board Meeting as proposed and amended. Rev. McDaniels opposed the motion; the motion carried.

Rev. McDaniels questioned, referring to the transcript of the December 3 Board Meeting that had been included with the Board packets for the January meeting, whether or not -- and, if so, when -- the Board of Trustees had approved video/audio recording of that, or any, Board Meeting and the preparation of transcripts. Mr. Nations noted that meetings of the Hinds County Supervisors and the City Council were streamed on-line in real time and that he liked having the transcript as part of the Board packet and suggested transcripts be posted with meeting minutes. Dr. Strickland replied that she thought both the Hinds County Supervisors and the City Council had approved the transmission of their meetings. Mr. Chester Ray Jones pointed out that transcripts of the meetings might include some items that would not be acceptable -- Executive Session matters, and things of that nature -- that may raise concerns that may lead to unnecessary "litigation." Failing otherwise to resolve the issue, Chairman Jones requested a motion from the Board. Accordingly,

Mr. Nations moved, second by Dr. Harrison, to request the Board Parliamentarian, Mr. Chester Ray Jones, to research the matter of video/audio recording of Board meetings, the preparation of transcripts from those recordings, and the posting of transcripts with meeting minutes and report his findings to the Board of Trustees at its next regular Board meeting. The motion carried.



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New Business: Chairman Jones noted that on the Agenda, there were a few items that he requested be moved to Committee for deeper review and discussion, those items being the E-rate Contract approval and approval of the DeepFreeze and Anti-Virus Cloud subscriptions.

Ms. Furr asked Ms. Shannon Presley, IT Administrator for JHLS, if there would be a lapse in JHLS' computer security if the DeepFreeze and Anti-Virus Cloud subscriptions were allowed to lapse. Ms. Presley replied that loss of access to DeepFreeze meant JHLS would lose all ability to control public computers. DeepFreeze is installed on every JHLS public computer and is used to wipe all patrons' information and all search histories; it also locks down computers so that patrons cannot make changes to the computers. The Anti-Virus Cloud is used on all JHLS' circulation and staff computers and provides virus and anti-hacking control.

Chairman Jones stated he would like to see any item costing over \$5,000, as these subscriptions do, come before the Board with appropriate accompanying documentation, so that these could be moved to Committee for evaluation. Ms. Furr replied that the Board Packet containing all the necessary documentation had been sent out extraordinarily early in order to allow Trustees had sufficient time to evaluate it. Further, no committee ever, historically, had found it necessary to have a committee meet to consider these types of expenses that were routinely budgeted and paid for annually as a matter of course, especially expenses such as this one, as it is a continuing service paid for each year.

Ms. Presley explained that the subscription renewal was for one year – as has been customary for these annual renewals – and concurred with Ms. Furr that the funds for the subscription renewals had been included in the budget for this fiscal year.

Chairman Jones called for a motion to move the matters to the Facilities Committee for review; such motion was made and seconded. Before a vote, however, Ms. Bethany pointed out the facts that time was extremely limited to prevent security lapses in JHLS computers' security, the funds were already in the budget, and everyone who needed to vote on the matter was present at the meeting. Dr. Strickland stated that if the Finance Director could point out where in the budget the funds were allocated, the matter could be voted on without going to committee. The proposed motion, therefore, was tabled.

Ms. Presley asked the Board what it required in the future for approval of these routine annual expenses, noting that rates for the subscriptions do not vary widely, but they are not static and are subject to change on very short notice. Chairman Jones replied that sixty (60) days out from renewal would be the preference. Ms. Furr stated that getting new rate information is not always available that far ahead, and that these expenses recur over and over on an annual and are animated and covered by the annual budget every year.



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Ms. Berry noted that in all her years of experience on the Administrative Board of Trustees, and she noted that she has served in many various ways, that she has always been told that the Board does not “micromanage” what goes on. She continued by saying that everything the Executive Director wants to do – and the Board knows has to be done – is now being micromanaged by the Board. She stated that the Board should trust and support the Executive Director and not pick at everything that has to be done. Rev. McDaniels replied that he agreed with Ms. Berry as to the micromanaging, but that he neither trusts nor has confidence in the Executive Director. Ms. Berry responded that, considering his feelings, Rev. McDaniels should not be on the Board and left the meeting abruptly.

At Dr. Strickland’s request, Mr. Carter pointed out the computer funds have a category covering subscription renewal expenses. Mr. Nations requested that the matter be resolved at the current meeting, since all the necessary information was available to the Board of Trustees, and a quorum was present. Chairman Jones agreed.

