

Harvey Public Library District's Special Meeting Minutes

November 19, 2015

Special Meeting

President Patterson called the meeting to order at 5:00 pm.

Members Present: Tamika Price*, Jerlene Harris, William Whitaker, JoAnn Nesbitt, Barbara Fields and Roberta Patterson

Absent: Mauzkie Ervin

Trustee Harris states that she wants to make this matter of record is this exception and applicable to the rules of the Harvey Public Library District for a phone call from a trustee. She asked, if President Patterson could cite her the citation?

President Patterson states that she can't cite the citation right now and really don't see it being necessary because that is something that HPLD allow. President Patterson states that we are voting to see if Trustee Price could attend the meeting via telephone, because Trustee Price asked if she could do this at last meeting.

Trustee Harris states that she thinks that it is in violation of the Open Meetings Act.

The board votes for approval to allow Trustee Price to join the meeting via telephone.

Roll Call Vote:

Ayes: Tamika Price, William Whitaker, JoAnn Nesbitt, Barbara Fields and Roberta Patterson

Nays: Jerlene Harris

Abstain:

Absent: Mauzkie Ervin

*Trustee Price joined the meeting via telephone at 5:02pm.

Approval of Tax Levy Ordinance and Truth in Taxation

Trustee Harris states that this is a matter of record, she states that as a new trustee she has not received enough adequate information, financial statements or understand the Levy ordinance and Truth in Taxation.

President Patterson thanked Trustee Harris for her comments.

Trustee Whitaker states that he just wanted to make sure we made the changes that the attorney suggested.

Director Flowers states that yes it was based upon the attorney's recommendation to take the bonds and interest out and just list it as four percent (4%) and that's what I did.

Attorney Jarad joins the meeting at 5:08pm.

Trustee Whitaker made a motion to approve Ordinance No. 2015-6 Tax Levy Ordinance and was seconded by Trustee Nesbitt.

Roll Call Vote:

Ayes: Tamika Price, William Whitaker, JoAnn Nesbitt,
Barbara Fields, and Roberta Patterson

Nays: Jerlene Harris

Abstain:

Absent: Mauzkie Ervin

Motion Carried.

President Patterson states for the record the Levy amount is \$1,421,932.00

Approval of Ordinance Approving Amended By-Laws and Intergovernmental agreement with LIMRiCC and Resolution Authorizing Execution of LIMRiCC Intergovernmental Agreement

Trustee Harris states for the matter of record stating that she didn't receive enough information to adequately understand this particular item number four (4) on the agenda.

President Patterson states that she read the document and was a little confused but got a general understanding of it. She states that if anyone needs more understanding the board could probably set up a time so that either the director or attorney could explain the agreement.

Attorney Jarad explains to the board the amended by-laws and Intergovernmental Agreement with LIMRiCC and its relationship with HPLD.

Trustee Whitaker made a motion to approve the Ordinance Approving Amended By-Laws and Intergovernmental Agreement with LIMRiCC and Resolution Authorizing Execution of LIMRiCC Intergovernmental Agreement for participating in the Unemployment Participation Compensation Program and was seconded by Trustee Nesbitt.

Roll Call Vote:

Ayes: Tamika Price, Jerlene Harris, William Whitaker, JoAnn Nesbitt,
Barbara Fields, and Roberta Patterson

Nays:

Abstain:

Absent: Mauzkie Ervin

Motion Carried.

AUDIENCE PARTICIPATION (Remarks Limited to 3 Minutes)

Charles Abron states that he wants to commend you all on the excellent staff at the Harvey Public Library, you all are doing a great job. He states that he knows that every four (4) years or so there's a raise that the staff gets and will like to say that whatever is allotted in the budget they deserve it and does such a great job.

OLD BUSINESS

Trustee Ervin joins the meeting at 5:32pm.

Trustee Harris states that there is some old business about the deputy registrar that has been tabled for some time and wants to know when and if it could be added to the agenda.

Attorney Jarad states that she had attempted to look at the statute to get some guidance but the statute itself was silent on whether an elected official who is not currently running for office could serve as deputy registrar. She states that she received an email from general counsel from the Board of Elections stating that she is not aware of any laws that prohibits an elected library trustee who is not up for either election or re-election serving as a deputy registrar.

