

## **NOBLE Executive Board Meeting (hybrid)**

**November 8, 2023**

Present: Kathy Lussier, Brian Courtemanche, Catherine McDonald, Allison Babin, Linda Gardener, Theresa Hurley, Amy Lannon, Tara Mansfield, Cate Merlin, and Myron Schirer-Suter.

### **1. Call to Order/Welcome**

Brian called the Meeting to order at 2:03pm.

### **2. Approval of Minutes**

*Amy made the motion to approve the minutes from 10/11/2023, seconded by Linda. All in favor.*

### **3. Treasurer's Report**

The budget report was distributed. Myron reported that the audit was finished, and there was nothing out of the ordinary. He noted that a few items may be moved around, based on the audit.

### **4. Executive Director's Report**

#### **SMS Notification Service Investigation**

Kathy reported that NOBLE had received two quotes to change to a hosted SMS notification service. NOBLE staff really liked the Shoutbomb SMS service, which was very affordable at about \$3,000 per year, but there is only one man running the service. She noted that there are concerns about the longevity of this service if something were to happen to the owner. Minuteman currently uses the service and Kathy reached out to Phil McNulty about the concerns, and his thought is that if the service goes away they can still send email notices. Kathy noted that if patrons sign up for SMS service, they want text not email notices.

Kathy reported that MessageBee is a service provided by Unique Library and has a full support team. She noted that the functionality is not as robust as Shoutbomb, but there are plans to release features over the next year that make it more comparable to Shoutbomb. However, the cost is higher. The annual maintenance is \$1,495, plus a fee of \$.03 per text message. Kathy estimated that implementing text messaging at the current volume of hold notices would add \$2,821 to the cost, for a total of \$4,316. She noted that NOBLE would like the ability to expand the types of notices sent via SMS, but adding overdue and courtesy notices would likely increase the cost to nearly \$15,000 per year. NOBLE is exploring other options for providing an SMS service before coming up with a recommendation.

#### **Quipu eCard Service**

Kathy reported that despite extensive testing of the eCard service on the training system, NOBLE encountered problems when trying to utilize the code in the production system. NOBLE staff identified one of the issues that prevented the two servers from connecting to each other, but test submissions are still not being submitted to the database. Martha has reached out to CW MARS for guidance, since they are also running this code on a 3.7x version of Evergreen. Kathy noted that being on the current release is helpful for testing and that is something they will work on in the future.

#### **Downtime**

Kathy reported that NOBLE experienced three hours of unexpected downtime on Monday afternoon. Google Cloud Platform needed to bring NOBLE's instance down for repair. She noted that MOBIUS said this rarely occurs and it is usually to address an underlying hardware issue. When the repair was complete, the instance with the primary database server was deleted. Kathy noted that Evergreen is designed to withstand these types of failures, and MOBIUS quickly restored the database from one of the redundancies. Kathy noted that a three-hour recovery from a missing database is a best-case scenario in this situation.

#### **January Upgrade**

Kathy reported that NOBLE staff has been busy preparing for the January upgrade to 3.10. Elizabeth presented new features coming with the upgrade during the Circulation and Technical Services Roundtables. Kathy noted that NOBLE has scheduled a call with MOBIUS next week to ask questions about the availability of offline circulation, if the catalog can be connected to a backup database, whether patrons will be able to be authenticated, etc. Kathy plans to share the answers to these questions with Members before December 1.

### **Evergreen Community**

Kathy reported that Michele Morgan attended the Evergreen hack-a-way in Indianapolis during the week of October 23. The hack-a-way is an opportunity to create and review code, but is also a time when the developer community has big picture discussions about the direction of the project. Kathy reported that Michele had an opportunity to talk to some people from Equinox about getting our new Added Content tab to work on 3.10. She noted that Michele had previously created a fix to a 3.10 problem that caused the entire browser to freeze if somebody logged out of Evergreen in an acquisitions interface. A new core committer added that fix to Evergreen during the hack-a-way. Michele was also able to post a fix to a problem where staff are unable to view a patron's hold groups. Kathy noted that Michele thought that in-person attendance at the hack-a-way was worthwhile.

Kathy reported that an Evergreen subcommittee working on a funding model for the community held its first meeting last week. Kathy will be chairing the committee. She noted that they are starting the process by looking at funding models used by other open-source communities and library organizations.

