

East Cleveland Public Library
Special Board of Library Trustees Meeting
Purpose: To Discuss P.A.C.E.
August 29, 2018
14101 Euclid Ave. East Cleveland, Ohio 44112
Flewellen Room
6:30 PM

Ms. Turner called the meeting to order at 6:31 PM

1229 MP3

I. **CALL TO ORDER**
a. **ROLL CALL**

Present: Ms. Turner, Ms. McClarin, Ms. Synor, Mr. Rashid, Mr. Fambrough,

A quorum exists. Present – 5; Absent - 2

Also present at the table were: Mr. Ross Cockfield (CFO), Mr. E.F. Turner III (Exec. Admin. Assistant).

II. **LIFT EVERY VOICE AND SING**

Everyone is invited to sing Lift Every Voice and Sing.

III. **APPROVAL OF THE AGENDA**

Ms. Turner: We have approval of the agenda. Doing pretty good?

Ms. McClarin: Yep, I really can't alter it.

Ms. Turner: Nope, you can't.

Ms. McClarin: Okay. Want to-

Ms. Turner: Make a motion?

Ms. McClarin: Yes. Madame President, [inaudible 00:03:49] accept approval of agenda.

Ms. Turner: Okay. As written. Any second?

Ms. Synor: Second.

Ms. Turner: Mr. Turner please.

Mr. Turner: Miss Turner.

Ms. Turner: Hold it.

Mr. Fambrough: It's good.

Ms. Turner: What do you want to discuss?

Mr. Fambrough: I think when they said discuss the bid process and just spend a few moments on that, there's a few problems. I like to think around that.

Ms. Synor: Unfortunately, Mr. Fambrough it's a special board meeting and because of that, we can't add anything to this particular agenda.

Ms. Turner: No.

Ms. Synor: I think that we can as we've discussed the resolution, I think maybe we can have [crosstalk 00:04:41] those other discussions there. But adding that at the top, we can't do it.

Ms. Turner: Go ahead. You good now?

Discussion: None.

Roll Call Vote: Ms. Turner (yes), Ms. McClarin (yes), Ms. Synor (yes), Mr. Rashid (yes), Mr. Fambrough (yes)

Yes – 5

Motion passes.

Ms. McClarin moved and Ms. Synor seconds the approval of the agenda.

The agenda is approved.

IV. RESOLUTION 08-05-2018: RESOLUTION TO APPROVE THE “HEATING VENTILATION AND AIR CONDITIONING (HVAC) ENERGY CONSERVATION PROJECT” BID PROCESS AS ENACTED BY THE EAST CLEVELAND PUBLIC LIBRARY.

Ms. Turner: Okay. The first resolution is to approve the bid processes in that by the library, so that is 05. Now as we discussed in our last meeting, this went out before PACE was approved. Which we all had a feeling about. We have subsequently in the time since then approved PACE. PACE has been approved by the city of Cleveland. It's a done deal all the way around.

Ms. Turner: The question becomes do we, at first one of the things we discussed was to just shut down that initial package and start all over again. The concern that [inaudible 00:06:10] had around it was that if we do that, and this is conversation that I had. Let me get more specific, conversation I had with Mr. Cockfield because the Director is not here. The conversation I had with Mr. Cockfield and both myself and Ms. McClarin after the last meeting was that timing of this is going to impact us having heat in a timely fashion.

Ms. Turner: And the thing is is when the heat is being installed, it has to ... It can't be on, so if it goes too late into the season it means shutting the library down to install in the sPACE where it's uncomfortable to be. The question is would we be willing to in spite of the fact that we haven't had concerns about the timing of all of this.

Ms. Turner: Would we be willing to open bids that have come in and not start the process all over again? That's what resolution 05 is about. Does anybody have any questions, anything they'd like to ask about this? Mr. Fambrough.

Mr. Fambrough: The bids, have they been opened?

Ms. Turner: No, they will not be opened unless we, until we approve it.

Mr. Fambrough: Well ... I don't know.

Ms. Turner: Huh?

Mr. Fambrough: I was about to say [crosstalk 00:07:49] I hope it was [crosstalk 00:07:51]

Ms. Turner: You guys open, get to that. Okay, I was, my understanding that you-

Mr. Fambrough: Well that since it'd be something that happens at a board meeting.

Ms. Turner: That has not been part of the process that we have followed at this point.

Mr. Fambrough: We've been lost at this point.

Ms. Turner: I don't necessarily know that that's true. But that is one of the things that I have said over and over on this particular vantage. Is that there are procedures that need to be brought to the board for approval. And the exact procedure brought through, which the bid process happens, [inaudible 00:08:35] here so that we don't have one that says it has to happen in a board meeting. You know.

Mr. Fambrough: Well, that's a-

Ms. Turner: There's nothing in our, it's nothing in our policy manual that says all bids have to be open. And for the board nor is there anything that ... And you don't have any procedure that we look upon.

Mr. Fambrough: Okay, now the problem is we put in place that bids are open through board meeting.

Ms. Turner: Why?

Mr. Fambrough: Because we're the ones that put the bids out. None of us in this, us is the point. The emphasis is on the board. [crosstalk 00:09:16] The board, [inaudible 00:09:18] after we throw bids out, it's the board that has to be correcting all this process. And it's the board that selects who the winner might be. That's the board, so we [crosstalk 00:09:35]

Ms. Turner: Like I said, that is one way it could happen. But like I said, that is not ... That is not the way that, so we haven't committed to that.

Mr. Fambrough: Well, yeah this whole process has gone south because we don't have that information. And the change[crosstalk 00:10:00]

Ms. Turner: I completely agree with you. [crosstalk 00:10:03] And I have said for since before I was Board President, this needs to happen and it has not.

Mr. Fambrough: Yeah.

Ms. Turner: Even when you were on Buildings and Grounds you did not make it happen previously.

Mr. Fambrough: No, it wasn't my place. But here's the thing now.

Ms. Turner: Why didn't you go for Board President?

Mr. Fambrough: Now we can correct it somehow.

Ms. Turner: Yes, we could, but that's not what we talking. That's not the first.

Mr. Fambrough: We've been five years without a bid. Everything has been no bid.
[crosstalk 00:10:27]

Ms. McClarin: That's incorrect.

Mr. Fambrough: It is correct.

Ms. McClarin: Mr. Cockfield [inaudible 00:10:34]

Mr. Cockfield: Excuse me, I was gonna say that it's a public meeting I mean and generally the bids are open at the time they're received in order to record. And that the bidders know.

Ms. Turner: But the proc-, let me clarify. The process for making choices, that the-

Mr. Cockfield: No, I made it clear to them that we would be reviewing the bids.

Ms. Turner: Yeah, [crosstalk 00:11:03] hoping they have not been reviewed. Let me be clear.

Mr. Cockfield: Yeah.

Ms. Turner: I'm sorry.

Mr. Cockfield: And also like-

Ms. Turner: Yes.

Ms. Synor: And I wanted to just piggyback on that, that you have to open the bids factor to record when they were received.

Ms. Turner: Yes.

Ms. Synor: The actual idea of reviewing, making a decision and all of that we may not have that procedure properly in place. But them being opened, by law they need to be opened and stamped so that you can document that. When people sitting there, then they come after the fact, you should actually be sending it through a machine or-

Mr. Rashid: Have a time stamp.

Ms. Synor: Have time stamping when those bids come in because we could have a bid that needs to be in by 11:59 or something like that. And so they have to be time stamped. And that [crosstalk 00:11:49]

Mr. Fambrough: That doesn't mean they have to be open. You can put a time stamp on the envelope of the bid packets.

Ms. Synor: You could, but the process I think what we're talking about and let's not pinch pennies here. The process of review is what we need to be concerned with. Them being opened is [crosstalk 00:12:07] I think opened and stamped, I think that's one thing. But for them to be reviewed, that's another for us to discuss.

Ms. Synor: And the other concern that I have as it relates to this right here from where I sit is that if the bid package or the RP that went out or the proposals to come back in for the bid, do we have what went out so that we can make sure that what we're saying yes to encompasses all that we need it to encompass?

Ms. Turner: All that came, it was in an email.

Ms. Synor: Okay, so I didn't thoroughly read everything, so I did not have proof. And I did not read it. Okay.

Ms. Turner: Mr. Rashid.

Mr. Rashid: The way that this reads, it says resolution to approve the heating and installation air conditioning. HVAC energy conservation project bid process as enacted by the East Riverfield Library. And why would be bidding on this when we all agree that the bid process that we follow is not appropriate to where we can sign them up?

Ms. Turner: Here's the thing, if we are voting on this because what happened initially was that it went out August 6th. Which we didn't approve it until, no it went out on August 6th. It was published on August 8th.

Ms. Turner: Okay.

Ms. Turner: When we met on the 13th, we approved it. We had already said yes we're in and we approved it via the PACE process. Now-

Mr. Rashid: Approved what? What are you specifically saying we approved?

Ms. Turner: We approved PACE.

Mr. Rashid: Right.

Ms. Turner: That we wanted to do it, that we would be willing to take the loan process in.

Mr. Rashid: Right, okay.

Ms. Turner: On the 13th.

Mr. Rashid: Okay.

Ms. Turner: That's what I'm saying.

Mr. Rashid: Okay.

Ms. Turner: Okay? Now, then the question was when we met on the 20th, we became aware that the bid package had gone out on the 6th, was published on the 8th. None of the seven of us understood that until we met. Until you had your meeting on the 15th and then brought it to my attention.

Ms. Turner: We had no idea. Like there was seven of us, none of us knew.

Mr. Rashid: That's why I'm saying, why are we voting to approve it now?

Ms. Turner: Because this goes back, because the timing [crosstalk 00:14:45] of all of this is tied to the ... Us having heat before the first of November.

Mr. Rashid: That's not our fault, that should have been efficient.

Ms. Turner: I appreciate that, however, I do appreciate that and you know you and I have had extensive conversation and I had conversation with the other board members. All of this is tied to bad communication with the Director, absolutely.

Ms. Turner: That's something we can always bring up, but right now-

Ms. Turner: Yeah, but our concern although it is not our fault, it is our problem.

Mr. Rashid: That's true and how?

Ms. Turner: It is our problem and this is the thing that when Mr. Cockfield came to speak with me, that he asked. He's like, what this means is is that we will not have heat. The question is, we have whatever, we can engage the Director and whatever our concerns is around what she did or did not do. But in terms of what actually happens in the building, are we willing to go forward on this bid?

Ms. Turner: We have already approved everything up to this point. The thing that we have not done, like I said, we all felt that this was putting the bid that went out on the 8th was put into court before the course. But it's not that we were not feeling that it was not in the spirit of what we ultimately wanted. It's just the process was bad.

Mr. Rashid: But that's my point. I disagree with that.

Ms. Turner: Okay.

Mr. Rashid: Because not having the opportunity to review the bidding itself, the actual engineering and the studies to understand fully exactly what is going to happen when we sign a contract with someone else is a problem. We should be able to talk with the engineer, discuss exactly what is our part in that bid. And what it's going to cover. And at the end of the day, when everybody walks away and we done gave them a check, we know when we turn this stuff on what it's actually going to do.