Attorney Jarad states that she then replied asking that general counsel email her back confirming that her understanding is correct. She states that she replied that she can't speak for The Board of Elections as a whole but I can confirm that neither I nor former general counsel (she states his name) with whom I consulted are aware of anything within the election code which would prohibit the referenced action, please note The State Board of Elections is not authorized to advise or provide legal opinions on such and should not be considered as legal opinion from State Board of Election.

President Patterson states that we would table this item and add it to the agenda (whether or not Trustee Harris could serve as deputy registrar at HPLD) until next meeting and until the board gets more clarity on the matter.

Trustee Harris states that she has a comment before the board goes into Executive Session, let this be a matter of record according to the Closed Meeting Act, that I believe you all are in violation of 120/2a that say you must cite to the specific exception only topics specified in the vote closed under this section may be considered during closed session, you must specify exactly what you're talking about before you go into closed session. She states that this is quoted from the Open Meetings Act 120/2a.

Trustee Price states that the board agreed to have the special meeting at 5:30pm but when she received her packet the agenda showed a time of 5:00pm.

President Patterson states that she wasn't sure what time the board agreed on but from now on what the board would do is make sure that is part of the record.

Director states that too many people were talking at once and it wasn't clear what time was agreed upon.

Upon reviewing the tape recording the board did agree to meet at 5:30pm.

Trustee Whitaker made a motion to go into Executive Session for the purposes of discussing “the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body” (5 ILCS 120/2(c) (1)) and was seconded by Trustee Ervin.

Roll Call Vote:

Ayes: Mauzkie Ervin, William Whitaker,
JoAnn Nesbitt, Barbara Fields and Roberta Patterson

Nays: Jerlene Harris

Abstain:

Absent:

Motion Carried.

Trustee Price disconnected the line at 5:39pm.

Regular session adjourned at 5:40pm.

A. Executive Session for the purposes of discussing “The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body” (5 ILCS 120/2 (c) (1)).

Trustee Harris states that for the matter of record that if it was not specified to come out of closed session that it shouldn't be voted on, I think we're in violation of the Open Meetings Act.

President Patterson states that it was specified when the board came out of Executive Session.

Regular Session back in session at 6:09pm.

Trustee Price joined the meeting at 6:09pm

President Patterson states that we're back in open session and need a motion to approve the two percent (2%) increase for the employees of the Harvey Public Library for specific employees.

Trustee Harris asked, what that number was, would you please quote the number that Director Flowers told us?

President Patterson states that we just received information and possibly should table this increase because we have to be more specific about different employees. She states that what we will do is table this item until next Board Meeting.

Attorney Jarad states that there is an agenda item on here that says the discussion of compensation of specific employees so if it is the District's contention to vote on and take action regarding the compensation of specific employees, following the discussion they had in closed session. She states that the board would be able to do that tonight relying on that agenda item under old business listing it as an Executive Session item contemplating that following that Executive Session will be action.

Attorney Jarad states that the other option is to table it to get further clarification regarding the compensation and answer some of the questions the board may have.

President Patterson agreed to table the employees increase until next Board Meeting.

Trustee Fields states that this is confusing and needs clarity.

Attorney Jarad states that the agenda item that's on there regarding the appointment, employment, compensation, discipline etc of specific employees to the extent that you went into closed session and discussed specifically the compensation of specific employees that is an agenda item that is sufficient to state the general subject matter which was discussed to allow you now in open session to take action regarding the appointment, employment, compensation, discipline, performance, or dismissal of specific employees discussed in closed session.

Trustee Whitaker asked, why would we go into Executive Session to discuss what we will discuss in open?

Attorney Jarad states that you went into closed session to discuss appointment, employment, compensation, discipline of specific employees. She states that you do that in closed session so that the board members may openly discuss among themselves what that should be.

ADJOURNMENT

Trustee Fields made a motion to adjourn the meeting at 6:27pm and was seconded by President Patterson.

Roll Call Vote:

Ayes: Tamika Price, Mauzkie Ervin, Jerlene Harris, William Whitaker, JoAnn Nesbitt, and Barbara Fields and Roberta Patterson

Nays:

Abstain:

Absent:

Meeting Adjourned.