### **MLA Legislative Committee**

Kathy reported that the Legislative Committee has been busy with last week's hearing on the ebook licensing bill and the Freedom to Read bills. Kathy submitted NOBLE's written testimony on the ebook bill to the committee, and also gave last minute oral testimony on behalf of MLA. The committee is now working on a written response to arguments raised by the attorney for the Association of American Publishers. Kathy noted they are looking into how many times a physical item circulates before it is discarded due to wear and tear. Evergreen reports indicate that most books circulate 50-300 times. Kathy noted that she may reach out to Simmons to see if there is a student interested in researching how many times books circulate in libraries.

Amy noted that the AAP was trying to oversimplify how libraries acquire and deaccession materials. She noted it is a complex process and includes factors of cost and availability. Amy noted that the Authors Alliance was on the opposite end of the spectrum and they don't want limits. Kathy noted that the Authors Guild was still opposed to the legislation. She noted that the committee is hoping to get an author to submit testimony. Kathy recently thought of Bill Harley and contacted him, but he needs to check with the Authors Guild first.

Kathy reported that a publisher also said in the testimony that it was easy to copy ebooks, and noted that it's not true and that libraries have reported it's difficult to show patrons how to download ebooks.

Once the submission period for written testimony passes, Kathy expects that things will quiet down on the legislative front for a couple of months.

Brian thanked Kathy for the report and noted that the Evergreen down time made him appreciate how important Evergreen is for authentication and how robust the system is. He noted that he sleeps soundly at night knowing that NOBLE staff are keeping watch, staying on top of things, and communicating about the issues.

Kathy noted that in preparing for the upgrade, one of the things NOBLE wanted to do was test offline circ. The downtime gave the opportunity to test offline circ and it is working well.

## **5. Vote to Accept FY23 Financial Statements, IRS Form 990 and State Form PC**

*Motion: Move to accept FY23 Financial Statements, IRS Form 990, and State Form PC.*

## Discussion:

Two letters from Auditor Robert Guimond regarding engagement and internal control, MA form PC, and the financial report were distributed.

Kathy reported that they met with the auditor yesterday. She noted that the investments went up last year. Kathy highlighted the Right of Use, which is a new rule from the IRS for non-profits that lease things and looks at three-year costs. She noted that the total was zero last year because if a lease was changed in the year that the rule was created, it did not need to be included. The move to the new office did not need to be calculated.

Kathy reported that Accrued Expenses included vacation time and some Equinox development that was started last year. She highlighted the Net Assets section and noted that unappropriated funds are free cash, some of which will be used in next year's budget. She noted that the Net Assets with Donor Restrictions contains the Network Infrastructure Grant, and they are not planning to use the funds this year.

Looking at Expenses, NOBLE saw a decrease in the total net assets. Kathy noted this was due to money being taken out of capital to help fund the move.

Kathy reported that the auditor found the significant deficiency due to NOBLE not having enough staff to establish internal controls. The auditor reported that this is nothing to be concerned about, and that it is common among small nonprofits. Kathy noted that NOBLE does as much as they can for internal controls, for example Kathy makes the deposits and reviews everything Paula does. There were no other problems with the audit and not many adjustments were needed for the financial sheets.

Kathy reported that there is another new change with tax filing this year. NOBLE needs to file State taxes electronically and the State has new software to do this. Paula will enter the tax information electronically, Kathy will review it, then Paula will enter the email addresses of the people who need to sign the form: Brian and Myron. Kathy reported the signers are going to need to create an account, review the information, and electronically sign.

Brian asked if he should visit NOBLE to set up the account. Amy reported that the process is fairly simple, but encouraged Brian to ask for help. Kathy noted that if anything is wrong with the information, the signers can select "needs correction" and let Kathy know and they will reopen the form and make the corrections.

*Action: Linda made the motion, seconded by Theresa. All in favor.*

## **6. Potential NOBLE Proposal to host Evergreen Community Development Initiative**

A document detailing the Potential Proposal to Host Evergreen Community Development Initiative was distributed. Kathy reported that she had completed the legwork to figure out what it would take the host ECDI. She noted there are accounting requirements and Paula would need to send out invoices annually, and that some partners may decide to contribute more for specific development which would require additional invoicing. There would also be transfers from one account to another for payroll expenses, webhosting fee, conference sponsorship, travel for an employee, and supplies. Kathy noted that Paula did not think this would be difficult to do.

Kathy checked with the auditor and he noted that it may take more time to complete the audit if NOBLE hosted ECDI, and estimated it could cost up to an additional \$1,000. Kathy noted that depending upon how ECDI is set up, there may be no additional cost for the audit. She noted they are looking at using bill.com or another service where finances can be handled electronically with internal controls, and checks would not need to be signed.