Mr. Rashid: I don't just trust and just take somebody's word there with because we didn't even talk to the engineer. And that was the purpose of taking it through the Buildings and Grounds committee to be able to understand what is going to be in that bid package before we sign the check and give it to them.

Mr. Fambrough: Madame Chair.

Mr. Cockfield: [crosstalk 00:17:00]

Ms. Turner: I know.

Mr. Fambrough: I suppose you recognize me right now. I concur with what Mr. Rashid is pointing out. The bid packet went out but the board had not met around what it said, what it meant, what was included, what was not. And that led to the board members being outside of the bid packet. And it's-

Ms. Turner: That's not what led to the board being [crosstalk 00:17:35]

Mr. Fambrough: Well, I think it is because we never [crosstalk 00:17:38]

Ms. Turner: I know you think so, but that's not the case.

Mr. Fambrough: Had a chance to sit with anyone and ask any questions or answer any questions as the Board. Because we answered questions. We can know and be united about what we want.

Ms. Turner: Who?

Mr. Fambrough: And what we don't want, so we can check that bid packet but we never have the opportunity to do that. [crosstalk 00:18:00] It was shot out, you know just under us and we had as you pointed out a meeting on the 15th. There was a meeting on the 20th where nobody said anything about sending out a bid packet.

Ms. Turner: No, nobody said anything about the meeting on the 13th about. When the conversation was had was at the meeting on the 15th in-

Mr. Fambrough: Buildings and Grounds.

Ms. Turner: Buildings and Grounds. [crosstalk 00:18:30]

Mr. Fambrough: But the point I'm making is that[crosstalk 00:18:32]

Ms. Turner: Mr. Rashid-

Mr. Fambrough: We were just, we had no information and no approval and no understanding either.

Ms. Turner: No, we did not. But however, like you said, subsequently in the conversation that I had with, Ms. McClarin and I had with Mr. Cockfield and Ms. Bennett about what the process, what the intention was and what the process what. Like I said, they were of the belief that the [crosstalk 00:19:06]

Ms. McClarin: We understood that once PACE-

Ms. Turner: Go ahead. [crosstalk 00:19:09]

Mr. Fambrough: That's the day when I was back in [crosstalk 00:19:11]

Ms. Turner: Hold on for a second.

Mr. Fambrough: [inaudible 00:19:12]

Ms. Turner: Hold on for a second. This is the story, they were of the belief that the-

Mr. Fambrough: Who's they?

Ms. Turner: The-

Ms. Turner: Administration.

Ms. Turner: Tracy, the administration [crosstalk 00:19:22] was of the belief that because on the-

Ms. Turner: Thirteenth.

Ms. Turner: No, in December of '17, we said go take bids. Go see about this, get an engineer and take bids, that that would cover this. However, we put all of that whole process on hold because we wanted to get a more wholistic upgrade of our energy system with via PACE. Those two things were not in alignment okay.

Ms. Turner: What subsequently we came to understand in the conversation and so much of this if it had been explained by the Director, we would all not be here right now. We probably would not have been here late on the 20th either. Because if we had all understood what was happening back on the 13th when we approved PACE, we wouldn't be having this conversation right now.

Ms. Turner: But this is what was said. When they met to, when the Director met with the or all administration met with the [inaudible 00:20:37] No. No no no, he met with both the architect and the engineer. They did, they created a timeline. And so to look at the calendar and created a timeline.

Ms. Turner: One of the things that they discovered in that was that if the boiler was tied to the bid packet, because of the time frame involved it would not get here in a timely fashion. And it would also probably cost us more money. What Mr.-

Mr. Fambrough: Who said that?

Ms. Turner: Mr. Denk. This was the conversation that came up in the meeting as they were processing what the timeline needed to look like. Mr. Denk-

Mr. Fambrough: How would we know that?

Ms. Turner: Because I had a conversation with staff. That's the only way I would know.

Mr. Fambrough: No no, not you. Him, how would he know that if you're ordering this thing by the library, it's gonna be less expensive than [crosstalk 00:21:31]

Ms. Turner: Because there's no ... Because it's coming straight from the wholesaler versus us buying it through bid process where whoever's gonna put it in is gonna add their money to it also. That's why.

Ms. Turner: For instance, if we're doing the bid and I say to you, this will also include a specific, let's say in my case cause I make jewelry, a particular stone. Okay, so I say and I have this aqua marine here. Whatever I've paid for that aqua marine, I'm going to add my cost for that process of buying it to the cost of it. Versus if you came to me with aqua marine, it's not gonna cost you what it cost you to buy it.

Ms. Turner: The only thing that ... Where we were paying Mr. Denk anyway, so it doesn't add anymore to his engagement nonetheless. That's the story.

Ms. McClarin: I have a question.

Ms. Turner: Sure.

Ms. McClarin: Are you actually, you want a motion to accept this or you gonna-

Ms. Turner: Okay.

Ms. McClarin: We gone vote to it or something?

Ms. Turner: We need to all be on the same page before we go any further.

Ms. McClarin: Yes, so what do you want us to do?

Ms. Turner: We're all trying to make sure we're all understanding.

Mr. Fambrough: I-

Ms. Turner: Yes, Mr.[crosstalk 00:22:59]

Mr. Fambrough: I have a concern. To me it messed up, the thing got messed up.

Ms. Turner: We all agree on that.

Mr. Fambrough: And we should have had more than one opportunity to meet with Mr. Denk ourselves as a board. And it could have been a working session or some other than that but a board meeting where we can talk with Mr. Denk, understand and ask questions and answer questions also.

Ms. Turner: Mm-hmm (affirmative).

Mr. Fambrough: And that never happened.

Ms. Turner: No it did not.

Mr. Fambrough: You know, and then the bid packet went out and I as I understand it, someone told me it was up for three days and then removed. And they couldn't find it again. And-

Ms. Turner: Let's get to that.

Mr. Fambrough: Yeah, so I mean it seems to me that this thing got off track and got away from us. And I don't know why, but it seems it's not wise to be hasty and try to keep going where it's flawed in a hundred ways. And I don't see salvaging it, unless we back track and do this thing the right way. Like normal, like it should have been done in the first place.

Mr. Fambrough: But you know, so us being here in this position to me doesn't say anything about heat. We just back it up for three weeks or so and it extends three weeks on the other end. It's not-

Ms. Turner: Okay. [crosstalk 00:24:32] Let us hear your thought Ms. McClarin.

Ms. Synor: It's a side note that we can ... If I heard you correctly, there is the concern that we will need to close the library for a period of time in order to install should installation take place in a cold season. Am I correct?

Ms. Turner: That's one of the things that ... Now that's about the only way it's gonna get in [crosstalk 00:24:56]

Ms. Synor: It's not guaranteed, it's a possibility?

Ms. Turner: Mm-hmm (affirmative).

Ms. Synor: Right? My concern is this. I understand that the library's a safe haven and it's a place where people need to be. But also I believe that we need to read this through over the money. And we need to have a better grasp on what's taking place here.

Ms. Synor: As I sit here and I listen and I think about our past actions on things and how the taste it leaves in the mouths of board members after the fact. I think we have a opportunity now to spit this mouthwash out and start over. And brush our teeth again and get the better outcome. Because this stinks. It stinks in that we don't know, we don't have a package that allows us to hold somebody accountable in totality.

Ms. Synor: Somebody over here is accountable. Somebody over here is accountable. Somebody over here is accountable, possibly. We have, we are purchasing a boiler that we're asking somebody use to put in. And maybe we get some cost savings there, but if the cost savings

negated if something happens and they only talk about installation, they can't talk about whether or not the boiler is [crosstalk 00:26:09].

Ms. Turner: No, there's definitely warranty that comes from a purchase.

Ms. Synor: I get that, but then we have to worry about somebody else fixing it. I'm talking about a wholistic package that allows us to be ... It centralizes function and so if they said we had to close the library for a week, although that's impactful, what is the other cost to the library overall if things malfunction or they're not functioning?

Ms. Synor: At some point we need to bite the bullet and do what's right. And I think that this may be the opportunity to do that. It's uncomfortable, I hate where we're sitting at right now for numerous reasons. But I also am looking at this and I'm struggling with the idea that we don't know what the contents are.

Ms. Synor: I know you said you guys have been reading, what I read still wasn't logical for me. And I'm the first person on this board to say stuff makes sense. What I saw didn't make sense. I don't like that the boiler's being bought outside of the package. It's uncomfortable for me, you know it's ... You can't go to a Mercedes Benz dealership and bring him a part. 'Cause you don't wanna make a price for the rest. [crosstalk 00:27:25] You can't do that at Mercedes.

Mr. Fambrough: And get the engine from somewhere else.

Ms. Synor: You can't do that. That's my contribution to that.

Ms. McClarin: I think we need to let Ms. Bennett speak first and then I'll tell you why it's [inaudible 00:27:36] process.

Ms. Turner: Okay, Ms. Bennett, would you like to go?

Ms. Bennett: Madame President, members of the board, I just want to clarify what the process, what we went through, the process. PACE is a financing mechanism, solely for financing.

Ms. Turner: Mm-hmm (affirmative).

Ms. Bennett: The acquisition of the HVAC system was a separate, although they're intersected, they're on two different tracks. In December, this board approved a resolution to hire an architect and engineer to prepare specifications and to advertise for bids.

Ms. Bennett: This board said wait because we had the level two that we, level one and level two that we were waiting on to come back. But board did

you know, pass a resolution to advertise to do this action. And the condition precedent to that was waiting on level two.

Ms. Bennett: The level two came back August 2nd, that's when the administration met with the architect, and the engineer and this timeline was developed in good faith. And this was completely in good faith. And I recognize that in an effort to meet the short time frame, dealing with the winter and meeting this board's director, that there may have been some miscommunication. Which caused confusion among the board members.

Ms. Bennett: And on behalf of the administration, and apologize for that. But know that there was no ill intent. There was no effort to try to mislead the board, but it was really in good faith in a time to meet this winter deadline.

Ms. Bennett: And one of the things that we discussed was the possibility of the initial thing was just do it in the spring. Right? But we came back to this board has been on the administration. Members of the board and also the entire board have been vehemently on the administration to get this HVAC system in.

Ms. Bennett: When August 2nd level two came in, we then proceeded with the specifications and a suggestion by the architect was that the city of Cleveland was running into the same situation with their HVAC. And what they did was pulling out the boilers because it was an eight week lead time of ordering the boilers.

Ms. Bennett: And so that's if it comes in on time right? Because everyone's ordering right now, we were concerned that it would extend beyond the eight weeks and that we would run into of course, the winter and risk the health of all the patrons and staff here. That's when it was decided let's pull it out. You know once the board approves that, go ahead and order that so that and then proceed with the bid because it would take weeks for the bids to come back in.

