

**Board of Commissioners Regular Meeting**

**April 27, 2023**

1. **CALL TO ORDER:** The meeting was called to order by Commissioner McHale at 9:31 A.M.

2. **ROLL CALL:** Commissioners Present:  
Nicole McHale, Chair  
Linda Uhler, Vice Chair  
Susan Holly, Secretary  
Sandy Zahorchak, Treasurer – late arrival  
Melanie Congress  
Roy Gibson

A physical quorum is confirmed.

Staff Present: Duane Shaffer, Assistant Director

Cathy Cameron, Clerk

Staff Absent: Margaret Mohundro, Executive Director

**SETTING OF AGENDA:** The Agenda was set as presented.

3. **LEGAL UPDATE:** General Counsel for the District, Sarah Specter and James Fox, Esq. of Roetzel Andress, provided a legal update for the Board on Ethics and Local Government and Sunshine Law and Local Law, Ethics Law, Records Retention and Disposal guidelines. Commissioner McHale inquired on meeting in the “shade” which can only be held under circumstances of litigation, security system; executive reviews cannot be held by meetings in the shade, but can be held privately with one (1) Board Member and anything written down is a public record, then the Board would convene a meeting and share information; Best practices include having changes to By-Laws and Policies posted to the website, meeting dates posted to the website, meeting agenda posted on the bulletin board with copies available in the administration office Commissioner Gibson inquired as to Declaration for State of Emergency Guidelines, also ending of same – this is left to the Board to determine, keeping in mind that the State of Emergency must be re-upped every ninety (90) days; Regarding virtual meetings during a State of Emergency - it is considered bad practice to hold virtual meetings; Attorney Specter confirmed the hourly rate of the contractual agreement with legal counsel Roetzel Andress is \$245/hour, the point of contact is the Executive Director or the Board Chair, the Client is the Board of Commissioners; It was confirmed that employment review and exit interviews should be kept in personnel files, FL Statutes Chapter 119 allows exceptions for police officers, some personal information including social security numbers; FL Statutes Chapter 189 addresses Special Districts; Minutes from Board Meetings are to be approved by unanimous consent; Upon appointment for a vacant Board Seat, it is allowed to ask the applicant to be excused while the Board votes, but not required; Ballots shall be kept with Board Meeting Minutes regarding appointments;

4. **PUBLIC COMMENT:** There was none.

5. **BOARD APPOINTMENTS:** Laura Gales was appointed as Board Commissioner after review of applications and will be sworn in at the May meeting. Commissioner McHale will contact other applicants to let them know the outcome of the selection.

Recess – 10:22 A.M.

Reconvene – 10:31 A.M.

6. **SECRETARY'S REPORT:** Commissioner Uhler presented the Minutes from March 23, 2023 meeting, which were accepted as presented.
7. **TREASURER'S REPORT:** Commissioner Zahorchak reviewed November and December, 2022 financial reports for the Board; Funds will be moved from the District's operating account to CDs or treasuries, District money must be maintained in a Qualified Public Depository; Property tax income was down in December; LCEC electric bill is high, a new electrical meter was not placed, Staff Danny Hussey shared that the Chiller A/C units ran 24/7 after the hurricane for a couple of months to protect books from humidity and are not back to the normal schedule. Reports were accepted as presented and will be held for audit. The District is currently in audit.
8. **DIRECTOR'S REPORT:** Assistant Director Duane Shaffer updated the Board (notes attached) that training is in progress for 3 full time new hires and 1 part time new hire; There will be no fees charged to patrons for losses due to the storm; Three (3) authors are under contract for Author Series 2023-24; Commissioner Mchale requested job descriptions for all employees with a need to appoint certain responsibilities to the Assistant Director in the Executive Director's absence such as approving bills, signing checks;  
*A motion was made by Commissioner Gibson, seconded by Commissioner Holly providing that the Assistant Director shall act on behalf of the Executive Director in the Executive Director's absence. The motion passed unanimously by voice vote.*  
Assistant Director Shaffer will contact the bank regarding to add him to signature cards on behalf of the District; The Board would like to be apprised of Library projects and receive regular updates; Assistant Director Shaffer will meet with Maintenance Staff Murry Lewis on updates regarding the renovation; Commissioner McHale inquired whether volunteers would be useful at this time and Assistant Director Shaffer advised not at this time, but they will be useful next season; Commissioner McHale suggested a pizza party to celebrate staff.
9. **BOARD COMMENTS:** Staff Margie Klein and Wendy Lambrix were recognized for their service to the Library as they retire, Margie Klein after 3 years of service Wendy Lambrix after 25 years of service.
10. **FOUNDATION UPDATE:** Commissioner Uhler updated that Board that the Foundation will host Patti Callahan Henry on May 15<sup>th</sup> for an Author Talk. Book sales will be available through MacIntosh Books and have generously provided that fifteen percent (15%) of the proceeds will go to benefit the Library; Staff Wendy Lambrix collected children's books for the Fort Myers Beach Library.
11. **ADJOURNMENT:** Commissioner McHale adjourned the meeting at 11:37 A.M.

**Upcoming Meeting Dates:**

**Thursday, May 25, 2023 @ 9:30 A.M.**

  
\_\_\_\_\_  
Susan Holly, Secretary  
/cac