Kathy reported there would also be monthly income and expense reports and balance sheets for the governance group.

After going through all that, Kathy estimates the administrative fee would be around \$3,000, which is how much CWMars charged when they hosted MassLNC. Kathy noted the current fee is 4% of the revenue, which has fluctuated between \$7,200 and \$11,200. The current ECDI Coordinator noted that the fee is exorbitant and will not be charged in the future.

Kathy reported that while it won't take much time to manage ECDI's finances, it will take time to set up in the software. A new division would need to be created in QuickBooks, which will take some training. She also noted that membership agreements would need to be drafted, but there are existing agreements that can be drawn from.

Kathy reported that she talked with an attorney and NOBLE will need to participate in the federal e-Verify program to contract with the state of Georgia. E-Verify is a web-based system through which employers electronically confirm the employment eligibility of employees. NOBLE will need to use this program for all new employees, not just those associated with ECDI. There is no cost for participating in the program, but vendors who have a contract in excess of \$100,000 in the state of Georgia must register for sales and use tax regardless of whether the vendor has a presence in the state. Kathy noted that she was concerned about this requirement because GPLS' fee is nearing \$100,000, but the attorney indicated that GPLS is under the Board of Regents of the University System of Georgia, so services provided to GPLS are likely to be exempt from this requirement.

Kathy reported that out-of-state employees were also something to consider, as there is someone moving to Virginia who is interested in continuing the role of ECDI coordinator. Kathy noted that if there wasn't already someone interested in the position with experience working at ECDI, she would recommend finding someone living in Massachusetts. As the fiscal agent, NOBLE would also be the employer for the coordinator of ECDI. Kathy recommend that the position be fully remote since this person reports to the ECDI governing authority, not to NOBLE. There are a number of requirements for hiring an employee who is working from Virginia: withholding MA and VA taxes, registering as a corporation in VA, finding a registered agent for the corporation who lives in VA, additional worker's compensation, health insurance options for VA, and possibly additional pay deductions for Paid Family and Medical Leave. Employee policies would also need to be adjusted to support an out of state employee.

Brian noted that he sees the appeal of hiring the person moving to Virginia because they are already doing the job. At the same time, it would require taking on administrative functions and maybe risks. Brian asked if it would be discriminatory to require the person to live in Massachusetts. Kathy noted that you can require Massachusetts residency, and OCLN requires that because they don't want to deal with out of state complications.

Catherine asked what would happen if the employee moved again away from Virginia. She asked if we would then be responsible for figuring out how to support a Maryland employee, for example. Catherine noted that it is a complication, but you want to make sure a complication is worth it.

Kathy noted that when she worked at SAILS they had a hybrid work policy that required working in Massachusetts. She said that there was a note that employees who were considering moving out of state should approach management. She noted that one employee moved to RI, and that made sense because it was close by and could be specified. Kathy noted that it could be difficult to fill the ECDI coordinator position, but that they might find the right person with the energy to dive right in and do it.

Myron noted that remote work has become more common and that there are more support services to help employers navigate these issues. He noted that he would be okay with an out of state employee.

Brian asked if the overall benefit for hosting the initiative outweighed the complications. Kathy noted that she is biased, but she thinks it is worth it. She noted the setup is the most work, and that Paula is excellent at what she

does. Kathy noted that the ECDI has benefitted NOBLE since 2010 and having it hosted somewhere that is stable is worth it.

Myron asked if the organization in Pennsylvania was still considering hosting. Kathy noted that she had not heard, but will find out next week.

Brian noted that Kathy has an extensive knowledge of Evergreen and he thinks that having Kathy involved with the hosting is an excellent match.

Catherine noted that it is an incredible idea, but NOBLE staff is going to have to do it. She noted that the out of state complications would be overwhelming for her, but it would be Kathy's decision.

Kathy noted that it will be a lot of work, but someone new would require a lot of on boarding and training time from Kathy.

Linda noted that the out of state complications are overwhelming, but the training time is also a lot of work. She noted that staying with the person already in the position would allow NOBLE to explore having an out-of-state employee.

The Board supported Kathy announcing NOBLE's intention to submit a hosting proposal at the meeting next week.

## **7. Vote to recommend Auto-Renewals on Network Transfers**

*Motion: Move to recommend auto-renewals on network transfers.*

Discussion:

Kathy reported that the Resource Sharing Group recommended autorenewals on network transfers at the meeting in October. At that time, there were four libraries not offering autorenewals and Kathy followed up with them individually. Two have since agreed to implement autorenewals, and two have not gotten back to Kathy. Kathy noted that the next Members meeting is in November and there is not another one until March. Kathy noted she expected to hear back from the two libraries before the meeting.