Ms. Bennett: Anyway, right where all of that, the pre-bid meeting and all of that had happened, so that we calculated out the delivery of the boilers, it would actually come in a time where the folks would be ready to install. 'Cause they still have to remove, so all the prep work would have been done to be ready for installation. And the training and everything would be completed in November.

Ms. Bennett: That was the process and that the other thing that threw the process was initially if you recall, everything was gonna be presented to the board August 20th. But then the city of east Cleveland came back and said, "No, we're meeting to vote August 21st. We need everything a

week ahead. We need the board to have a special meeting August 13th."

Ms. Bennett: Because that special board meeting had to be called, that piece of the boiler acquisition was not placed on the agenda with the intent that it would just be addressed on August 20th board meeting. And so when there was discussions about a pre-bid meeting, mistake on our end was using language in assuming that everyone was speaking the same language. That usually bids go out first and then you have a pre-bid meeting.

Ms. Bennett: Because that conversation was happening with the board, we assumed wrongfully that you understood that the bids had gone out. I just wanted you to understand the rationale behind it. It is of course you know, within the board's comfort. You know it's about what you're comfortable with. And at the end of the day, you have to rest with your judgment.

Ms. Bennett: If you decide, I mean I have no dog in the race. If you decide that you're not comfortable with how this has gone because you don't like the separation of it, you don't like the fact that you were not fully knowledgeable of the steps as we ... It is always of course within your purview to say, you know what, let's reissue the bids. After you've had a chance to review it. But knowing that does put you at risk if we have a bad winner.

Ms. Bennett: We may have a mild winter and it may not be an issue. But this is Cleveland, so I just wanted just to share that to let you know that there was, this was all done in good faith. [crosstalk 00:33:14]

Ms. Turner: Ms. McClarin.

Ms. McClarin: And with that knowledge in mind, I feel comfortable with moving on. I'll tell you why, because we've been going step by step by step. Sometime we have a meeting and PACE come out. Some board members didn't wanna hear what they were saying. They didn't get a chance to get through it. We came back, came back, it has steady been moving, steady been moving.

Ms. McClarin: It was only at that one 13th meeting when administration made the statement that we have a pre-bid meeting. I as a board member assumed that pre-bid meeting meant they was gone go discuss and come back. But the fact yes, we have a little loop hole. A little mistake was made, but I think that we need to look at the larger amount.

Ms. McClarin: The administration is steady moving along with Ms. Bennett and trying to get this PACE program here. We're steady gonna be saving money

and we do not wanna get caught like we did. We took a chance before with a misunderstanding with the roof. And everything just got flooded out, flooded out, flooded out, flooded out.

Ms. McClarin: And I feel more comfortable with moving forward. Then I take a chance. I don't think our weather these days is not getting better. Our weather is getting worse, so that's where I stand. I'm willing to go with the resolution and make a motion and vote on it.

Mr. Rashid: Can I ask Ms. McClarin a question?

Ms. McClarin: Yeah.

Mr. Rashid: Do you know for sure that we sign this to write this check, that every room in this building is going to have adequate heat source provided the rest of the year?

Ms. McClarin: I'll say this to you Mr.-

Mr. Rashid: Rashid.

Ms. McClarin: Rashid, I'm not [crosstalk 00:34:41]. No no no, I'm not trying to be front.

Mr. Rashid: I understand.

Ms. McClarin: I know faces, I'm still learning today. [crosstalk 00:34:47] I feel comfort. Can I guarantee you? No and I don't know too much like those parts like you all do. But I felt so comfortable when you said you had a lot of questions about this process, but you said it yourself in the senate meetings. You said, "Hey, we went through. We was able to see the disconnect and everything. We've had two audits."

Ms. McClarin: The professionals who understand this stuff has said that this is what's gonna happen, this what's gonna happen. So far everything's been above board and I believe that everything is still gone be above board, so I weigh it like this. I have more positive than I do negative. And yes, I'm trusting and believing it's gone work out.

Ms. McClarin: If something might happen, I don't think it's gonna be something large like some of the things we've been dealing with. But I think that you know, I would hate to see that we just see a little situation that you know has been corrected and understood. And can't move on, that's why we're here so that's all I can say.

Ms. McClarin: I know you [crosstalk 00:35:47]

Mr. Rashid: It's not about the pay at all.

Ms. McClarin: No, [crosstalk 00:35:50]

Mr. Rashid: What I'm concerned about is that the engineering, the engineer MR. Denk, we have not spoke to him at all. None of us have been able to ask him in terms of a meeting, sit down and to make sure that document, that bid document covers all of our concerns. And that what we expect to get is in fact what we are going to get. And we understand that.

Mr. Rashid: I still don't know that.

Ms. McClarin: Okay, but if he comes you still just gonna ask some questions and you still gone have to either trust and believe in what he say. You still taking a chance.

Mr. Rashid: But if in fact something I ask him is not covered, that's the time that we would address it. Or if his understanding [crosstalk 00:36:30]

Ms. McClarin: I'm just saying where I stand. But that's where I stand.

Mr. Rashid: Because even when I read that bid, the way that bid reads to me is that the person bidding on this packet is replacing the boilers and the HVA system, HVAC system. That's the way it reads to me.

Ms. McClarin: Okay, well whatever [crosstalk 00:36:45]

Mr. Rashid: And what I heard today about the difference in the bids even, the numbers. Whoever read this probably thought the same exact thing. Because when you read it, it gives you the impression that everything's included in the bid. And that there's no need for us to buy boilers.

Mr. Rashid: As a matter of fact, we had to have a pre-bid meeting with the contractors to tell them the boilers weren't in the package.

Ms. McClarin: Okay, [crosstalk 00:37:11] well I stand where I stand.

Mr. Fambrough: I attended the pre-bid meetings and I was shocked to hear from Mr. Denk that certain boilers were outside of the package. And I wondered right away, well package went out early. When I got a copy of the bid package and I read it, I felt just like Mr. Rashid pointed out, that the boilers were included. When there was nothing to warn me or alert me that I'm not to bid on boilers also.

Mr. Fambrough: I think there's confusion out there. The rumor that I heard was that the bid had been up and for about three days and then it was missing.

Ms. McClarin: We don't wanna go that road. [crosstalk 00:38:06]

Mr. Fambrough: And then was taken down.

Ms. Turner: Missing from where?

Mr. Fambrough: From wherever it was online I guess. Because you know, but I'm not gonna point fingers. What I'm saying is that there's more confusion also around minority participation in any aspect of this. Also, some contractors had blueprints prior to the pre-bid conference.

Mr. Fambrough: When there was a young man there, a brother and myself and Mr. Mays. Some of the people in the room had blueprints. I don't know how they got them or where, 'cause I was involved [crosstalk 00:38:51]

Ms. McClarin: Down at the county office.

Mr. Fambrough: I don't know where they got them.

Ms. McClarin: I was just telling you that's where you can get them from.

Mr. Fambrough: It has. The bid packet drawings could not, they had trouble blowing them up. They said it just disintegrated when we try to make it bigger. The promise was that there would be a written addendum to the bid package. But it was never received. It was not [crosstalk 00:39:17] Mr. Denk saying he would revise the addendum or make some addendum changes to what was in that bid packet.

Mr. Fambrough: I'm not aware of that, I was at that meeting, but I never got that. [crosstalk 00:39:31]

Ms. Turner: Did you ask who attended that meeting?

Mr. Fambrough: No, I didn't. [crosstalk 00:39:35] Seventy days to complete the job with \$500 a day penalty for going past the due date. This places a hardship on smaller contractors without a large workforce. There's a lot of things, perhaps 5% security fee means that if your bid is \$150,000, you'll give the library \$7,500 in cash. You know, in order to win the bid.

Mr. Fambrough: These are issues with this bid packet. From the legal loans was placed in the paper, it was removed in a very short time span, three

days after a notification that it was there. Why it was the time that bid package was up there so short?

Ms. Bennett: Let me answer your question. [crosstalk 00:40:19]

Mr. Fambrough: Time constraints-

Ms. Synor: That one right there.

Mr. Fambrough: On two boilers that are being supplied by a customer and you don't know when. You don't know when they're gonna come according to these boilers being outside. So a contractor doesn't know when he's gonna have the boilers to even work with them and understand. There are a lot of flaws with this.

Ms. Synor: Okay.

Mr. Fambrough: And my suggestion is that we back up and get this thing straightened out. We can close the library for a week if we have to and or two weeks if we have to do that. But I think responsible thing to do is not [crosstalk 00:40:58] have peace and try to go forward with something that so far because of ... I don't think that's the way we should operate.

Mr. Fambrough: And I'm not knocking the way it's handled [crosstalk 00:41:09]

Ms. Synor: I wanna point out two things, just out of looking down here. First of all, we're looking at two different resolutions. The resolution about the purchase of two boilers separate is item number five. Item number four is resolution to approve the bid process for a complete package.

Ms. Synor: I just want us to be clear when we having discussion.

Ms. McClarin: Five, six and seven.

Ms. Synor: Look at [crosstalk 00:41:34]

Ms. Synor: Five, six and seven.

Ms. Synor: Okay, I'm looking at the agenda. I am number four on the agenda. Resolution 8-5-2018. Okay, this says a resolution to approve the heating ventilation and air conditioning, energy conservation project [crosstalk 00:41:50] bid process enacted by [crosstalk 00:41:54]. Item number four on the agenda, not the resolution itself.

Ms. Synor: I'm sorry. Okay.

Ms. McClarin: The item. Item number four, which is resolution 8-5-18, that is for us to approve the bid process. The bid process for a whole package, the whole package meaning HVAC. [crosstalk 00:42:18] Are we all on the same page? We all on the same page? [crosstalk 00:42:20] Okay, so [crosstalk 00:42:23]

Ms. Turner: This package does not include the boilers. It [crosstalk 00:42:26]

Ms. Synor: It has to.

Mr. Fambrough: It has to.

Ms. Synor: It says heating, it has to.

Ms. Turner: No, it says for the conservation project, the conservation project does not say anything, it says project. It does not say the entire thing.

Ms. Synor: Okay, then to approve the heating ventilation and air conditioning and energy conservation [crosstalk 00:42:42]

Ms. Turner: Project, that does not include these two boilers. That is the thing that was [crosstalk 00:42:48]

Ms. Synor: Okay, so to me then if Mr. [crosstalk 00:42:52] pointed out a couple things in the bid process there. This is, I'm just gonna throw this out here. We called a special meeting and we're still-

Ms. Turner: We're having conversation.

Ms. Synor: We're having a conversation and it's taking us about 15 minutes to talk about item number one. If-

Ms. Turner: We can see right her, y'all got three people that already will tell you we need to take a vote that say we gone take the package and we gone step. 'Cause already got [crosstalk 00:43:17]

Ms. Turner: Let her finish her point.

Ms. McClarin: Okay. We could potentially have enough special needy to move the stuff along quickly. We have some fixers we need to fix. And if we're committed to the process that we say we're sitting here committed to, if we know exactly what we want done, we need to ask for that to be done. We need to come in here and say yes, no to it and be done.