Dr. Strickland moved, second by Mr. Nations, to approve the DeepFreeze and Anti-Virus Cloud subscriptions, as described by Ms. Presley, for another year at the budgeted amount of \$8,700. The motion carried.

Approval of Agenda: Upon his question, Mr. Nations was informed that the Fire Marshal of the City of Jackson would speak at the next Board meeting.

Mr. Chester Ray Jones moved, second by Mr. Nations, to approve the agenda as presented. The motion carried.

ADMINISTRATION Director for Finance, Justin Carter

REPORTS: *Financial Report – January 2020

Financial Reports: *Check Register – January 16, 2020 to February 20, 2020

*Gifts and Donations Report for January 2020.

Mr. Carter presented the Financial Report, noting the shortfall of funds from the City of Jackson in December, and explaining the forthcoming corrections in January and February, returning JHLS to “normal operations,” or a return to the City remitting, every other month, 1/6 of JHLS’ total allocation for this fiscal year.

Chairman Jones requested a copy of the documentation wherein the City of Jackson stated it has returned to its former remittance policy to JHLS of 1/6 of the total allocation every other month rather than the “as collected” method that had produced the tremendous financial strains to JHLS in December. (He also requested a copy of the City’s original announcement to JHLS that it had changed its policy to an “as collected” basis.)



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Mr. Carter confirmed that payment of payroll, insurance, taxes and FICA obligations were current, but he also noted that late fees had been incurred for JHLS late payment to the City of payroll-related obligations. Ms. Furr pointed out that JHLS' delay in paying those obligations was directly attributable to the City's abrupt change in remittance method and subsequent shortfall to JHLS and that such a situation was extraordinary; further, she anticipates no recurrence of these circumstances.

Chairman Jones explained that the auditor, who is both the auditor for JHLS and the City of Jackson stated that he did not directly mediate, counsel or otherwise advise the City to reform its method of payment of allocation to JHLS, the source of the shortfalls and financial strains JHLS experienced in December (as well as the late fees to the City incurred). The auditor had, however, provided a copy of the applicable statute (Miss. Code §39-3-17(4)), mandating the method for allocation payments from the City to JHLS.

Dr. Harrison moved, second by Mr. Nations, that the Board of Trustees submit a request to the City of Jackson to reimburse the \$1,240.40 late fees incurred because of the City's responsibility in creating the circumstances by which such fees were incurred. The motion carried unanimously.

Mr. Carter continued his Financial Report, answering questions about the price of a poster printer and a 3D printer. Ms. Presley explained that the price of the 3D printer is covered by an LSTA grant. Discussion followed, with Rev. McDaniels revisiting the decision approved at the last Board meeting to purchase 22 circulation computers and 100 computers for the public system-wide from the same company although not with the same contract or purchase order. Ms. Furr pointed out that the computers were not the same models, as the 22 original machines were originally being purchased for the circulation desk and had been requested in the previous fiscal year, but the board delayed the purchase of the 22 computers until they ended up being ordered along with 100 others which were being purchased to replace public access computers that were out-of-date. Ms. Presley further explained the differences and timing of the bidding. Rev. McDaniels requested that future bids for such purchases be spread throughout the community to assure all available vendors have an opportunity to participate. Ms. Presley explained the exhaustive lengths by which she spread the questioned bids.

Chairman Jones had questions about expenses for work on light poles and additional work being done to buildings that JHLS does not own. Ms. Furr explained that every year, when the time change occurs in the fall, JHLS has branches that close when it is pitch-black outside, to the point that some employees could not see to get to their cars. She stated that JHLS approved the expenses because submitting such expenses to the funding authorities would result in months of nothing occurring to the employees' detriment and potential danger. The cost of the improvements was around \$1,300.00.



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Chairman Jones replied that the role of the Board of Trustees is that it does not approve such improvements, citing Miss. Code §39-3-17. Ms. Furr pointed out that the improvements were light bulbs, not structural improvements, and the expense was well under \$5,000. Rev. McDaniels expressed considerable dissatisfaction, and Chairman Jones noted that the expense had not come before the Facilities Committee for consideration. Ms. Furr contended the Board had not required oversight of amounts of less than \$5,000 to come before the Board, and that the City of Jackson and Hinds County specifically provides \$50,000 annually to be used for expenses such as purchasing light bulbs at the Executive Director's discretion. Ms. Bethany concurred with Ms. Furr's analysis and pointed out the asking Ms. Furr to apply to the City of Jackson or Hinds County for every light bulb or similar expense would result in excessive delays and she felt that nothing, essentially, would ever get done.