Brian noted that he did not want to steamroll any libraries, but that two outliers should not derail the process. Brian asked about the language for the motion.

Kathy noted that they could make the motion contingent upon feedback from the two libraries. Amy noted that they could just recommend it and have it open to discussion. She noted that not everything has to pass by 100%, and that if there is discomfort, it can be brought back for discussion.

Myron agreed that making the recommendation was appropriate, and if there are objections that could be part of the discussion at the Members meeting. Brian agreed.

*Action: Amy made the motion, seconded by Myron. All in favor.*

## **8. Five Year Contract for SkyRiver Renewal**

*Motion: Move to allow the Executive Director to sign agreements with approval from the Executive Board President.*

Discussion:

An invoice for \$27,323.38 from SkyRiver was distributed. Kathy reported that she is bringing this to the Board because she has read the bylaws closely, and she pays attention to who can sign contracts. The President, Treasurer, and Officers can sign contracts. Kathy noted that NOBLE's Executive Director can sign member

agreements, grant contracts, and one other thing that she could not immediately recall. Kathy noted that at SAILS she was allowed to sign any agreement, as long as she checked with the President first.

Kathy reported that NOBLE renewed SkyRiver each year with pricing based on the consumer price index, and noted that there was a large increase last year. NOBLE reached out to SkyRiver to see if they could lock in prices. By signing on for 5 years, NOBLE would only have 2.5% increases each year. They also got a quote from OCLC, and the pricing was still double the cost of SkyRiver.

Amy noted she thought allowing the Executive Director to sign agreements was fine and noted that she can't sign contracts for more than 3 years.

*Action: Amy made the motion, seconded by Catherine. All in favor.*

## **9. Evaluation Process for Executive Director**

A Goal-Based Performance Appraisal Form was distributed. Kathy reported that she met with Brian, Linda, and Amy to go over the evaluation process. She noted that the form is goal based and would rate employees on how they meet the goals. The group agreed Kathy should use the same form and should do a quarterly report for the Board. Semi-annually, Board Officers would do an appraisal.

Brian noted that he thought it was a good practice to implement and document things to keep them on track. Kathy will schedule a meeting in December.

## **10. Vote to make Christmas Eve and New Year's Eve a Floating Half Holiday**

*Motion: Move to make Christmas Eve and New Year's Eve a floating half holiday.*

Discussion:

Kathy reported that NOBLE had treated Christmas Eve and New Year's Eve as floating holidays in the past. She asked libraries about their schedules over the holidays, and more libraries were closed on Tuesday than Friday.

Linda asked how the holiday would differ from a Saturday for NOBLE staff. Kathy noted it was the same, since they don't have staff at NOBLE on Saturday. Allison asked if the half-day or the floating holiday were preferable to the staff. Kathy noted the staff was split. She noted that the floating holiday would allow flexibility and would also allow coverage on Friday. Brian asked if working from home was appropriate. Kathy noted that that was the plan because it doesn't make sense to open the office for just a couple of people. Kathy noted that staff would need to take the floating holiday within a timeframe.

Catherine asked what the ramifications were of having the holiday on Friday if libraries are open all day. Kathy said the risks are minimal, outages should be automatically detected and handled and regular questions would not be answered. Brian noted that if the risks are minimal, the floating holiday would make staff happy and noted that they work really hard. Amy agreed and noted that NOBLE staff show up whenever they are needed. Kathy noted that she will be working the Friday before Christmas. Linda agreed that NOBLE staff is always there for libraries, and this is an opportunity to say we appreciate you and you can have this time in any way that is best for you.

Theresa asked if Trustees set holiday hours or the municipalities. Linda noted Melrose has contractual holidays and the Trustees vote for additional hours, Allison noted that in Beverly it is the Trustees and the Mayor, Amy noted in Reading it is the Trustees, and Cate noted the Trustees make the decision in Peabody. Theresa noted that the Mayor was setting the hours in Lynn.

*Action: Amy made the motion, seconded by Linda. All in favor.*

## **11. New Business**

Cate announced that she will be leaving Peabody in mid-December for a new opportunity. Amy encouraged everyone to watch the legislative testimony. Kathy noted that the school committee member who spoke was re-elected in Attleboro. Allison noted Kathy did an awesome job and thanked her for giving testimony and advocating for all of us.

## **12. Adjournment**

The meeting adjourned at 3:33pm.

Respectfully submitted,

Tara Mansfield  
Secretary