

V.I. H.

**MINUTES**  
**GENEVA PUBLIC LIBRARY DISTRICT**  
**BOARD OF TRUSTEES MEETING**  
**April 24, 2014**

**PRESENT:** President Esther Steel, Vice President Travis Ketterman, Treasurer Steven Andersson, Secretary Susan D. Shivers, Trustees Pat Lord, Bob Shiffler, and Mark Adams. Interim Library Director Marilyn Boria also was present.

**ABSENT:** NONE

**ALSO PRESENT:** Assistant Director Peggy Carlson,

**I. CALL TO ORDER**

President Steel opened the Regular Meeting of the Board of Trustees of the Geneva Public Library District at 7:12 p.m. Roll call was taken. All were present.

**II. PLEDGE OF ALLEGIANCE**

**III. CHANGES IN THE AGENDA**

There were no changes to the agenda.

**IV. APPROVAL OF MINUTES**

A. President Steel reported that the minutes of both the Open and Closed sessions of the Personnel Committee meeting of March 24, 2014, were included for information purposes.

B. Trustee Shiffler moved to **approve the minutes of the Regular Board Meeting of March 27, 2014, and the Closed Board Meeting of March 27, 2014, as presented.** Trustee Adams seconded the motion.

**AYES: ALL                      NAYS: NONE**  
**ABSENT: NONE                ABSTAIN: NONE**

**MOTION CARRIED**

**V. TREASURER'S REPORT**

Treasurer Andersson noted that the Library is 75% through the fiscal year, and that salary expenses, the biggest line item, were slightly under the budgeted amount which was good. The financial activities for March, which need approval, include funding for the Flexible Spending Account of \$6,300.00; receipt of Personal Property Replacement Tax of \$1,762.90; funds transfer from the Illinois Funds Credit Card Account to MB Financial of \$5,400.00; funds transfer from Illinois Funds to MB Financial of \$1,762.90; reimbursement from Friends of the Geneva Public Library of \$1,534.75; Chase Credit Card Payment of \$2,969.97; and transfer of \$4,777.02 of funds from Geneva Bank and Trust to MB Financial on March 17. Finally, the Library renewed a \$100,000 First State Bank CD (.70% APY for 20 months) on March 17, 2014.

Trustee Lord moved to **approve the Treasurer's Report and to enter the Trial Balance ending March 31, 2014 into the Public Record.** Secretary Shivers seconded the motion.

**AYES: ALL NAYS: NONE**  
**ABSENT: NONE ABSTAIN: NONE**

**MOTION CARRIED**

**VI. PATRONS' AND PUBLIC COMMENTS / CORRESPONDENCE / PUBLICITY**

There were no comments from the public. The Board was concerned about a Sound Off comment from a patron who had trouble using the copier. Boria explained that staff was looking into this situation.

**VII. COMMITTEE & LIAISON REPORTS**

A. Foundation – President Steel reported that the Foundation is still working through their investment strategy. They do have a new board member, Peter Evans, who was recruited by Secretary Shivers. He will be taking over the speakers series next year.

B. Personnel – Nothing to report.

**VIII. PRESIDENT'S REPORT**

None.

**IX. LIBRARIAN'S REPORT**

A. Statistics – Monthly statistics were provided in the Board packet.

Interim Director Boria reported on three all-staff meetings which she had held the previous week to discuss all of the policy changes which the Board had approved.

B. LINC Report – There was no LINC report this month.

**X. UNFINISHED BUSINESS**

A. Annexation update: discussion or action - None.

**XI. NEW BUSINESS**

A. Approve Hiring an Auditor – Interim Director Boria reported that four accounting firms had responded to the Library's Request for Proposal. The Board had received a chart summarizing each of the proposals. The low bidder, Sikich, did have a higher hourly cost for work done by a partner outside the scope of the audit. Before hiring an auditor, the Board asked staff to confirm that the Sikich proposal includes a presentation to the Board by a partner. Therefore this item was postponed until the May 8, 2014 meeting.



Personnel Committee Chair Shiffler began the discussion by reviewing the methodology that the Management Association of Illinois had used in developing this schedule a year ago. Some concerns were expressed about the proposed changes in the schedule. Based on this discussion, Trustee Lord made the following motion.

Trustee Lord moved to **Table the motion until the May 8, 2014 meeting.**  
Trustee Adams seconded the motion.