At the conclusion of Mr. Carter's Financial Report, Chairman Jones requested that a 30-day projected budget be provided.

Dr. Harrison moved, second by Ms. Garner, to approve the Financial Report as presented. Rev. McDaniels opposed the motion. The motion carried.

Human Resources
Report:

Ms. Brenette Nichols presented her report, showing a staff census of 70 full-time employees and 21 part-time employees, totaling 92 employees for the month of December 2019, and 68 full-time employees and 19 part-time employees, totaling 87 employees, for the month of January 2020.

Chairman Jones suggested that the employee census be held at 87 employees until the payroll numbers get in line in a more understandable situation. Rev. McDaniels moved that JHLS freeze all hiring until JHLS gets stable, insisting that JHLS does not have money to pay new employees.

Ms. Furr countered that JHLS does, indeed, have money to fund new employees, as the library system is receiving the regular allocations of funds that were approved in the budget process from the City of Jackson, Hinds County, and the State of Mississippi. She continued that JHLS is at a critically low employment stage, and library services cannot be adequately sustained without hiring additional employees. JHLS is at the point at which an employee's absence may well require temporarily closing a library branch. She pointed out that employees are leaving continually, that there was a 93.3 turnover rate over the past three years. The staff turnover rate creates a need to hire employees or face not being able to operate the library branches. Ms. Furr repeated that City, County and State allocations are budgeted and will be received, affording the library the ability to hire new employees as needed.



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Rev. McDaniels suggested that JHLS go back to its regular hours and referred to complaints about closures at the library Bolton. Ms. Furr explained the library has been continuously flooded and that even when the three to four inches of water are removed from the libraries, it can take three to four days for the carpet to dry, even with many fans and dehumidifiers that the library operates in these situations.

Responding to Rev. McDaniels' question about whether the employees Ms. Furr wants to hire are newly created positions, Ms. Furr pointed out that the Board approved staffing levels in 2015 for each library branch, and that those positions are the only ones that the library hires. She further added that no new positions have been added or advertised, and that the employees that are hired are filling spots that were vacated by others leaving library employment. Ms. Furr noted that she could send all board members the Staffing Levels approved in 2015, as well as the positions that are currently filled and which positions still need to be filled. Ms. Corbett, the Deputy Director, confirmed that staffing the branches was a continuing and significant problem, and that she must constantly borrow employees from other branches due to the low numbers of persons employed.

Chairman Jones suggested scheduling a Personnel Evaluation Committee meeting to have the staffing matters, and concomitant payroll obligations, to be analyzed and discussed in detail. Chairman Jones also requested a copy of JHLS' Organization Chart and the 2015 Staffing Levels.

Mr. Nations brought up the possibility of looking at circulation vis á vis personnel costs at the various branches, and he requested information on "circulation per book" costs. The proposal was discussed.

Dr. Strickland moved, second by Ms. Garner, that the Human Resources Report be approved as presented. The motion carried.

Technical Services
Report and
Deputy Director's
Report:
Committee Reports:

The Technical Services Report and The Deputy Director's Report were accepted as presented to the Trustees in the Board Packet sent prior to the meeting.

Budget Committee: None.

Personnel Committee: Chairman Jones said that the evaluation forms for the Executive Director would need to be returned.

Ms. Furr stated that in order to finish the audit, JHLS has to have an attorney who must review the legal cases and JHLS' obligations to make sure he can tell the auditor we are not involved in ongoing litigation that could affect the library system's future obligations. She recommended that JHLS needs to either rehire the previous attorney to hire someone else



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as soon as possible to avoid a delay in the audit. Chairman Jones replied that the matter is being considered.

Executive Director's Report: Ms. Furr's Executive Director's Report was included in the Board Packet sent prior to this Board Meeting, and she presented it to the Board. She noted that there are some new serious Facilities problems at Welty Library which need to be, very seriously, discussed by the Board. She noted that the water damage at Welty from the continual rain and worsening leaks have left the building in deplorable conditions in some areas. Richard Wright and Bolden-Moore have had no heat at all for the entire fall season. Ms. Furr noted that she had contacted Public Works, which previously had worked on serious maintenance issues, but they now are refusing to help. She stated that she has called everyone, including the Mayor's office, and all reports are that the City will not fix the heat; she asked the Board to help with this serious problem. She reminded the Board that the libraries had to be closed 82 days, because the City would not repair the HVAC, and the temperatures were 85 degrees or higher. The City is keeping about \$200,000 of JHLS millage and, in the past, they used that funding for repairs. However, they are now refusing to send anyone to repair the major building issues that they have covered in the past.

