

**Advisory Board Special Meeting Minutes**  
**Saturday, November 12, 2011**  
**East Lake Community Library(ELCL)**

The minutes of board meetings are the official record of board meeting proceedings including the adoption of proposed policies, formal board actions and resolutions. Board meeting minutes are available after approval at the following meeting.

**Board Members Present:**

Dick Dibert, Paul Ferreri, Roger Johnson, Tom McKone, Rob Moore, Ron Schultz, Morris Silberman John Sykes, Susan Wolf and Patricia Perez,  
Library Director.

Meeting Called to Order: Ron Schultz, Chairman, at 10:35 a.m.

The sole purpose of this special meeting of the Advisory Board was to address recent actions taken by Palm Harbor Community Services Agency (PHCSA) in relation to ELCL's Library Director and the 2011-2012 FY budget. Two letters have been generated by the Advisory Board. One to PHCSA and the other to the Chairman of Pinellas County Commissioners. These letters were read and understood by the Board members. Tom McKone made a motion to approve the letters; it was seconded by Roger Johnson and the vote to approve was unanimous.

Rob Moore made a motion to adjourn the meeting at 10:50 a.m.; Ron Schultz seconded the motion.

Respectfully submitted, Susan Wolf, Secretary, ELCL Advisory Board



## EAST LAKE COMMUNITY LIBRARY

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November 12, 2011

Marguerite Smirlis  
Chairperson, Palm Harbor Community Services Agency

We are aware of the discussions and views regarding Patricia Perez, Director of the East Lake Community Library, expressed at the most recent PHCSA Agency meeting and of the intent to give Ms. Perez a letter of reprimand.

We find that the conclusions reached by the Agency are based upon a limited understanding of the overall performance of Ms. Perez and without the benefit of first-hand knowledge of the contributions she has made and continues to make at the East Lake Library. We submit to you that the Agency's conclusions may be biased by the continued frustrations of the Agency to the role and responsibility of the East Lake Community Library Advisory Board. We also submit to you that this action, as well as certain recent budget actions taken by the Agency, is contradictory to the spirit, intent and language of the Amended and Restated Agreement Funding East Lake Community Library date March 19, 2008.

The following excerpts from the March 19, 2008 document set out the spirit and intent of the Agreement:

“**WHEREAS**, the parties hereto desire and intend for the ELCL to operate as an independent Unit and be self-sufficient in its operations to the fullest extent possible under the Library Interlocal Agreement, applicable laws, and this agreement; and ...

**WHEREAS**, the parties recognize that the Advisory Board to the ELCL is the policy making arm of the ELCL and, therefore, should be a party to this agreement. ...”

**“Recognition of the East Lake Community Library.**

... The parties hereto agree that the ELCL shall be operated as an autonomous and independent community library to the fullest extent permitted by the Act and this Agreement.”

We are of the opinion that the spirit and intent of the agreement was to merely have the Agency be an entity of convenience for the funding of the library and not the administrative oversight body that it has increasingly become in the past several years.

The following excerpt from the March 19, 2008 document sets out the disciplinary process related to the Library Director:

**“Library Personnel and Operations**

- A. Employees. . . . The ELCL Director shall be supervised, evaluated (including salary recommendation), and disciplined by the agency with input from the East Lake Advisory Board in accordance with the Agency’s policies and procedures. All other personnel of the ELCL shall be hired, supervised, evaluated, and disciplined by the ELCL Director, in accordance with the established personnel policies of the Agency.”

We are of the opinion that the Agency overstepped its authority with respect to the discussions and views regarding Ms. Perez expressed at the most recent Agency meeting and of the intent to give Ms. Perez a letter of reprimand. The Agency sought no input from the East Lake Advisory Board, neither individually or collectively. Such input, if sought, would not have been in agreement with the Agency’s intended actions. In light of this, we are of the opinion that Ms. Perez is an employee in good standing as Director of the East Lake Community Library, and the discussions and views regarding Ms. Perez expressed at the most recent Agency meeting have no standing in Ms. Perez’s employment as a service employee to the greater East Lake community. We expect that the Agency at its November 16, 2011 meeting will retract all of the discussions and views expressed, including the letter of reprimand if it is given, and apologize to Mrs. Perez for any discomfort they may have caused.

Regarding another issue which concerns the East Lake Advisory Board regarding the actions of PHCSA, the following excerpt from the March 19, 2008 document sets out the budgetary process related to the Agency and the Advisory Board:

**“Reports and Policies**. The Advisory Board agrees to provide to the County the following in a form and within the time period specified:

- A. An annual report setting out the specific library services required under this Agreement and provided by the ELCL for the proceeding fiscal year.
- B. The preparation and submittal of an annual budget for funds for library programs, submitted to the Agency in a form and within the time period prescribed by the Agency, and copied to the County.”

We are of the opinion that the Agency overstepped its authority with respect to the submission of the 2011-2012 annual budget. The last change to the budget included approximately \$42,000 identified by the Advisory Board as a GASB 54 reserve shortfall. This requirement was discussed and additional funds were personally requested by the Advisory Board in conversations with the County Commission.

The Agency, with no input from the Advisory Board, included the additional funds as a budgeted expense rather than a reserve item. In light of this, we do not recognize the annual budget as one approved by the Advisory Board and expect that the Agency will take the corrective measures needed to ensure GASB 54 compliance.

The East Lake Community Library Advisory Board:

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Dick Dibert

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Paul Ferreri

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Roger Johnson

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Tom McKone

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Rob Moore

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Ron Schultz (Chair)

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John Sykes

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Susan Wolf

cc: Susan Latvala, BOCC  
Mary Brown, PPLC  
Andy Saltzman, PHCSA Attorney  
Rex Haslam, PHCSA Vice-Chairman  
Tom Siebert, PHCSA Secretary  
Arlene Zimmerman, PHCSA Treasurer  
Sharon Pikulinski, PHCSA Board member  
Marcus Harrison, PHCSA Board Member  
Tess Avramidis, PHCSA Board Member  
Patricia Perez, Library Director

cc: Bob LaSalla, County Administrator  
Marguerite Smilris, PHCSA  
Mary Brown, PPLC  
Andy Saltzman, PHCSA Attorney  
Patricia Perez, Library Director



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November 12, 2011

The Honorable Susan Latvala  
Chairperson, Pinellas County Board of Commissioners

In light of the recent actions taken by the Palm Harbor Community Services Agency as discussed in our letter dated November 12, 2011, a copy of which is attached for your reference, we find that the current relationship between the East Lake Community Library Advisory Board and the Agency are no longer in the best interests of the greater East Lake community.

As such, we urge you to take whatever action is necessary to terminate the Amended and Restated Agreement Funding East Lake Community Library dated March 19, 2008 and to establish a funding agreement that better represents the community and the library. Specific language that needs to be addressed in a new funding agreement needs to be clear and concise with respect to the role of the Advisory Board related to budgeting, operations and employee relations. As you know, we desire as much autonomy as possible and permitted under the governing legislation.

We invite you to join us at our next Advisory Board meeting at 6:30 on December 13, 2011 to update us on the status of these changes.

The East Lake Community Library Advisory Board:

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Dick Dibert

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Paul Ferreri

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Roger Johnson

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Tom McKone

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Rob Moore

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Ron Schultz (Chair)

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John Sykes

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Morris Silberman

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Susan Wolf