**ROLL CALL VOTE**

**AYES:**        **Steel**                                **Lord**  
                  **Ketterman**                            **Adams**  
                  **Andersson**

**NAYS:**        **Shivers, Shiffler**

**ABSENT:**    **NONE**                                        **ABSTAIN: NONE**

**MOTION CARRIED**

President Steel asked all Board members to contact Boria with requests for information on this subject.

F.    Approve Additional Hours for the Interim Director

Trustee Lord moved **that the contract with Interim Director Boria be amended, authorizing her to work up to 70 hours per pay period. Any hours over 70 would have to be approved in writing by the Board President.**  
Trustee Ketterman seconded the motion.

**ROLL CALL VOTE**

**AYES:**        **Steel**                                **Shivers**        **Lord**  
                  **Ketterman**                            **Adams**  
                  **Andersson**                            **Shiffler**

**NAYS:**        **NONE**

**ABSENT:**    **NONE**                                        **ABSTAIN: NONE**

**MOTION CARRIED**

G. Approve Resolution for Appointment of IMRF Authorized Agent

Resolution #2014-1  
Notice of Appointment of IMRF Authorized Agent  
For the Geneva Public Library District

Whereas, the Illinois Municipal Retirement Fund (IMRF) requires each IMRF Employer to have a designated Authorized Agent for local administration of IMRF and to act as the agent of the governing body in IMRF matters; and

Whereas, the former IMRF Authorized Agent for the Geneva Public Library District, Matt Teske, has resigned effective April 10, 2014; and

Whereas, in the absence of a permanent Library Director, Peggy Carlson is the Assistant Library Director; and

Whereas, the appointment of an Authorized Agent is to be made by adoption of a resolution of the governing body.

NOW THEREFORE BE IT RESOLVED that the Board of Library Trustees of the Geneva Public Library District does hereby appoint Peggy Carlson as the new Authorized Agent effective April 25, 2014.

BE IT FURTHER RESOLVED that the Secretary of the Board of Library Trustees is authorized and directed to file a duly certified copy of this resolution along with NOTICE OF APPOINTMENT OF AUTHORIZED AGENT (IMRF Form 2.20) with the Illinois Municipal Retirement Fund.

Adopted this 24<sup>th</sup> day of April, 2014.

**ROLL CALL VOTE**

<b>AYES:</b>	<b>Steel</b>	<b>Shivers</b>	<b>Lord</b>
	<b>Ketterman</b>	<b>Adams</b>	
	<b>Andersson</b>	<b>Shiffler</b>	
<b>NAYS:</b>	<b>NONE</b>		
<b>ABSENT:</b>	<b>NONE</b>	<b>ABSTAIN:</b>	<b>NONE</b>

**MOTION CARRIED**

H. Discussion of Public Access Counselor Decision of April 2, 2014 - Treasurer Andersson began the discussion with a statement regarding the non-binding order of the Attorney General Public Access Counselor (PAC). Treasurer Andersson stated that he believes the Geneva Library Board is a steadfast supporter of the Open Meetings Act (OMA) and has been thorough in its compliance with both the letter and spirit of the Act. In addition, he believes all members of the board fully support transparency in government. However, in this case, he thinks that the PAC made a mistake. The PAC opinion concludes that OMA was violated because the board went into closed session to discuss a future possible case, rather than a pending or imminent case. He believes this is incorrect. The Board did not go into executive session to discuss a future case at all. The board went into closed session to discuss actual pending litigation. Moreover the pending litigation was stated at the outset of the closed session as required. It was a PAC appeal that was "the litigation." The board went into closed session to discuss how to respond to the PAC's request for additional documents pursuant to appeal from a local reporter. Apparently, the PAC doesn't consider itself a part of the litigation process. He thinks that this was incorrect. It was not a future lawsuit that the board was discussing, it was the PAC administrative process that the Board went into Closed Session to discuss. The items discussed related to what would happen depending on how the Board responded to the PAC. Treasurer Andersson went on to note that it is unfortunate that the Board would not have its day in court so for him, this statement would have to do. Treasurer Andersson stated that he had no doubt that if the Board had been allowed to appeal; a court would overturn this illogical interpretation of the act. Notwithstanding all of this, he recommended that the Board release the requested information and hopefully this can be taken as a teaching moment on the Open Meetings Act once all can see what was discussed and in what context (i.e. the PAC appeal).