Ms. Synor: We need to say for item number one here, that this conservation packet needs to include the boilers. If we want to include the boilers, if

we don't want it to include the boilers, we need to specify that. And we can come in and knock that off.

Ms. Synor: Item number two I know we haven't gotten there yet, but if it's not a separate item for the boilers, if we want the boilers to be part of that bid package, we need to make sure that that happens. And the bid process needs to say that.

Ms. Synor: Now Mr. Fambrough, I don't wanna have an argument with you but I'm gone throw out that there are some ... We did talk about in one of our meetings, about there being some penalties to the contractor for being late. And the reason that we agreed and I recall that conversation, we agreed for the penalties to be as stiff as they were is so that we could be underneath the timeline to reap the benefits of the PACE program.

Ms. McClarin: Because if we miss those deadlines, some of those savings will go out the window for us. Those rebates, so that's the stiff penalty for the contractors. And I understand what you're saying about some of the contractors not being able to bid on the process, but everybody can't clean your feet either. You know what I'm saying? Everybody feet, which is manicures or pedicures don't do that.

Mr. Fambrough: Okay.

Ms. Synor: I think that we have to be careful in that regard. But if we're going to ... We can sit here all night and have discussion. But we need to come up with a solution and we need to come up with one that's gonna move us ahead. [crosstalk 00:45:03]

Ms. Turner: Might I say something before we go any further? And hold that thought Mr. Fambrough. We, all of us agreed unanimously that the process for bidding needed to be dictated to us by-

Mr. Fambrough: Dictated.

Ms. Turner: Wait wait wait, listen listen listen.

Mr. Fambrough: Did you say dictated?

Ms. Turner: Yes. Yes, exactly I did exactly say that. I'm not confused. Hold that thought. Would be dictated by the architect and engineer. We said we don't know enough about this, we need an architect and an engineer to give us the information.

Ms. Turner: The architect and engineer said the best way to go about this is to pull the bid, to pull the boilers out and do it like this given what our time

frame is. Now, I understand why that makes folks uncomfortable. Me personally, if he was in this room right now and explained it, I don't necessarily know I would feel better about it. But the thing that is true is that that was a recommendation based on the person that we've been working with all this time.

Ms. Turner: One of the things that is true is that there are some things that they would call that we wouldn't necessarily sitting here based on our understanding call. We wouldn't. They made this call. Now you can think, how is this best benefit to them? Is it a problem with this? I don't know. I don't think so, honestly I don't.

Ms. Turner: I think that the issue is this, is that we hire somebody to tell us what's the best way to go about this. The thing that they recommended was to do it in exactly this way. We have bid for installation, we purchase the boilers separately. All of this is gonna to be covered via PACE.

Ms. Turner: That was one of the things that was not clear in this conversation about we're gonna buy the boilers separately. This was not clear that it would also be covered under PACE, but that we were just going to explode it out of the bid process, so that we're gonna take these two things that are under \$50,000 that we don't have to take bids on. And that we would get them shopped by the architect. I mean by the engineer that we work with and that the other part that's more than \$50,000 would go out for bid.

Ms. Turner: That's what has happened. Now like I said, I'm only one head of the seven headed monster. But my thoughts on this are, is that we hired some people. This is what they recommended. The process, I don't necessarily, the biggest issue that I had was that it's gonna be paid for by the PACE process and we had not paid for it.

Ms. Turner: We had not approved PACE as of, until the 13th. And so that was my concern. This other piece of it ... I keep trying to turn this thing off. And it's not trying to come off, I'm sorry. I'm having a phone problem.

Ms. Turner: The ...

Mr. Fambrough: The other piece.

Ms. Turner: Yeah. The other piece, so my feelings on this are is that we've got recommendations. I don't necessarily know that we would know better, more if it had happened in a different way. I don't. If Mr. Denk can come in here and had a whole presentation, I don't know that we'd have gone about this any different. I don't know that talking to us would improve this process.

Ms. Turner: I personally do not.

Mr. Fambrough: Okay. Can I-

Ms. Turner: Now, so that is my thought on this. Is that we have done, what we wanted has been done. We had a recommendation from the architect and engineer as the way to go about this. Yes.

Mr. Fambrough: The thing is you know, train left the station in error.

Ms. Turner: Mm-hmm (affirmative).

Mr. Fambrough: And that moving hastily to try to you know, fix that, I'm not down with it. I think that the thing to do is to back up on this. And rebid this with an understanding of the board where we've met with the people who we've hired so that they respect us enough to even meet with us. This seems like something they just did secretly and we knew nothing. None of us knew.

Mr. Fambrough: When I read this packet, I was shocked and surprised at our lot. And Mr. Denk opened that meeting saying aint no board. I mean, please my mind was completely blown.

Ms. Turner: No, I appreciate that though. And like you said, in all of that process [crosstalk 00:50:02]

Mr. Fambrough: Not quite finished yet.

Ms. Turner: Okay.

Mr. Fambrough: And I'm saying that you know, I'll make a motion that we, I move forward in another way. I think this is too flawed to say and we need some people who will sit with us and go through what's in the packet so that we can understand it and understand from the perspective that it's not a hardship for our people in the marketplace. Businesses who could bid on this.

Mr. Fambrough: I've been told that this thing is written like to keep certain people out.

Mr. Rashid: I have one other comment. The other comment that I have is that in the Buildings and Grounds meeting when I questioned the amount of money that we are getting from PACE was \$250,000 [inaudible 00:50:55] interest over a period of time, which caused the extra money to come in. And when I saw the bid package and I saw the \$150,000, I asked Ms. Marcus-Bey and what's [crosstalk 00:51:08] name?

Ms. Turner: Mr. Cooper.

Mr. Rashid: Mr. Cooper. Where was the other \$100,000 going. They said at that time it's for windows and lighting. Was going to take up another \$100,000. Now we talking about the whole 250 being gone.

Mr. Rashid: Then I asked, "Well, if the boilers are not included in the bid, where is the money coming from paying for the boilers?" And they said that we were gonna take money out of the library fund. It was contrary to the reason why I thought we started facing, I see you shaking your head with this.

Ms. Turner: That is not [crosstalk 00:51:37] That was what was said to you. In my clarification, when I spoke with you Mr. Cockfield and Mr. Cockfield can-

Mr. Rashid: Well I asked him at the meeting that moment.

Ms. Turner: Yeah, no [crosstalk 00:51:48]

Mr. Rashid: He said [crosstalk 00:51:49]

Ms. Turner: Did we set anything aside in that finance?

Mr. Rashid: Exactly.

Ms. Turner: And we have not, so that information like I said, a good chunk of why we are all in this room right now is tied to bad communication with the Director.

Mr. Rashid: Well that's my point.

Ms. Turner: That's [crosstalk 00:52:03] That's where the nitty gets [crosstalk 00:52:06]

Mr. Rashid: I was shocked at that.

Ms. Turner: So much of this was not explained adequately in any meeting that we had.

Ms. Turner: And we all agreed.

Ms. Turner: And we all agree with that. [crosstalk 00:52:18] The question is and where we're at today is how do we move forward? Is it like I said, in my mind like I just told you, I know like I said I grew up with somebody who sold [inaudible 00:52:31] and demolition equipment for a living. I know a lot about a lot of stuff. But I don't necessarily know that I would

know more if Mr. Denk came in here and sat with us. Or gave us more information. I don't, me personally.

Ms. Turner: This is the way that he thought we've been working with him this time, this is the way that he thought was the best way to go about it. My understanding from talking to Mr. Cockfield is that all of this is gonna be included and paid for by PACE.

Mr. Rashid: How if in fact we're saying that we gone spend another \$100,000 on windows?

Ms. Turner: Like I said, no. We have ... There was a whole packet if you looked at the level two audit, a list of things that were covered in what they recommended that we have. HVAC installation, windows, lights. Those were the four things.

Ms. Turner: He was just agreeing.

Ms. Turner: Yeah. Those were the four things that were in the thing. They gave, they came up with a budget. They did come up with a budget and that the ... And that the boilers were included in that budget. Very explicitly it says that in that in the level two audit in that very explicitly it says boilers are included.

Ms. Turner: Now, what this process of getting the boilers separate means is that we front the money and when the PACE money comes in, it goes back into our account.

Mr. Fambrough: Okay.

Ms. Turner: That was the thing that I did not understand from-

Mr. Fambrough: And there's an issue of warranty and that kind of thing. When something goes wrong, then what? And the people who are [crosstalk 00:54:25] installing our boilers that we purchase are not gonna wanna warranty the boilers. They gonna-

Ms. Turner: They not, they wouldn't warranty the boiler anyway. I've had [crosstalk 00:54:35] boilers in my house. And I know that the people who install it and like there's the warranty for installation and then there's the warranty for the boiler. They are always two separate things.

Mr. Rashid: Is the installation price included in this?

Ms. Turner: No. That is strictly for purchasing the boilers and delivering them to this site.

Mr. Rashid: Does the installation cost for this also included in the bid?

Ms. Turner: Yes.

Mr. Rashid: See, these are the kind of questions that [crosstalk 00:55:04]

Ms. Turner: And like you said, so much of this was because there was bad communication around this entire process. [crosstalk 00:55:12] The reason I have an answer to these questions is because I had a chance on the back side of our meeting to ask questions from both Mr. Cockfield and from Ms. Bennett.

Mr. Rashid: Well that's [crosstalk 00:55:25]

Ms. Turner: Unfortunately, the Director has not been purview to any of this.

Mr. Fambrough: What do you mean?

Ms. Turner: To the conversations about clearing this up. [crosstalk 00:55:37]

Mr. Rashid: That explains it. If you follow alogical sequence and if that logical sequence had been apparent to all of us throughout this process, maybe we wouldn't be sitting here [crosstalk 00:55:49]

Ms. Turner: We would not be sitting here, 'cause we would have understood what was happening. [crosstalk 00:55:53]

Ms. McClarin: Just that one area, everything else had been going along smoothly.

Ms. Turner: Yeah, [crosstalk 00:55:59]

Ms. McClarin: That's the thing. [crosstalk 00:56:00]

Ms. Turner: Like I said, we did not [crosstalk 00:56:02]

Ms. McClarin: I'm not saying it's right, I'm just saying we do when we make errors it's a new process. We all knew that, we've been going back and forth, so I'm just saying it's [crosstalk 00:56:14]

Ms. Turner: In my mind this is about two things in our [crosstalk 00:56:21] stewardship of a library. We need to make sure that we get a proper HVAC system in here. We also to make people comfortable but we also need to make sure that we're getting the benefit from PACE.

Ms. Turner: Because we're taking on this debt. [crosstalk 00:56:36] No, no no. But you can't get the benefit if you don't make the changes.

Mr. Rashid: What changes?

Ms. Turner: The changes to the library because they're giving, we're getting this money to make changes to the library.

Ms. McClarin: Yeah.

Ms. Turner: When those changes are made, we get a shrink in our energy bill and that's the benefit.

Mr. Rashid: Okay.

