



APPROVED by the Administrative Board of Trustees at its regular meeting on May 19, 2020

VENUE: Eudora Welty Library

CALL TO ORDER: Chairman Rickey Jones was not present at the meeting, so Vice-Chairman, Mrs. Mary Garner, called the meeting to order at 4:05 p.m. with a quorum of 8 members being present; Mr. Chester Ray Jones arrived at 4:36 p.m.

MEDITATION: Rev. Danny Ray Hollins presented the Invocation.

ROLL CALL: **Trustees Present:** Dr. Earline Strickland, Ms. Mary Garner, Dr. Alferdteen Harrison, Mr. Ricky Nations, Rev. Wayne McDaniels, Rev. Danny Ray Hollins, Mr. Chester Ray Jones, Mrs. Imelda Brown, and Mrs. Rosalyn Sylvester

Trustees Absent: Mrs. Brenda Bethany, Chairman Rickey Jones, and Mrs. Sue Berry
Please Note: Rev. McDaniels said that Chairman Rickey Jones would be available to call in a vote, if necessary.

Also Present: Ms. Patty Furr (Executive 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. Judith Turnage (Executive Secretary)

Mr. Elliott Holmes, City of Jackson Fire Marshal

SPECIAL
PRESENTATION
MR. ELLIOTT
HOLMES:

Mr. Elliott Holmes introduced himself as the Deputy Chief of the Fire Marshal's Office for the City of Jackson.

Mr. Holmes stated that he had, that afternoon, done a walk-through of the Eudora Welty Library, and he was there to present his findings. Essentially, he reported that the water damage in the building could present a danger to the public. The structure of the building has been weakened as a result. Mr. Holmes said that, as being proactive in terms of fire prevention, he looks out for both the public and those who would have to come into the building should the worst occur. He repeated that his main concern is the structure of the Welty building and the danger of the power of water with the massive leakage throughout the building, particularly on the third floor where the damage may incapacitate the fire alarm system.

Concluding his presentation, Mr. Holmes concluded that, if Welty were any other building, he would recommend that no one be in the building at all, not on the first floor, and definitely on the second. He stated that his opinion was that the library should not be open at all, especially in light of all the code violations he could cite. He did suggest that a sprinkler system would be preferred for putting out a fire, but his main concern was for the significantly damaged structure.

Mrs. Brown asked Mr. Holmes if he had voluntarily come to Welty for the walk-through, or had he been invited.

Mr. Holmes stated that he had been in the building last year, and saw the same deficiencies at that time; his office had done a write-up of all the things that ought to be corrected. He stated that from last year to this year, the situations have deteriorated.



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Mrs. Brown asked Mr. Holmes to whom he had written his letter report. He replied that his findings were contained in a report to his supervisor.

Rev. McDaniels asked who had invited him to speak to the Board. Mrs. Furr remarked that the Board asked her to invite the Fire Marshal when the issue of staff offices had come at an earlier meeting.

Mrs. Brown asked if the Executive Director received a copy of the report from last year, and Mr. Holmes did not know.

Mrs. Brown stated that the Eudora Welty library is sponsored as much by the City as by the County, and she thinks the City should be notified about Mr. Holmes' findings. Mr. Holmes answered that, when he left the Board meeting, he would address his chief about the outcome, and they would be sending out their findings to the City. Mrs. Brown pointed out several problems of missing ceiling tiles and water leakage in the Ellen Douglas Meeting Room alone.

Dr. Strickland expressed her appreciation to Mr. Holmes for his examination and presentation of his findings. Dr. Strickland recommended that, if future, the Board needs to know what Mr. Holmes found and what his recommendations are for the Board to make any recommendations to the City. Mr. Holmes asked, and was granted, an e-mail address for everyone on the Board so that he could send them a copy of his report.

Rev. McDaniels pointed out that the Library System does not own Welty Library – the City does – and the Library System is not responsible for any physical repairs, according to State law. Further, that the Library is only occupying the building; the City and the County are responsible for the Library System.

Mr. Holmes stated that his recommendation was that no one be in the building at all and that he would have to discuss the situation with his superiors. He repeated that he attempted to think of the worst possibilities in order to be proactive.