Trustee Shivers noted that she agreed that the information should be released. She also had a question concerning Treasurer Andersson's statement that the administrative tribunal issuing binding opinions, because in this case, the decision was not binding. Treasurer Andersson responded that at the time the PAC Appeal notice goes out, the PAC has the power to issue a binding opinion. Jurisdiction cannot be determined retroactively. Because the PAC has the power to issue a binding decision, it has to be treated as an Administrative Tribunal. Trustee Shivers noted that she had voted "no" to go into closed session at the time.

Trustee Lord agreed with Treasurer Andersson's statement that the Library was not in violation of the Open Meetings Act. She was in favor of releasing the information. Trustee Ketterman also agreed that the information should be released, and he agreed with Treasurer Andersson's statement that this was a teachable moment. He suggested that the Board convert the statement into a letter which could be sent to the PAC. Trustee Shivers did not agree with that. Trustee Shiffler, who was not present at the meeting, did not comment. Trustee Adams agreed with Treasurer Andersson's statement.

The Board then decided to discuss whether or not to release the minutes in the upcoming Closed Session. It was also agreed to discuss this statement at the Board Meeting of May 8, 2014.

- I. Approve Payment of Invoice to Peregrine, Stime, Newman, et. al.

Trustee Shiffler moved to **approve payment of the invoice to Peregrine, Stime, Newman, et.al in the amount of \$3,412.50.** Trustee Lord seconded the motion.

**ROLL CALL VOTE**

**AYES:**           Steel                               Lord  
                  Ketterman                       Adams  
                  Andersson                       Shiffler

**NAYS:**           Shivers

**ABSENT:**       NONE                               **ABSTAIN:**   NONE

**MOTION CARRIED**

- J. Approve payment of invoice to Ottosen Britz

Trustee Shiffler moved to **approve payment of the invoice from Ottosen Britz in the amount of \$9,094.71.** Trustee Adams seconded the motion.

**ROLL CALL VOTE**

**AYES:**           Steel                               Lord  
                  Ketterman                       Adams  
                  Andersson                       Shiffler

**NAYS:**           Shivers

**ABSENT:**       NONE                               **ABSTAIN:**   NONE

**MOTION CARRIED**

- K. Approve payment of invoice to Polach Appraisal Group

Trustee Lord moved to **approve payment of the invoice from Polach Appraisal Group in the amount of \$5,500.00.** Trustee Adams seconded the motion.





Approve Release of Designated Closed Minutes.

Secretary Shivers moved to **approve the release of the designated portions of the sessions of the December 19, 2013; October 24, 2013; September 26, 2013; and August 22, 2013 Closed Session Minutes.** Trustee Lord seconded the motion.

**AYES: ALL NAYS: NONE**  
**ABSENT: NONE ABSTAIN: NONE**

**MOTION CARRIED**

**XV. ADJOURNMENT**

Trustee Lord moved to **adjourn the meeting of the Board of Trustees.** Trustee Andersson seconded the motion.

**AYES: ALL NAYS: NONE**  
**ABSENT: NONE ABSTAIN: NONE**

**MOTION CARRIED**

The meeting of the Board of Trustees of the Geneva Public Library District was adjourned at 8:50 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan D. Shivers, Secretary

  
\_\_\_\_\_  
Esther Steel, President

**GENEVA PUBLIC LIBRARY DISTRICT  
MINUTES OF THE CLOSED SESSION OF THE  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
APRIL 24, 2014**

**Portion of Closed Minutes Released to Open Minutes Upon Board Approval  
at November 20, 2014 Board Meeting**

**PRESENT:** President Esther Steel, Vice President Ketterman, Secretary Susan D. Shivers, Treasurer Andersson, Trustees Pat Lord, Bob Shiffler, Mark Adams, and Interim Library Director Marilyn Boria.

**ABSENT:** None

**ALSO PRESENT:** Assistant Director Peggy Carlson.

President Steel opened the meeting at 8:25 p.m.

Purchase or Lease of Real Property

Discussion of Closed Session Minutes

The Board agreed to release the following written Closed Session minutes: the first part of the October 24, 2013 Closed Session minutes as requested by the Public Access Counselor; and portions of both Closed Session Minutes of December 19, 2013, as well as portions of the September 26, 2013 and August 22, 2013 Closed Session minutes as notated by Trustees Steel and Ketterman.

At 8:45 p.m., the Board agreed to reconvene in Open Session.

Respectfully submitted,

---

Susan D. Shivers, Secretary

---

President Esther Steel