Ms. Turner: And we have a guarantee that the benefit that we see will be less than the amount of money that we have to pay out for PACE every year. That's the nature of the thing. If we do not get this done in a timely fashion, then we lose that benefit and we're paying a loan on something we don't have benefit for. And it undoes the guarantee, the performance guarantee.

Ms. Turner: You see what I'm saying? That there's a performance guarantee tied to this that if we do not do this in a timely fashion, we lose.

Mr. Rashid: What is time?

Mr. Fambrough: Yes.

Ms. Turner: Here is the thing, we need to get it in. Like I said, the timeframe that they laid out and unfortunately, no one has presented to us on the timeframe piece either. I had a conversation about it. [crosstalk 00:57:42] Hold on for a second.

Ms. Turner: I had a conversation with Ms. Bennett and Mr. Cockfield about it, but nobody talked to us about this at all prior to the meeting that I had. Ms. Bennett, did you wanna say something related to that?

Ms. Bennett: Well, with all due respect we didn't, topic of timeframe and when it had to be completed really didn't arise when we spoke. But, so there's again two separate issues, right? [crosstalk 00:58:12]

Ms. Turner: No no, you present, you gave [crosstalk 00:58:13]

Ms. Bennett: Right, right right, well that's the timeframe for the bid for the winter.

Ms. Turner: Mm-hmm (affirmative).

Ms. Bennett: Right? That was for the winter, because even after the bids come back and the board then have to approve whichever bid, proposal, 'cause there's still another step right?

Ms. Turner: Yeah.

Ms. Bennett: Even though they open today, there's still another step. The board now has to review and approve and select. The contract, but then there's a contract piece, but part of that the part of the PACE that's a little bit separate is the rebates.

Ms. Bennett: The library had to, Mr. Cockfield apply through First Energy for these energy rebates. And so that's where we get into the timeframe where I believe it's a year from the time that PACE is approved. That library has to implement all of these improvements, otherwise you lose the eligibility of the credits.

Ms. Bennett: And so that's where we said, okay we wanna do it in the spring, you know again. It wasn't the issue of the timing of the rebates, it was the issue of the winter season. That was in good faith what was driving the expedited timeframe was we looked at the calendar said, November I think 30th or whatever. We wanted everything functioning and trained to go. That was really what was driving it.

Ms. Bennett: We understood that this board, that was a top priority once the level two came back. But we have because another party, the First Energy Sodexo, people were actually, they have to sign off on everything. As well, so you have another body that's overseeing the work that's being done as well. Because they ultimately have to approve it and we're not.

Ms. Turner: They're guaranteeing-

Ms. Bennett: Yes.

Ms. Turner: That it's gonna work.

Ms. Bennett: Because if we're not performing in accordance with their specifications, then why [crosstalk 01:00:13]

Ms. Turner: Then they have to give us the money back.

Mr. Fambrough: Okay.

Ms. Turner: Mr. Fambrough.

Mr. Fambrough: Yeah, I am gonna make a motion.

Ms. Turner: Okay.

Mr. Fambrough: That we ... My motion is that the board rescind the current bid and just have this redone with more communication from the Director, Mr. Denk and the engineer or whoever's around with that. So that we have a clean bid packet out there that's not filled with flaws and miscommunication and other things. And have given us, bring us to tonight where we discussing and wasting great valuable productive time. You know, so that's my motion.

Mr. Fambrough: My motion is that we rescind the bid and that we-

Ms. Turner: You're not accepting any of the bids that have come in thus far is what you're saying?

Mr. Fambrough: I'm saying rescind the bid.

Ms. Turner: I'm just trying to get clarification.

Mr. Fambrough: That we rescind this bid packet that's been put out in error and that we take a step back and reissue a bid packet that suits our needs. And that the process be such that we have the meetings that we should have with the people that we've hired to do these things. And that we all can get on the same page.

Mr. Fambrough: Because we've been left in the dark. And we don't know what in the world is going on here and we're surprised and stunned. And all of that as we go through this and it's, we deserve better from our people who we're paying to help us with this thing.

Ms. Turner: That's your motion? Mr. Cockfield, I'm sorry.

Mr. Cockfield: Yes, I you know with all do respect the process. As I sit here, I'm looking at three options and four heads. First would be to move the process through these resolutions and review the bids that have come in and make a selection. That would be say option one.

Mr. Cockfield: Option two would be to suspend as is Mr. Fambrough suggested, suspend, go back to the process and hope that everything can be consummated by the winter. And if the library closes or has to close or whatever the case may be, the process can then flow through as necessary.

Mr. Cockfield: Third would be just to hold everything until next year and go through the process and wait for the springtime or the summer or whatever season is appropriate. And you know, purchase the boilers or bid the whole project back out.

Ms. Turner: You're saying basically we can do it now, we can do it later or we could do it really later?

Mr. Cockfield: Yes. [crosstalk 01:03:15] The other caveat I think is that and I would need Mr. Cooper here to substantiate this, but as I understand it, there would be approximately \$30,000 worth of repairs that would need to go on. If the board chooses to hold off until next year.

Ms. Turner: Yeah.

Mr. Cockfield: They're approximately \$30,000 [crosstalk 01:03:41] repairs to the existing plan. That would need to take place in order to get us through the winter.

Ms. Turner: Yeah and then on equipment that we won't have until the future.

Mr. Cockfield: Right.

Ms. Turner: That does not move itself to [crosstalk 01:03:59]

Mr. Cockfield: I think that needs to be factored in.

Mr. Rashid: I have on question Madame President.

Ms. Turner: Yes.

Mr. Rashid: If the energy savings that we've had the successes that came back, does it include all of these things being done? Lights, windows and the heating and the air conditioning? Can we get that done for the amount of money that we have [crosstalk 01:04:19]

Ms. Turner: Yeah, there's ... This is the thing. This is the other piece to the story is that the estimates that we have, one of the things that Ms. Bennett said, there's a whole bunch of people that oversee this process over and beyond us. Like I said, there's an energy company that are giving the rebates [crosstalk 01:04:41].

Mr. Rashid: The actual cost. The actual cost for the windows, cost for the lights, cost for the [crosstalk 01:04:46]

Ms. Turner: Yeah, no listen let me finish what I was saying. Is that a bunch of people been looking at that, we can get all of the things that we need for that quarter of a million dollars. Yes. [crosstalk 01:04:55]

Ms. Turner: There is a budget that's part of the level two audit.

Mr. Rashid: But see also-

Ms. Turner: Who says that? [crosstalk 01:05:06]

Mr. Rashid: That came out of the mouth of Mr. Cooper and the [crosstalk 01:05:10]

Ms. Turner: I think that says that there was some miscommunication there. I do, I think there was some miscommunication there because all [crosstalk 01:05:18]

Mr. Rashid: I heard-

Ms. Turner: No no no, I think that the issue is that we have documents that came from the auditors that said this is a reasonable budget. We have our architect and our engineer look at it and say-

Mr. Rashid: How do you know this stuff but we don't know?

Ms. Turner: [crosstalk 01:05:36] I was also this is the process. [crosstalk 01:05:39] Hold on, hold on for a second. [crosstalk 01:05:40] Hold on, hold on. [crosstalk 01:05:42] This is also the same question [crosstalk 01:05:44].

Ms. Turner: Level two audit before we had the meeting on the 13th. [crosstalk 01:05:50] In that is the budget, is what needs to happen, why it needs to happen and the budget. Okay. It's in there at level two audit.

Ms. McClarin: And that was before-

Ms. Turner: Our architect and our engineer reviewed that. They said yes that seems reasonable to us also. It also was paid for by not us, but by Coaching, so there's a whole level of people that are looking at this. [crosstalk 01:06:18]

Ms. Turner: Yes. Ms Bennett.

Ms. Bennett: We had [crosstalk 01:06:22]

Ms. McClarin: I gotta go.

Ms. Turner: I know.

Ms. McClarin: I said I can be the first [crosstalk 01:06:25], I had. I thought if we can vote, I can vote or if he got a motion on the floor or second or whatever. I can stay here and do that, but I can't.

Ms. Turner: Yeah. There hasn't even been a second on that vote.

Ms. McClarin: I know so I'm just saying, if we gonna do something voting or something, I can get but I can't just-

Ms. Turner: No, you need to go [crosstalk 01:06:42] If you feel like you can't be here [crosstalk 01:06:44]

Ms. McClarin: I know. I promise you the first hour. You know I still gotta get downtown on the bus, so you know. Okay, all right. [crosstalk 01:06:54]

Ms. Bennett: Ms. McClarin I can run you downtown, but this is-

Ms. McClarin: I still gotta get in class, no it's easier for me to jump on the half mile [crosstalk 01:07:03]. I get down in 15 minutes.

(Ms. McClarin leaves the meeting at 7:37pm)

Ms. Bennett: Based on the proposals that have been returned to the library, they are in excess of our budget anyway.

Mr. Rashid: Yes, you're right.

Ms. Bennett: I wasn't here for the opening.

Mr. Rashid: Yeah.

Ms. Bennett: Okay, okay. [crosstalk 01:07:20]

Mr. Rashid: Invited to be in the opening. I didn't know nothing about it.

Ms. Bennett: Okay, that's not [crosstalk 01:07:26] The fact that we do have a budget and those are what the level two estimated our repairs to be. Two things, one you got out to bid, you have your internal cost estimates. But then the market dictates right?

Mr. Rashid: Mm-hmm (affirmative).

Ms. Bennett: Based on labor and parts. However, the bids that were submitted are far in excess of what our budget is and it's my understanding that two of the people who submitted were not present at the pre-bid meeting. And we believe they may have submitted their bids based upon supplying the boilers.

Mr. Rashid: Right, 'cause there's nothing to clarify.

Ms. Bennett: We're gonna have to reject those bids anyway because it is in excess, far far in excess of our budget. And we cannot [crosstalk 01:08:21] You can reject. Actually, you can just reject the bids and reissue a new[crosstalk 01:08:28], a new and prepare these specifications and advertise for bids.

Mr. Rashid: Okay.

Ms. Bennett: But then you're gonna run into the time. We can still do it, but understand that if you do it and it's whatever the notice to commence is right. You can put in the bids that the notice to commence, you won't begin the work til spring. But we can at least go through the bid process now.

Ms. Bennett: Or you can have it begin and the winter, knowing that you'll have to come up with some backup plan in the event. Whatever. I'm not telling you what to do, I'm just saying you're gonna have to rebid anyway.

Mr. Rashid: Anyway. That's why I keep asking all these questions about the cost, the total cost. Because that's not, what I'm hearing is that it's more so bottom line is that since we ... Since we know what we got back is just in excess. And how do we just cancel ourselves out of this?

Mr. Rashid: I don't wanna wait til next year. I [crosstalk 01:09:19]motion.

Ms. Bennett: The other thing is, we did talk about you could bring in some commercial, that's gonna add some costs to the project that will have to come out of the library's budget. But we can bring in some portable heaters. I mean, or because the thing is if you close the library, you're still gonna have to pay staff. Right?