Dr. Strickland moved, second by Dr. Harrison, that the Board send a letter to the City and to the County requesting the entities to repair all properties requiring it. The motion carried.

New Business: **E-Rate Contract Approval with Uniti, presented by Millie Rodabough, E-Rate Consultant:**

Chairman Jones asked that this matter be moved to committee because the Board has some concerns that they are just now hearing about this, as well as the about the published Legal Notice of Bid and an RFP posted 28 days before the bids were opened. Dr. Strickland supported allowing the presentation to continue, and the Board could hold what was presented in abeyance for decision at a later date. Chairman Jones agreed.

Ms. Furr introduced Ms. Rodabough, describing her expertise in the field and her experience with JHLS. Ms. Furr also explained that E-Rate forms, regulations and reporting requirements are conflict and can be as complex as those involved with federal taxes.

Ms. Rodabough opened her presentation by explaining that E-Rate is the commonly used name for federal funding support for telecommunications for the Schools and Libraries Program of the Universal Service Fund, which is administered by the Universal Administrative Company (USAC) under the direction of the Federal Communications Commission. She stated that since Inline/Uniti has been working with JHLS in 2015 and through the 2019 funding year, JHLS has been supported by federal funding in the amount



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of \$864,236.83. This fiscal year's application for federal funding projects support of about \$155,000 from the government for JHLS.

Ms. Rodabough continued explaining the "mountain of information," that she had distributed to the Board regarding the financial benefits, other advantages, and general requirements of the E-Rate program (including products and services available in the Category One and Category Two classes). Ms. Rodabough discussed the complex procurement and bidding mechanisms for applying and bidding for contracts. She also identified the finalists among all the bidders, which vendor was chosen and on what basis, and noted that libraries and schools have a very brief period every year to apply for the funding support.

Ms. Rodabough explained that applying for and receiving funding means that USAC earmarks a certain amount of funding available for the library system for the upcoming contract year; it does not require JHLS to purchase anything but establishes a purchase contract that JHLS can use that will be subsidized by USAC at the rate of 90% for Category One expenses and 85% for Category Two expenses. Once more, **Ms. Rodabough stressed that it is *imperative* that the application be submitted by March 25, 2020 for the contract for federal support that runs from July 1, 2020 through September 30, 2021.**

Ms. Furr illustrated how the Category Two money is critical in the event JHLS has to move a library (such as Welty, with all its switches and cabling). The Byram library, for instance, required a line that would have cost \$15,000 without the contracted funding; the contracted vendor was able to have the \$15,000 waived in this case, but it is critical that the funding be in place for other library building changes in the future.

Concluding, Ms. Rodabough stated that E-Rate contracting basically creates a purchasing instrument, which follows E-Rate and state procurement guidelines, that JHLS can access as necessary.

Ms. Rodabough answered Trustees' questions, particularly relating to the Tisdale and Quisenberry branches.

Ms. Presley told the Trustees that she had copies of the E-Rate bids for this year, each about 300 pages in length, burned to a CD that the Trustees can review if they wish, and Ms. Rodabough added that she would leave pertinent documents with the Trustees for their examination.

Chairman's Report: Referring to the meeting with the Board of Supervisors last month, Chairman Jones reported there had been comments about JHLS' payroll situation and questions as to how that had



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come about. There were also questions about the Tisdale library and how the collection there had, basically, been wasted.

Chairman Jones referred to several meetings -- unspecified as to general Trustee meetings or particular Committee meetings -- that had occurred during the month to discuss several unidentified "situations" in addition to articles that had appeared in the newspapers regarding the Board's ability to lead. He asked if there were additional motions from the floor. Ms. Furr said that she and Justin Carter were preparing a report explaining how that situation came about. Several Trustees said that they had gotten calls from reporters but had not responded.

Executive Session: Chairman Jones called for a motion to enter into Executive Session to discuss personnel matters stemming from the recent events.

Rev. McDaniels moved, second by Dr. Harrison, to determine the need to move into Executive Session to discuss personnel matters. The motion carried.

Mr. C. R. Jones moved, second by Ms. Sylvester, to confirm that there was a need to enter Executive Session to discuss personnel matters. The motion carried.

Nothing having been decided in Executive Session, Rev. McDaniels moved, second by Dr. Strickland, to return to Regular Session. The motion carried.

Return to Regular

Session: At 7:00, the Trustees returned to Regular Session.

Adjournment: Upon motion made, seconded and carried, the meeting adjourned at 7:02 p.m.