Mrs. Furr commented that the changes in the Welty building have happened mostly upstairs since September. The recent heavy rains have exacerbated the leakage; there have been more changes over the past three to four months to the point where it almost shocking to see what has happened. Mrs. Furr added that the Board's request that Welty be evaluated for the possible return of the River Hills staff to Welty was one of the reasons Mr. Holmes was requested to make his evaluation.

Dr. Strickland asked Mr. Holmes if he would be doing a written report updating the last report. Mr. Holmes replied that he will return to Welty and take pictures and, then, e-mail all the Trustees a copy of his findings. He also repeated that the water damage was largely unseen and posed more danger. Dr. Strickland requested that Mr. Holmes keep the Board apprised of any developments.

Loren Reed, JHLS' Facilities Supervisor, stated that everything negative that was noted on the last Fire Marshal's report had been repaired and that all the damage observed in Mr. Holmes' evaluation has had to have occurred within the past three or four months. Mrs. Furr added her recognition of the maintenance crew which comes to Welty on nights, weekends, or any time it rains, and they empty 16,000 gallons of water a day from



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the Welty building to keep it as dry as possible, and they have been doing that for the past several years.

Answering Mr. Nations' question, overall, Mr. Holmes gave the Welty Library a grade of "F" in terms of habitability, and concluded that the ball actually lies with the City for repairs.

APPROVAL OF
MINUTES BOARD
MEETING,
JANUARY 28, 2020:
APPROVAL OF
AGENDA:

Mr. C.R. Jones moved, second by Mrs. Sylvester, to approve the draft minutes of the Regular Board Meeting held on January 28, 2020; the motion carried.

Mr. Nations noted that the Board had intended to, and should, address the matter of video recording Board meetings.

Mr. Nations also mentioned that the unallocated fund account should be revisited, considering the funding "catastrophe" that occurred in December 2019.

Finally, Mr. Nations expressed his concerns about the March 2019 minutes as to whether the voting was properly done, especially with respect to second terms of Board officers being appropriate.

Rev. McDaniels responded to Mr. Nations' comments about the March 2019 minutes by stating that he recalled voting on the second terms provision of the proposed new By-Laws. His contention is that the officers currently serving second terms are doing so legitimately. Mrs. Garner added that the new By-Laws had been voted on at the March 2019 Board Meeting, but contended that the vote was not reflected in the minutes of that meeting.

Mr. Nations pointed out that the minutes of the March 2019 showed only six Trustees were present – not qualifying as a quorum for a vote on anything to have occurred, and that, even given the lack of a quorum, only two of the five changes in the proposed new By-Laws were considered: to change the meeting date to the fourth Tuesday of the month, and to have the Board Secretary keep and maintain any minutes of Executive Sessions.

Mr. Nations noted that there should have been a Nominating Committee to elect new officers in October 2019, but that provision had been struck from the By-Laws by the illegitimate recognition of the new By-Laws proposed in March 2019 as holding authority.

He suggested that Ms. Bethany and Mr. C. R. Jones, the Trustees on the Board who are attorneys, should read the minutes of the March 2019 meeting, the proposed By-Laws, and the minutes of October 2019, to interpret for the entire Board as to whether or not the Board is in compliance with its own By-Laws.

Rev. McDaniels moved, second by Mrs. Sylvester, that the Board send the disputed matter of the proposed By-Laws and the minutes relating to them be sent to Ms. Bethany and Mr. C. R. Jones for their review of the March 2019 and the October 2019 minutes and recommendations. The motion carried.



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The Executive Secretary distributed copies of the March 2019 minutes and the proposed By-Laws. Before the vote on the motion, Rev. McDaniels questioned the Executive Secretary as to why she had those items available at this meeting and accepted her explanation that Chairman Jones had requested her, several months ago, to have them prepared and ready at every meeting, that this was the first time the issue had been addressed so fully.

Rev. McDaniels also suggested that, if the proposed By-Laws had not been passed legitimately, it called into question every vote the Board had made on financial and other significant matters. Mr. Nations replied that the problems, if there were any, would have begun on October 1, 2019, which is when the JHLS fiscal year begins.

Mrs. Garner asked the Executive Secretary to send a copy of the October 2019 minutes to all the Trustees.