Mr. Rashid: Or receive special [inaudible 01:09:37]

Ms. Bennett: Yeah. You still have to pay staff, so that's just, but you gotta rebid.

Mr. Rashid: Right. [inaudible 01:09:45]

Ms. Synor: Are we allowed to go back to PACE and say based on market cost [crosstalk 01:09:55],

Ms. Bennett: Can we increase the loan amount?

Ms. Synor: Can we increase the loan amount?

Ms. Bennett: We could have, we could have gone up to not to exceed 500, 'cause that was the ... But when the level two came back, that is a question I will pose to Norma tomorrow.

Ms. Synor: That's my question right there.

Ms. Bennett: That's a very [crosstalk 01:10:09] valid question. [crosstalk 01:10:10]

Ms. Synor: My question is because of the concern I hear over here, not that I don't have it. I'm just being realistic here. If the market does not bear our budget amount because PACE knows the manufacturer, we don't or you know, whoever did that. If the actual cost [crosstalk 01:10:31]

Ms. Bennett: Right, the tariffs may have changed and right [crosstalk 01:10:35], so many tariffs.

Ms. Synor: Right, so [crosstalk 01:10:39] all of those externalities that we have those unforeseen circumstances that impact the cost. Let's just call it that, we won't point fingers at anybody. Those unforeseen things that impact the actual cost to do the business, which is bring the library up to speed. And have our energy efficiencies put into place.

Ms. Synor: Are we willing and I'm just putting this out there, so if per chance we go back to the drawing board and do this from scratch, are we willing to make sure that we have the right dollar amount from PACE so that all of the things that we need to have done, which were outlined in that second level audit can be completed without it touching our operational budget? That's what I'm putting out there.

Mr. Rashid: I agree with you, 'cause that's how I [inaudible 01:11:22] play the game.

Ms. Turner: That is the absolute object of the game.

Ms. Synor: That's what I'm tossing out. Okay.

Ms. Turner: That's the absolute object of the game and like I said, sooner rather than later maximizes that route in my mind.

Mr. Rashid: Mr. Fambrough has a motion, but how do we proceed here in the most effective manner to [crosstalk 01:11:39]

Ms. Synor: His motion's on the table right now. It's probably the level-

Mr. Rashid: I don't understand.

Ms. Synor: 'Cause nobody seconded it.

Mr. Fambrough: You know what, [crosstalk 01:11:49] really just told us that we have to do it this way.

Ms. Synor: That aint what she said, she offered a suggestion.

Mr. Fambrough: I used the word rescind.

Ms. Synor: She offered a suggestion, she did not say that that's what we had to do. It was a suggestion as an option for us to consider.

Mr. Fambrough: Okay.

Ms. Turner: There's like I said, three things that were put out to us. It's like [crosstalk 01:12:09] do it later.

Mr. Fambrough: We need to move if we gonna do something, 'cause I-

Ms. Turner: Like I said, we are-

Mr. Fambrough: Time constraint.

Ms. Turner: If you leave, then we no longer have a quorum. [crosstalk 01:12:17]

Mr. Fambrough: Legally proceed to take these bids off the table, start the process over, get a new bid package in place soon as possible.

Ms. Bennett: Yeah, you can reject the bids and prepare new specifications. If you want to include the boiler in it. If not, you can you know, prepare new specifications and you know, you can say that. You can actually do it in steps.

Mr. Fambrough: What's the significance of the word difference? My word is rescind, your word is reject.

Ms. Bennett: Because you have bids that have been submitted. [crosstalk 01:12:52]

Mr. Fambrough: Not rejected, just an opinion. Can I make that motion [crosstalk 01:12:56]

Ms. Bennett: We reserve, the library reserves the right and the language of the bid, the library reserves the right to reject any and all bids.

Mr. Fambrough: Yes.

Ms. Bennett: What it is is you're making a resolution that is in alignment with the language that you have in the bids.

Mr. Fambrough: Then I'll restate my motion to use the word reject the bids.

Ms. Turner: Wait a minute.

Mr. Fambrough: I move that we reject the current bids that have been returned according to the deadline that was set. And put the matter out of re-bid.

Ms. Turner: Under what circumstances?

Mr. Fambrough: Because they-

Ms. Bennett: They were in excess.

Mr. Fambrough: I'm asking that they-

Ms. Turner: You said you were gonna send it about under re-bid. What is the new bid?

Mr. Fambrough: We don't know yet. We [crosstalk 01:13:55] discussed the cases need to be replaced.

Ms. Bennett: The responses are in excess of the internal cost as [crosstalk 01:14:02]

Mr. Fambrough: That would be the reason for my motion. The reason is that the responses that we received have a dollar evaluated excess of what our budget is.

Ms. Bennett: Yep.

Ms. Turner: Okay. There's a motion on the floor.

Ms. Synor: I'll second.

Ms. Turner: Moved to second. We have discussed [inaudible 01:14:19], so Mr. Turner, please take the call roll. Yes.

Ms. Bennett: Will you do a separate resolution then to prepare new specifications?

Mr. Rashid: I'll make that motion. Can we vote on this one first?

Ms. Turner: Yeah.

Ms. Bennett: Okay.

Ms. Turner: We have to get through.

Mr. Fambrough moved and Ms. Synor second rejecting the current bids and re-bid.

Ms. Bennett: All right.

Ms. Turner: Let's do this vote and then we can talk about under what circumstances we will send out a meeting. Okay. We can talk about that.

Mr. Rashid: Okay.

Ms. Turner: But let's do this vote first.

Discussion: None.

Roll Call Vote: Ms. Turner (yes), Ms. Synor (yes), Mr. Rashid (yes), Mr. Fambrough (yes)

Yes – 4

Motion passes.

Ms. Turner: Okay. [crosstalk 01:14:59] All of the things that have come up to this point have been rejected. Now we have rejected the bids, which means we have to resubmit it. Unfortunately, we cannot add anew that conversation into this meeting, so we can't have that conversation until we have another meeting. When that's going to be, our next scheduled meeting is not til the 17th of September, which is a long time from now given the process.

Mr. Rashid: Is there a legal way around it?

Mr. Fambrough: I know, we just make [crosstalk 01:15:35]

Ms. Bennett: Special notice.

Ms. Turner: Huh? No, we can call another meeting but understand we gotta call another meeting. Like I said, we've called a meeting before the 17th. But what I'm saying is I said that to let everybody know that we're gonna have to have another meeting before the 17th. 'Cause it's a long time. Yes.

Ms. Synor: I try not to be rude.

Current submitted bids are rejected.

Ms. Turner: No.

Ms. Synor: Can we not make a motion to that tags on to the very first agenda item that would reframe that, so that we can have the rebids go out? Because what we declined is the bid package because what came in was in excess. If he's saying we could put out bid again, which is pertaining to item four on the agenda, we would just put the bid packet back out with the right specifications.

Ms. Synor: And I'm just asking so that we don't do anything wrong. But that just seems linear to me.

Mr. Rashid: That's a good question.

Ms. Turner: I don't know how that works.

Ms. Bennett: [inaudible 01:16:42] Is this the notice of the board meeting or was it a separate notice?

Ms. Synor: Is that the notice or the agenda?

Ms. Bennett: That's I see the agenda, I didn't see. What does the notice look like? I don't know what the notice says.

Mr. Cockfield: The public notice?

Ms. Bennett: Mm-hmm (affirmative).

Mr. Cockfield: It has these three resolutions identified.

Ms. Turner: That means what?

Ms. Bennett: Well, that was so specific.

Mr. Fambrough: Can we get a copy of the notice so she can look at it?

Mr. Turner: There should be one down on the door here. [crosstalk 01:17:15] She can find out with the icon on the door. On the window here.

Ms. Synor: I'm just trying to minimize a meeting that we don't have to have. I know we need to have another meeting, but we can-

Mr. Fambrough: The other problem is just like this train left the station the way it did, we want to prevent that. The trustees are not sitting here like bumps on a log. You know, so that we meet [crosstalk 01:17:45] we do the [crosstalk 01:17:46] so that we're on the same page as the board.

Ms. Turner: I don't agree with ones we [crosstalk 01:17:51]

Ms. Synor: You can adopt the big process, so that's the line. The first one, it says adopt a bid process.

Ms. Bennett: And that's on 8-6.

Ms. Synor: Okay.

Ms. Bennett: It's so specific.

Ms. Synor: Okay, so this [crosstalk 01:18:10]

Mr. Rashid: We have to wait til another meeting?

Ms. Synor: Right, so it seems to me like we need to figure out when this next meeting is gone be like asap.

Mr. Rashid: You mean a vote to not meet on that day in the future?

Ms. Bennett: Yeah, I think it would just be [inaudible 01:18:21].

Mr. Rashid: Okay, that's the best to just follow the advice [crosstalk 01:18:23] they have a date to recommend. What works for you [crosstalk 01:18:26]

Ms. Turner: Here's the ugly part of my life right now. I, we have, hold on.

Mr. Rashid: What date can you do?

Ms. Turner: This is ... I am, we got a holiday. There's only two days next week that I can meet. And it also means that I have to completely change my work schedule, but I can meet on Tuesday or on Wednesday. Because on Thursday morning I'm going to New York for three days on some family business, so I can't do it the 6th, 7th, 8th, 9th I'm gone.

Mr. Rashid: The soonest is the 4th?

Ms. Turner: The soonest is the 4th.

Mr. Rashid: How is that looking everybody else? [crosstalk 01:19:13]

Ms. Synor: The 4th what?

Ms. Turner: As opposed to that and now I will say also for Pam that Tuesday works better than Wednesday for her.

Mr. Rashid: I will vote to that. What about you Mr. Fambrough?

Mr. Fambrough: I'm good that day.

Mr. Rashid: Okay.

Ms. Turner: I will make it a point to be here. And so we're having another special meeting, so we have to send out another for the 4th. Now, what do you need for the 4th? [crosstalk 01:19:43]

Mr. Fambrough: We need Denk to get into this bid packet so that this thing makes sense.

Mr. Rashid: Do you wanna do it as a special meeting or should we just do it at our regular special meeting?

Ms. Turner: Here's the thing, we don't have it. Like I said, we are burning day light fast and furious here. And like I said, I think when you're looking at \$30,000 worth of repairs versus trying to get this thing in here now, we gotta make some stuff happen. Sooner rather than later seems reasonable to me.

Ms. Turner: And the four, in this world there's a bit difference between the 4th and the 17th, in our timeframe.

Mr. Rashid: Madame President I agree because the other side of the coin that nobody wants to wait until next year. We have to pay these, all of our staff.

Ms. Turner: Yeah, no like I said, [crosstalk 01:20:29] this is the reason we called this meeting is since we were in the middle of the an absolute mess that we needed to make a decision on how we could [crosstalk 01:20:37]. And we decided that we're not gonna deal with these bids. But we gotta deal with this bid process.

Ms. Turner: We gotta make it happen.

Mr. Rashid: Okay.

Ms. Turner: We're gonna do it on the 4th and then like I said, if and this is based on the assumption that Mr. Denk is available.

Mr. Rashid: Well he's gone have to be available. [crosstalk 01:20:52] somebody gotta be.

Ms. Turner: Here's the story. [crosstalk 01:20:54] Here's the story. [crosstalk 01:20:55] He could be on the other side of the planet, this is the

problem. He could be on the other side of the planet on [crosstalk 01:21:04] And-

Ms. Synor: Tuesday, Tuesday.

Ms. Turner: On Tuesday, I'm sorry. He could be on the other side of the planet on Tuesday, I mean the truth of the matter is, you said we're meeting on Thursday. [crosstalk 01:21:12] I will be in New York City, you see what I'm saying?

Mr. Rashid: Yeah I understand what you saying.

Ms. Turner: You can't you know, make the assumption that we're, I think we've got to have, if we're gonna have this meeting, it needs to be based on Mr. Denk's availability. If that's the only thing that's gonna make this, us be able to forward on this.

Ms. Turner: I personally don't necessarily know that him talking to us, I don't think where the problem lies. I think what needs to happen, I don't. I think the problem is is that big packet went out screwing based on what you just said. But talking to us is not gonna fix it. He's gotta look at it and come up with a strategy on how to fix it, 'cause we can't fix it.

Mr. Fambrough: We gotta tell him what we want.

Ms. Turner: You can tell him [crosstalk 01:22:04], you know what, I don't necessarily know that we would be, our opinions would be that valuable in this situation, but okay.

Mr. Fambrough: Do we have to have him in a formal board meeting to have a discussion with him?

Ms. Turner: Well see that's the other piece of story that I was gonna say. Here's what I was gonna suggest. I'm gonna suggest that Ross, tomorrow you get with Mr. Denk. You say the board rejected every packet that came in because they were all over [crosstalk 01:22:31]

Mr. Cockfield: Mr. Denk is gonna be here. He's gonna be here tomorrow about 2:30.

Ms. Turner: Okay, so here's the thing. Yes.

Mr. Cockfield: He's gonna be here tomorrow.

Ms. Turner: Who of you two or you can be here tomorrow at 2:30 to ask the questions that need to be asked and come back to this board? Simply because I realize that we all have schedules. Okay. I can only make it on Tuesday, 'cause I called off on Tuesday already today.

Ms. Turner: But if we need answers and we know collectively already here pretty much what it is that we want, which is the boilers included in the bid packet. And to know that-

Mr. Fambrough: That's one thing.

Ms. Turner: Okay. And the point is [crosstalk 01:23:10] or be here tomorrow at 2:30 to share with them all the other components that they [crosstalk 01:23:14]

Mr. Fambrough: I'm assuming by your [crosstalk 01:23:14]

Ms. Synor: You can ask that. And like you said, that you can make that [crosstalk 01:23:19]

Mr. Fambrough: You can't tell him no. And that's the other piece of it. And I'm not listening to no from our other [crosstalk 01:23:24]. It needs to be designed from scratch, people can come up with bids.

Ms. Synor: Here's the thing Mr. Fambrough [crosstalk 01:23:32], you can talk to him about that. About what that process, what you wanted that process to look like. But the ultimate process, what the ultimate process becomes is a function of where everybody is once we all get information.

Ms. Synor: I appreciate that you wanted to look a particular way, but I don't think [crosstalk 01:23:54] take that as [crosstalk 01:23:55]. Understand what I'm saying.

Mr. Fambrough: Whatever it is-

Ms. Synor: You want things to be [crosstalk 01:24:01] yes, it needs to be approved by the board, so I just wanted to say that. Is that I appreciate that you have an agenda, we all do. But understand you can't insist that it happen this way when we all have not voted for that. You see what I'm saying? [crosstalk 01:24:17] Okay.

Ms. Synor: Long as we on that page. [crosstalk 01:24:19] It's good.

Mr. Fambrough: [crosstalk 01:24:22]

Ms. Bennett: The notice is done for the special board meeting and it's broad enough, so maybe it's for the purpose of, I believe I hear you say that the next meeting is to establish a bid process?

Ms. Turner: We need to know the parameters of the bid. It's not, here's the thing. There's a couple of things that are out-

Ms. Bennett: Maybe it's to discuss [crosstalk 01:24:45]

Ms. Turner: We need to talk about the parameters of this meeting.

Mr. Fambrough: Okay.

Ms. Turner: Because the parameters of the bid were clearly not affect me, like what we thought was a reasonable bid that went out, that didn't work. Nothing came back that was within the-

Mr. Fambrough: It was confusing.

Ms. Turner: Yeah. [crosstalk 01:25:01] We need to talk about what are the parameters of this and that's conversation that needs to happen. There's things that need to happen. We'll dig in. Like why would you take out that?

Ms. Turner: Give more clarification if you need to. If you want to call me on the phone tomorrow, I will be willing to be part of this as a phone conference. To ask those questions and engage in that process.

Ms. Turner: But-

Ms. Bennett: Just caution, if board members are calling in, that once you hit four [crosstalk 01:25:41]

Ms. Turner: Yeah, I don't think it's gonna be-

Ms. Bennett: Then it becomes a board meeting.

Ms. Turner: Yeah, yeah.

Mr. Rashid: I wanna try to make it here tomorrow, at least talk to Mr. Denk. And Mr. Fambrough said that he could come, so we [crosstalk 01:25:53]

Ms. Turner: That's the two of you then. Like I said, here's the thing, we need to ... What we know for sure is the parameters of this bid packet were not good. That's what we know for sure. We need to make a better bid packet so that it better includes everything.

Mr. Rashid: Mm-hmm (affirmative).

Ms. Turner: And that's a conversation you guys need to have with Mr. Denk tomorrow.

Mr. Rashid: Okay.

Ms. Turner: Because what he sent out in the first go round did not work.

Mr. Rashid: Okay. Our special meeting is going to be for the discussion-

Ms. Turner: To come up with-

Mr. Rashid: Parameters.

Ms. Turner: Specific parameters for that bid process so that all the board members are comfortable with what the parameters of that next bid that goes out will be.

Mr. Rashid: Okay. [crosstalk 01:26:38] Can you write the minimum on that?

Ms. Turner: Sure.

Mr. Rashid: And we can work on that tonight so we set that meeting up now.

Ms. Turner: Okay.

Mr. Rashid: Before we leave.

Ms. Synor: And I want us all to be clear on the same time, same date, same back station for what that meeting is.

Mr. Rashid: Next Tuesday. [crosstalk 01:26:53]

Ms. Bennett: Bid conference for the HVAC.

Ms. Turner: Mm-hmm (affirmative).

Ms. Bennett: PACE, because PACE has conferences everyday, so this is for HVAC.

Mr. Rashid: Heating and HVAC.

Ms. Turner: Okay.

Mr. Rashid: And boilers, as you guys mentioned-

Ms. Bennett: Boiler is the HVAC, so it's heating, air conditioning-

Mr. Rashid: And boiler.

Ms. Turner: Ventilation and cooling.

Ms. Bennett: Ventilation and cooling. Boiler is part of-

Mr. Fambrough: I think it needs to be very specific. This, that's what I think. I think it just needs to say boilers in addition to HVAC and light it down. It needs to say that too. 'Cause that's what we missed in here. And that was the source of a lot of confusion.

Ms. Turner: I think confusion came on our part, because anytime you get a bid the way that our bids came back with the prices, those I will bet, I will bet dollars to nickels that ... Or which I say dollars to donuts, I think that's the phrase as it goes. The boilers are included in those bid packets because if you came back with \$500, or \$400,000 installation thing and there's no boilers included, I wanna know what you rolled and smoked to. We can stop growing that.

Mr. Fambrough: Exactly. What business are you in?

Ms. Turner: Right, exactly.

Mr. Fambrough: Your hustle [crosstalk 01:28:06]

Ms. Turner: Exactly, so I believe that when they say HVAC, they included [crosstalk 01:28:15] the boiler. They did.

Mr. Fambrough: Yeah.

Ms. Turner: And then [crosstalk 01:28:18]

Ms. Turner: Especially if they got the level two audit.

Ms. Turner: Right.

Mr. Fambrough: I'm gonna insist that the word, when you put it in parenthesis if you want. But I think the word needs to be there as for super clarity.

Ms. Synor: And include HVAC, inclusive of boiler installation, inclusive of boilers.

Mr. Fambrough: Yeah.

Ms. Synor: That might work [crosstalk 01:28:36]

Mr. Fambrough: That's all I'm saying.

Ms. Synor: I think that the purposes of moving the meeting along, whatever day we meet on next Tuesday we need to have that. And whoever has an opportunity tomorrow will come and speak with Mr. Denk. Clarify you know the things that are important to us, so that that bid packet can be done.

Ms. Synor: And then we need to have a deadline for that bid packet, so that we can have a few moments to go over it. We'll make sure that we are all clear, we're all on the same page and have a deadline for the date that it needs to go out. And so-

Mr. Fambrough: And we need to include and by what date the packets need to come back to us.

Ms. Synor: Right. And so Mr. Fambrough, please don't be offended if they open the envelope. We need to agree on when we're going to review them.

Mr. Fambrough: That's not a problem.

Ms. Synor: There's a difference.

Mr. Fambrough: I'm not offended, I mean I think it should happen at a board meeting though. I think that you know, that's ... I think that process could be open at a board meeting and come back.

Mr. Rashid: I don't know what to say. When I talk to Mr. Denk tomorrow I'm gonna ask him to attend that meeting on the 4th. Is that okay with everybody?

Ms. Turner: That's fine. I mean that'd be more than fine with that. But you know like I said, with the understanding that it is close. [crosstalk 01:29:56]

Mr. Rashid: That's gonna be here.

Ms. Turner: Yeah.

Mr. Rashid: You know and I think we can [crosstalk 01:30:00]

Ms. Turner: Because [crosstalk 01:30:00] it is-

Mr. Rashid: It's in his best interest to attend too.

Ms. Turner: Yeah.

Mr. Rashid: How do we motion for adjourning.

Ms. Turner: Hold on. We still have an entire [crosstalk 01:30:13], we still have two more resolutions and we have not even, we haven't gotten that far.

Mr. Rashid: Wow.

Ms. Turner: I appreciate y'all wanna go somewhere, but hold up.

Mr. Rashid: I thought we went over everything.

Ms. Turner: No no no no, no, we haven't even gotten to those to say no to. Now the next resolution is 06, 08-06. Now.

V. RESOLUTION 08-06-2018: RESOLUTION TO PURCHASE TWO (2) BOILERS TO COMPLEMENT THE "HEATING VENTILATION AND AIR CONDITIONING (HVAC) ENERGY CONSERVATION PROJECT"

Ms. Turner: We're not gonna vote on it and that's fine. [crosstalk 01:30:40]

Mr. Fambrough: Table item B on this agenda.

Ms. Turner: Okay, there's a motion to-

Mr. Rashid: I'll second.

Ms. Turner: Motion and second. Any more discussion about tabling that? Good job. Mr. Turner.

Discussion: None.