Dr. Strickland proposed that when guests are present at Board meetings to address the Board, the guests (referring to Ms. Rodabough and her recent E-rate presentation) should be allowed to make their presentations before any other business and then be dismissed before the meeting continues.

Mrs. Garner stated that the issue of hiring a Board attorney be added to the agenda, and she distributed the new proposed RFP and a résumé of a possible candidate, and added that the proposal due date would be March 9, 2020.

Rev. McDaniels moved, second by Mr. C.R. Jones, to accept the new RFP to hire a new a Board attorney as submitted by Mrs. Garner. Mrs. Imelda Brown abstained. The motion carried.

ADMINISTRATION
REPORTS:
Financial Reports:

Director for Finance, Justin Carter
*Financial Report – January 2020
*Check Register – January 18, 2020 to February 18, 2020
*Gifts and Donations Report for January 2020

Mr. Carter distributed, and explained, several documents that he had been asked to prepare for this month (and will prepare for succeeding months):

- 1) Projection through the end of the fiscal year
- 2) 10/1/19 through 2/25/20 profit/loss statement
- 3) Current balance in checking account

Mrs. Brown requested, noting that the Board needs more transparency, that Mr. Carter prepare a print-out of individual salaries of JHLS employees and only the position, not the name of the employee holding it, and the corresponding salary. Rev. McDaniels added that he would like to have the vacancies, with their appropriate salaries included, Mrs. Nichols replied that Human Resources could supply that information.

Dr. Harrison questioned the \$400,000 that the County is still holding as what it calls “Unallocated Fund Balance,” which is library millage. The County claims the



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Unallocated Fund Balance is being held to help JHLS in an emergency, but the funds are very difficult to acquire because of all the steps required to request and receive the funds.

Dr. Strickland maintained that JHLS still should be able to operate on the funds that it has and not rely on elusive emergency funds. Mr. Nations, addressing Dr. Strickland, wondered if JHLS shouldn't ask for some of those funds and reflected that JHLS in 2018 had appeared to have been setting up an account at BankPlus for Unallocated Fund Balance funds, but that, apparently did not transpire. Mr. Nations' opinion is that the matter should be revisited and discussed.

Mrs. Furr discussed the situation that over the past three years, JHLS has hired 57 employees and has lost 54 of them; JHLS cannot continue to operate if it cannot continue to hire. She attributed part of the attrition rate to the \$7.75/hr. pay rate offered by JHLS as compared to other employers offering up to \$15.00/hr.

Dr. Strickland questioned whether the budget was presented, was it presented with a count of 87 employees, the number of actual employees at that time. Mrs. Furr replied that the Board had voted for the level of positions as last approved, a figure considerably over 100 employees. She also pointed out that of the 87 current employees, 14 of those are administrative staff, leaving only 73 employees to staff the library branches, which is inadequate by far – employees cannot get time off, critical positions in certain branches cannot be filled, and so on. Mrs. Furr continued that when she came to JHLS, six years ago, the library system employed 127, but also to be considered is that JHLS, at that time, had \$140,000 in state aid for salaries, such aid having been lost since then. She maintained that so long as staffing decisions do not exceed the personnel money that is written into the budget, Mrs. Furr needs the freedom as an administrator to use her judgment as to when new employees are hired – she definitely recommended against a hiring freeze at this point while JHLS is having a real difficulty in keeping library doors open. Further, Mrs. Furr assured Mrs. Brown, upon her question, that neither her own salary nor any other salaries have changed; she also urged Mrs. Brown that, when she receives the staff position/salary information she requested, she keep the information extremely confidential because staff is very sensitive to that information.

At the conclusion of Mr. Carter's report and Trustee discussion, *Mrs. Sylvester moved, second by Dr. Harrison, accept the report as presented. Rev. McDaniels abstained. The motion carried.*

Technical Services and Public Services Reports: *Rev. McDaniels moved, second by Mrs. Sylvester, to accept the Technical Services Report and the Public Services Report as written and included in the Board Packet. The motion carried.*

OLD BUSINESS: **3-MONTH BAN OF PATRON:**

Mrs. Furr, referring to her Executive Director's report and copy of the Incident Reports included in the Board Packet, explained the details of the incidents that prompted the



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request to ban Mr. Roderick Jemms for a period of three months. Mr. Jemms had engaged in provocative, violent, and destructive behaviors at Welty Library on several occasions that put patrons, staff, and security personnel in danger. Mrs. Furr, therefore, requested the Board to impose a 3-month ban on Mr. Jemms use of the library.