Roll Call Vote: Ms. Turner (yes), Ms. Synor (yes), Mr. Rashid (yes), Mr. Fambrough (yes)

Yes – 4

Motion passes.

Mr. Fambrough moved and Mr. Rashid second the tabling of resolution 08-06-2018.

Resolution 08-06-2018 is tabled.

VI. RESOLUTION 08-07-2018: RESOLUTION TO AMEND THE INTERNAL CONTROL POLICY EXPENDITURE CYCLE: BIDS VS. QUOTES"

Okay. Next item off the agenda is resolution 08-07. And that was to amend the internal control policy.

Ms. Synor: Expenditure [inaudible 01:31:20].

Ms. Turner: Mm-hmm (affirmative).

Mr. Rashid: In what way? It's not here.

Ms. Turner: Did you read it?

Ms. Turner: Yes he did.

Mr. Rashid: I don't understand it. [crosstalk 01:31:28]

Ms. Turner: You want to expound on that, so can [crosstalk 01:31:31] what we talk about. [crosstalk 01:31:33] Yes, please.

Mr. Cockfield: Yeah, the internal control policy who's governs are the bid process of current leads in as it does in [inaudible 01:31:50] one. Resolution is to amend the current policy and let's see. Basically says upon advice and consult, the consultation with the library board approved consulting bids with library board solving bids will be developed and advertised. All submitted bids will be reviewed by a panel to include, but not be limited to staff, administration, consultants and board to determine none of the votes responsible bid. Which will form the basis for the contract ward.

Mr. Cockfield: Essentially what we're doing is we're ... As the board is suggesting, shift the review of the bids back to any or all of these entities in order to select the lowest and most responsible bid. Which was not in the current policy.

Ms. Turner: We don't have any policy in any of our manuals that say how this thing has to happen. That's it. In the review part, staff, administration and consultants.

Mr. Fambrough: Well the board would have to approve anything. The board is missing from the other units resolution.

Mr. Cockfield: No it's not. It says-

Ms. Turner: And the board. It says and the board-

Mr. Cockfield: And the board to determine, and board.

Ms. Turner: Yes.

Mr. Fambrough: I see it.

Ms. Turner: It says administration and board.

Mr. Fambrough: To determine, okay go ahead.

Ms. Turner: What it is is a verbiage change to make sure that it's clarifying every, all body [crosstalk 01:33:43]

Mr. Fambrough: But it says a panel up here to include but not be limited to staff, administration, consultants and board to determine none but the laws ... See, the only thing in here is that's got power is the board. The board approves, not the administration. The board approves.

Ms. Turner: This says it's for review.

Ms. Turner: Not approval.

Ms. Turner: It didn't say approve, it said review.

Ms. Turner: Yeah.

Mr. Fambrough: Wait a minute. Can we get some clarification?

Ms. Turner: What do you want?

Mr. Rashid: I wanna clarify the fact that if in fact it was done without the member or the board, would it still be legal?

Ms. Turner: Depends. I would say, no no no no. Here's what I'm saying. It would depend in my mind on what was dictated out the gate for the process. When we have our procedure in place, if the procedure says the board has to be physically, the entire board has to be over that board meeting.

Mr. Rashid: No, I'm speaking of this particular document. And I'm asking our attorney to tell me whether ... What-

Ms. Bennett: I hear you.

Mr. Rashid: Okay, could she answer for us?

Ms. Turner: Sure. But I don't think that, we still don't have a process. In saying any of these people.

Ms. Bennett: Yeah, I see the need for clarification, even in this language. And Mr. Fambrough is correct-

Ms. Turner: You mean Mr. Rashid.

Ms. Bennett: Well, what he's saying that the board ultimately makes the approval.

Ms. Turner: Mm-hmm (affirmative).

Ms. Bennett: If the panel is really making a recommendation to the board for approval, but that's not clear in this language. Because if you read it, it says none but the lowest responsible bid, which will form the basis for the contract or void. If I read that, it's this panel determining it and then that will form the basis of the contract award. Not the panel making a recommendation.

Mr. Fambrough: The board [crosstalk 01:35:58]

Ms. Bennett: To the board.

Mr. Fambrough: It needs to be changed so that it makes sense. [crosstalk 01:36:03]

Ms. Turner: I disagree, because I understood clearly when I read that that it meant it was a recommendation. Because it says it's a review.

Ms. Synor: It's a review.

Ms. Turner: It's a review.

Ms. Turner: It didn't say approval.

Mr. Fambrough: I understand.

Ms. Turner: It doesn't say approval.

Mr. Fambrough: That it's saying recommendation-

Ms. Turner: It does.

Mr. Fambrough: It's really clear, it's to say that word and it should be really cool. [crosstalk 01:36:21]

Ms. Turner: Okay. You want to create a recommendation for board approval? Is that what you want?

Ms. Turner: Can I say that the recommendation which came, let me ask Mr. Cockfield, what did the recommendation come from?

Mr. Cockfield: Comes from the consultant.

Ms. Turner: Okay, and so usually, and I'm not saying that they are superior to any of us. But they are subject matter experts and I'm sure that this is in

more than one library's internal control policy. Because we all are governed by the same.

Ms. Turner: I'm sorry, internal control policy. We're all governed by internal control policy that we need to have in place. And I'm sure that there's some legalize and jargon that we get all the time from people such as Ms. Bennett herself that doesn't make sense to us. But because they're the people who argue it in court, that's the terminology.

Ms. Turner: I think we need to be clear on what it's supposed to say. When I read that, I didn't get in any way, shape or form that it was a final. It was a review. That's a first word, it captured me because when it first says that all submitted bids will be reviewed by a panel. And the panel could include but not be limited to, so that means if the board chooses, you can have some external people like community people be a part of the packet part of it. These are just some of the people that are part of it.

Ms. Turner: And then it said, which we'll form the basis, form the basis [crosstalk 01:37:48] meaning that this is just the you know, the base of the cake. It's not saying that this is the whole thing. At least that's what I got out of it.

Mr. Cockfield: And see that's where I'm asking to be clarified, because from what I read it said that would form the basis for a contract award.

Ms. Turner: Right. And after that-

Mr. Cockfield: That's what I'm hearing.

Ms. Turner: And so to me after that, if it's a review after that, then we get to make the final decision.

Mr. Cockfield: But I don't see that.

Ms. Turner: Okay.

Mr. Cockfield: That's what I see.

Ms. Turner: I mean if we need to add more word, I guess we do.

Ms. Turner: I mean in my mind, where that gets clear is in our procedure. 'Cause we don't have a procedure and I keep trying to tell y'all that we really can't keep moving the world about having our procedure is firmly established.

Mr. Fambrough: I understand. This last paragraph [crosstalk 01:38:37]

Ms. Turner: The procedure will get clear about exactly what that is about. These are the people who are participating and their conversation, that process of joint review-

Mr. Fambrough: Will form.

Ms. Turner: Will form the basis.

Mr. Fambrough: For the contract award.

Ms. Turner: Yeah.

Mr. Fambrough: I just wanna make sure that does not mean in the final analysis that this board could just award contracts.

Ms. Turner: The board can award the contract.

Mr. Fambrough: No, but the way that this is written, the way that I'm seeing it, it says that [crosstalk 01:39:06] the board don't even have to be involved. And this will form the basis on awarded. How do we reword this in a way where it does not make it confusing? Because it's confusing to me.

Ms. Bennett: We just think we may word that, "Which will form the basis for the recommendation to the board for final approval."

Mr. Fambrough: Bingo. That's it.

Ms. Turner: Yeah.

Mr. Fambrough: That was [crosstalk 01:39:27]

Ms. Synor: Can we reframe that immediately so we don't have to table this and put this together real quick and read it?

Ms. Bennett: Okay. Let me work at it.

Ms. Synor: Can we do that?

Ms. Bennett: I'm sorry, I took your page.

Ms. Turner: That's fine.

Ms. Bennett: [crosstalk 01:39:37] Where it will say, instead of saying, "Which will form the basis for the recommendation to the board for final approval."

Mr. Fambrough: Recommendation to the board. For final approval.

Ms. Bennett: Mm-hmm (affirmative).

Ms. Turner: Okay. You good with that?

Mr. Fambrough: Mm-hmm (affirmative).

Ms. Bennett: Mr. Fambrough.

Ms. Synor: Mr. Fambrough.

Mr. Fambrough: Mm-hmm (affirmative).

Ms. Synor: You all right with that?

Mr. Fambrough: I'm good with that.

Ms. Synor: Okay, all right. Let's get this [crosstalk 01:40:12]

Ms. Turner: Who's making a motion?

Ms. Synor: I make a motion that we accept resolution 08-07-2018. Resolution to amend the internal control policy, expenditure cycle procurement bids versus quotes as amended.

Mr. Rashid: I shall second it.

Ms. Turner: We have a motion, we have a second. Do we need any more conversation?

Mr. Fambrough: Yes, because it needs to be specific as to the language and I jotted down-

Ms. Turner: Can you read the language please Mr. Fambrough?

Mr. Fambrough: I can.

Ms. Turner: Will you please read that last sentence so we'll-

Mr. Fambrough: The last paragraph on the page, "Upon the advice and in consultation with a library board approved consultant, bids will be developed and advertised. All submitted bids will be reviewed by a panel to include but not be limit to staff, administration, consultants and board to determine none but the lowest responsible bid. Which will form the recommendation-

Ms. Bennett: The basis.

Ms. Synor moved and Mr. Rashid second accepting Resolution 08-07-2018 as amended

Mr. Fambrough: To the [crosstalk 01:41:13]
Mr. Rashid: The basis for the recommendation.
Mr. Fambrough: Okay, the basis?
Mr. Rashid: Mm-hmm (affirmative).
Mr. Fambrough: "Which will form the basis for recommendation to the board for final approval."
Ms. Turner: Okay. Any more discussion? Mr. Turner please.

Discussion: None.

Roll Call Vote: Ms. Turner (yes), Ms. Synor (yes), Mr. Rashid (yes), Mr. Fambrough (yes)

Yes – 4

Motion passes.

Resolution 08-07-2018 is accepted as amended.
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VII. ADJOURNMENT

Ms. Turner: Okay.
Ms. Synor: I move that we adjourn this meeting.
Mr. Rashid: Audience participation. [crosstalk 01:41:52]
Ms. Turner: I forgot about them. I apologize.
Mr. Rashid: You guys can participate all night. Move forward.
Ms. Turner: Please-
Mr. Rashid: Y'all need anything?
Ms. Turner: There's been a motion for adjournment.

Mr. Rashid: I'll second.

Ms. Turner: Motion and second. Mr. Turner.

Discussion: None.

Roll Call Vote: Ms. Turner (yes), Ms. Synor (yes), Mr. Rashid (yes), Mr. Fambrough (yes)

Yes – 4

Motion passes.

[The meeting adjourned at 8:12 PM]

Ms. Synor moved and Mr. Rashid seconds the motion to adjourn.

Motion passes for adjournment.

Ms. Terra Turner, President

Ms. Leontine Synor, Secretary