Rev. McDaniels asked if the panic button had been used and if the police had arrived and was told that both things had occurred. Mrs. Furr informed Rev. McDaniels that Mr. Jemms would be banned and told that if he came on the property, the police would be called.

Mrs. Furr stated that at the next Staff Meeting, she intends to emphasize training on safety with lock-downs, active shooter situations, etc. She added that there had been an episode of vandalism of the flower pots outside Welty Library that had been placed there through a Garden Club project. She stated that cameras are being installed in the hope that miscreants may be identified.

Dr. Strickland asked Trustee Mr. C. R. Jones, also an attorney, if there is anything that can be done about the vagrant and homeless population from occupying the library for purposes other than educational purposes. Mrs. Furr stated that the homeless are the general public, and JHLS cannot prohibit their occupying the library.

Mr. C. R. Jones, stating he was not giving a legal opinion, suggested that the public has certain rights. There is a panhandling and homeless problem in the City of Jackson, but it is a very complex and sensitive problem that must be handled in a very thoughtful manner. Mr. Jones thought that the incidents in question, particularly since Mrs. Furr went to the precinct and filed a complaint, were handled in a proper procedure and in such a way that future incidents may be handled.

(Mrs. Furr added that the Welty building is not going to last forever, especially in light of the Fire Marshal's report, and suggested the McRae's building on Meadowbrook may be suitable for the temporary relocation of Welty Library.) Mrs. Furr said there is grant money if you change a privately-owned building into a public building, and a multi-use facility could go into there, with maybe senior apartments that could be part of it. Rev. McDaniels proposed MetroCenter as another possibility.)

Dr. Strickland, returning to the matter of Mr. Jemms, said it seems that if JHLS is going to house the homeless, they ought to have a reason to use the library, that they just cannot sit inside to use cell phones and loll around. Mrs. Furr said the American Library Association has issued a statement on the homeless in the library, and it is law that the homeless have access to public libraries. Mrs. Strickland asked if there is nothing JHLS can require of the homeless; Mrs. Furr responded, "No. As long as they are complying the Code of Conduct, which is the standard we use for every single other visitor, we cannot apply special rules for them."



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Dr. Strickland continued to maintain that behavior displayed by the homeless would not be tolerated by “ordinary” customers, and there ought to be some policies that may apply to the homeless who are using the library as a day facility, not necessarily as a library. Mrs. Furr replied that there are activities for the homeless, such as an art class for the homeless, and a Movie of the Week, that is open to them as well as other programs open to the general public; regulations applying to the homeless include prohibiting them from bringing suitcases to the library, but there is no regulation or policy that can specifically pardon the homeless because they are part of the general population. Dr. Strickland responded that Kim Corbett, JHLS’ Deputy Director, was trying to plan more activities for the homeless, a plan which Dr. Strickland heartily approved.

Rev. Hollins asked if there are frequent problems with the homeless at Welty. Mrs. Furr replied that there was not a significant problem until the second floor of Welty had to be shut down; there had been plenty of room on the second floor, and that population had been essentially quiet and spent its time reading and using the computers. When the second floor was shut down, it displaced roughly 40 to 50 individuals who had customarily gone to the second floor who then occupied the first floor – one of the many reasons, Mrs. Furr suggested, that the general use of Welty has gone down. She concluded by relating “success” stories of four of the homeless population who had obtained employment through using the library computers – one of them was able to get a job in Colorado, and has moved there and is working.

Rev. McDaniels moved, second by Mrs. Sylvester, to impose the 3-month ban on Mr. Roderick Jemms, as proposed by Mrs. Furr. The motion carried.

APPROVAL OF 2020-2023 E-RATE BID/CONTRACT:

Mrs. Garner asked if there is funding in the proposed E-Rate bid for the Clinton library branch; Mrs. Furr assured her that all fourteen branches are covered in the bid.

Rev. McDaniels asked if the River Hills offices are included. Ms. Presley responded to the question by stating that there are two parts to E-Rate: There is Category 1, which is our service provider – the internet. River Hills was added not as a way of extending anything but because the E-Rate gives JHLS the 90% on the cost of the internet at River Hills. That can be removed if it is an issue, but if it is an issue, the decision needs to be made at this meeting. Rev. McDaniels asserted that it is an issue.

Ms. Presley added that removing River Hills from the E-Rate bid/contract would leave JHLS responsible for 100% of the cost as it continues under its current contract which is two more years from March.

Rev. McDaniels asserted that River Hills was supposed to have been “done away with,” but a contract was signed after the decision was made by the Board. Mrs. Furr and other Trustees said that Rev. McDaniels understanding was incorrect. Rev. McDaniels



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continued that he had a copy of the purported contract that was signed, but Mrs. Furr replied that the contract was approved, and that its approval was captured in the Board minutes. Further, Mrs. Furr stated that if JHLS does not apply for the money for River Hills, and the offices there continue to be used, JHLS will have to pay at least \$1,970; if the River Hills offices are moved, the E-Rate service moves with them, so there is no penalty.

Ms. Presley, continuing, stated that Category 1 covers all of the JHLS locations. Category 2, because of changes in how some of the libraries were classified has affected funding for Clinton and Byram, a resolution of that situation is in process. Mrs. Garner, upon her question, was told the resolution was not necessary before the new contact begins. Ms. Presley stated that Category 2 is essentially a list of all conceived – not expected -- possibilities of charges so as to have them covered at a discount if they occurred. Category 2 covers wireless equipment, switches, cabling, etc. Everything has been done as far as the network overhaul is considered; anything that happened from this point on would be because something has changed, such as a library is moved or something has broken that is no longer under warranty outside of a yearly renewal for the wireless system, which is approximately \$2,500 and is covered at an 85% discount.

Ms. Presley said that Category 1 is the more significant so that JHLS does not have to pay 100% of \$90,000. Rev. McDaniels asked if there is any extra cost for Category 2, and Ms. Presley replied that JHLS is responsible, if Category 2 is ever used, for 15% of the cost; Mrs. Furr added that there is no “downside” to Category 2. Ms. Presley responded that timing windows and paperwork are the only downsides to E-Rate. She added that E-Rate is an amazing opportunity for libraries and schools to be able to have a high-speed internet which would not be possible without the government USAC/E-Rate program.

Mrs. Furr added that JHLS serves 74,000 people with its wireless services, and one of the main reasons people use the libraries is that they offer excellent bandwidth and very few interruptions. She continued that JHLS could not afford the bandwidth without E-Rate, and E-Rate is, basically, free federal money.

Dr. Strickland, asking for clarification, was told that Category 2 (if it is ever used) would provide an 85% discount, while Category 1 would provide a 90% discount for internet costs.

Rev. McDaniels' chief concern was paying anything extra for the River Hills offices. Ms. Presley explained that removing River Hills would save \$359 per month, but, instead of paying 10% of \$359 a month, JHLS will continue paying \$1,970. Mrs. Furr reminded the Trustees that if offices are moved, each office has to have, in addition to cabling, there are phones, computers, copiers involved, and the relocation costs will be very high.



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Ms. Presley posed the question regarding the proposed E-Rate bid: Are the Trustees voting on the bid as it was written to cover 14 libraries and River Hills, or are they voting with removing River Hills from the bid?

Mrs. Furr added that the contract would be completed by the consultant and would return it to the Board when it is available.

Dr. Strickland moved, second by Dr. Harrison, to accept the proposed E-Rate bid. Rev. McDaniels abstained. The motion carried.

Mr. C. R. Jones posed questions as to who the consultant preparing the contract is and what qualifications does the consultant bring in terms of examining what the contract states and whether there are any issues or problems in the contract that should be brought to the attention of the Board for consideration. Mrs. explained Ms. Rodabough's (the consultant's) history with JHLS and her credentials, adding that over the past five or six years, she has won JHLS over \$800,000 in federal E-Rate money. Ms. Rodabough also manages the contract – Ms. Presley helps in filing all the paperwork – but it is an enormous paperwork burden. Ms. Presley added that the consultant firm also has a lawyer it keeps on retainer that is in Washington, D.C., to work directly with USAC and the E-Rate for them.

Mr. C.R. Jones requested documentation substantiating the credentials, experience, and qualifications of the consultant be distributed to the Board. Mrs. Furr agreed to supply that information.

NEW BUSINESS: Rev. McDaniels requested that the Board suspend the rest of the Agenda to go into Executive Session to discuss personnel matters. Mrs. Furr said there was one more critical issue that needed to be addressed: the Comprise Smart Money Yearly Renewal Payment.

COMPRISE SMART MONEY YEARLY RENEWAL PAYMENT:

The Comprise Smart Money renewal is due at this time of year and is a yearly subscription that provides for money being paid at the front desk going into JHLS' automation system and applies transactions as appropriate; it also allows for credit card payments and on-line bill payments. The amount, \$14,371.00, is the same amount JHLS has been paying for five years.

Dr. Strickland was assured that the item had been included in the budget.

Mrs. Garner asked when the subscription expires; Mrs. Furr explained that it is due currently and will be cut off if the bill is not paid. Mrs. Garner said that the Board understands that these subscriptions and renewals come up yearly, but that the Board needed to have more notification of them before they are immediately due.



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Discussion among the Trustees and the Executive Director resulted in Mrs. Furr agreeing to prepare a list of all bills/subscription renewals/contracts, etc., that are expected to occur annually and at the times they are expected to be paid, although it was agreed that the amounts may change to some small degree and it would not be necessary to be absolutely accurate on the amounts that would be due, all in an effort to keep the Board apprised in advance of requests for approval of payments “at the last minute.”

Dr. Harrison moved, second by Mr. Nations, to approve the Comprise Smart Money Yearly Renewal Payment of \$14,371.00. The motion carried.

EXECUTIVE SESSION: *Rev. McDaniels moved, second by Mr. C. R. Jones, to determine whether there is a need for the Board moved into Executive Session. The motion carried.*

Rev. McDaniels moved, second by Dr. Strickland, to move into Executive Session to discuss personnel matters. The motion carried.

At 6:04, the Board moved into Executive Session.

Rev. McDaniels moved, second by Mrs. Brown, to come out of Executive Session and to impart that no action or decision was made in the Executive Session. The motion carried.

At 6:45, the Board returned to Regular Session.

ADMINISTRATION REPORTS:
Human Resources: Mrs. Brenette Nichols presented her report, showing a census of 86 employees as of February 16, 2020, one less than in January 2020. There were one new hire for Utica branch, one voluntary resignation from the Byram branch, and one involuntary resignation.

Rev. McDaniels questioned the new hire, and Mrs. Nichols told him that action had occurred before the recent suggestion by the Board that hiring be frozen.

The question was raised as to whether the “floater” employee receives mileage since she reports to various branches at Administration’s request. Mrs. Furr answered that this particular employee has access to library vehicles but that employees who are moved from branch to branch do use their own vehicles also. Rev. McDaniels said that, at the next Board meeting, he will propose a motion that if employees use their own vehicles for library business, JHLS must pay them mileage. Mrs. Furr replied that there is no money in the budget for this expense, and Rev. McDaniels insisted that the funding will have to be found.

Mr. Carter suggested that creating a line item in the budget should allow a shuffle of funds to allow for mileage payments. Mrs. Furr added that one thing that would help nearly more than anything is to get the City of Jackson to pay JHLS the full millage that is accrued for it. Dr. Strickland, however, recommended working with the funds the City is currently allocating to provide for mileage/travel expenses, suggesting that the millage is not JHLS’s because JHLS does not possess it; Mrs. Furr repeated that the millage was taxpayer funding accrued and intended for JHLS.



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Rev. McDaniels related an encounter he had recently had with the Mayor of Jackson at a local restaurant at such encounter the Mayor made several complaints and negative observations about JHLS and asked Rev. McDaniels, who suggested it, not to resign, but to persevere.

Although at this point of the meeting, enough Trustees had left after the Executive Session such that a quorum was not present, a motion was presented to accept the Human Resources Report as written.

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