

RUPERT J. SMITH LAW LIBRARY
September 15, 2017 Minutes

Present: Chairman, Charles A. Schwab
James T. Walker, Esquire, Trustee
James Wilder, Trustee
Nora Everlove, Librarian

I. MEETING CALLED TO ORDER:

II. Chairman Charles A. Schwab calls the meeting to order. Above Trustees present at meeting.

III. MINUTES:

Minutes for the July 14th and 28th, 2017 meeting were distributed to the Trustee's for review.

MOTIONS:

Trustee, Walker Motions to approve the meeting minutes for July 14th and 28th, 2017. Trustee James Wilder seconds the Motion and the Motion is unanimously carried and approved.

Trustee, Wilder Motions to adopt budget as proposed. Trustee Walker does not second the Motion and there was concern as to whether or not the Chairman can second the Motion. Pursuant to "Robert's Rule" the Chairman does has the right to second. Chairman, seconds the Motion and the Motion is ~~unanimously~~ carried and approved with one dissent (CAB)

Trustee Walker Motions to have the budget reviewed every month to determine reassessment and/or modification. Trustee, Wilder seconds the Motion and the Motion is unanimously carried and approved.

IV. DISCUSSION POINTS:

Minutes
Attendance
Financial Report
2017/2018 Budget
Harbor Insurance
Future Meeting Dates
Audit
COSA Presentation
Rosser Road, South County Library Ribbon Cutting Ceremony

V. **NEW BUSINESS**

Attendance:

Nora states we had an excellent month last month, over 600 patrons. This report shows that we had 97 more patrons than August, 2016. A report was handed out for the Trustee's review.

Librarian - Financial Report/ Revenues and Expenses:

Nora states the Revenues show \$22,790.00 which means we didn't have such a great month. We are showing \$240,000.00 year to date which seems to be "right on the money".

Cash assets are approximately \$300,000.00. Some of our expenses will have to roll over to next year. As of right now we show no CO for the South County Library, Rosser Road. Susan Jacobs is expecting the balance of \$25,000.00 from us which is \$5,000.00 less than anticipated. She is also supplying the Law Libraries sign. Nora will get a copy of the CO and Invoice for the last \$25,000.00 she is confident that we will be fine. The library has spent approximately \$226,000.00. Within the last 7 years we had seen a decrease of about 31%. The concern is that within the next 24 months we may be out of monies, possibly discuss cutting staffing and/or hours. Right now the hours in Fort Pierce are 46.5 hours and we anticipate the hours for the Rosser Road facility to be around 23 hours open for operation. Annually the amount spent for both would be in the ball park of approximately \$169,000.00.

Trustee Wilder states he feels we need to look at trends and we must prepare for the worst outcome. Chairman Schwab states, we may need to modify the hours now starting where the least amount of employees will be used.

2017/2018 Budget:

2017/2018 fully funded staffing budget shows approximately \$340,000.00 and does not include carry over from the Rosser Road Law Library. The libraries projected income is approximately \$262,000.00, which shows a gap of approximately \$80,000.00. Nora states a possible solution could be a general fund, supported by the Clerk of Court, Court Administration and County Commissioner's offices. Nora will research other libraries to find out what a typical budget of other libraries are and where they get their funding. We would have to prove our need with an assessment by way of a Community Need survey, prior to requesting any funding. (2017/2018 Budget attached)

Trustee, Wilder Motions to adopt budget as proposed. Trustee Walker does not second the Motion and there was concern as to whether or not the Chairman can second the Motion. Pursuant to "Robert's Rule" the Chairman does has the right to second. Chairman, seconds the Motion and the Motion is unanimously carried and approved. (Robert's Rules attached)

Trustee Walker Motions to have the budget reviewed every month to determine reassessment and/or modification. Trustee, Wilder seconds the Motion and the Motion is ~~unanimously~~ carried and approved *with one dissent. [Signature]*

Scheduled Meetings:

The next scheduled Law Library Meetings are as follows:

October 13, 2017 at 3:30 p.m.

November 6, 2017 at 3:30 p.m.

December 8, 2017 at 3:30 p.m.

VI. OLD BUSINESS

Audit:

Chairman Schwab states we had a clean audit, no amendments or changes to be made.

COSA Presentation:

Trustee Wilder wanted to commend Nora on what a great job she did on the presentation for COSA last month.

Shelving and Books - South County Library:

We will contact the Sheriff's department to see if we can get Trustee hours to help move the shelving and books to South County.

Harbor Insurance:


Nora believes we are insuring \$300,000.00 worth of books which should only value about \$10,000.00 due to the online search engines. Nora will look into what the difference in the premium would be if we lowered it to \$6,000.00. She will also check to see who covers liability and if we have a DNO.

Rosser Road:


Rosser Road Law Library to open October 24, 2017 with a ribbon cutting ceremony at 10:00 a.m.

As there were no further topics the meeting was adjourned.

Dated and signed by the following Trustees this 13 day of October,
2017



Chairman, Charles A. Schwab



Trustee, James Wilder

Trustee, James Walker, Esquire

ROBERT'S RULES OF ORDER



What are Robert's Rules of Order?

The first edition of the book was published in February, 1876 by U.S. Army Major Henry Martyn Robert. Its procedures were loosely modeled after those used in the United States House of Representatives. Robert wrote *Robert's Rules of Order* after presiding over a church meeting and discovering that delegates from different areas of the country did not agree about proper procedure. The book is now in its 10th edition; *Robert's Rules of Order Newly Revised (RONR)*.

Robert's Rules of Order provides applicable rules governing key matters of meeting and general procedures, including:

- Establishing a **Constitution and Bylaws** for your student organization.
- Structure of the meeting **Agenda** and debate.
- Motions**; including making, seconding, debating, modifying and amending motions.
- Sufficient majority and simple majority and which decisions are appropriate to them.
- Establishment of a **quorum**.
- Definition of **membership**.
- Voting** rights of presiding officer and voting procedures.

AN OUTLINE OF BASIC PARLIAMENTARY PROCEDURE

Prepared by Douglas N. Case

Parliamentary Authority: Robert's Rules of Order, Newly Revised, Tenth Edition, 2001.

I. Rules Governing an Organization

State and Federal Law - governing corporations, tax-exempt organizations, public legislative bodies, etc.

Articles of Incorporation - applicable to corporations

Governing Documents of Parent Organizations - applicable to chapters, affiliates, etc. of larger organizations

D. Local Constitution and Bylaws - defines the organization's basic structure and fundamental rules. Normally requires a 2/3 vote and prior notice for amendment and are not subject to suspension.

E. Standing Rules - operating procedures consistent with all of the above. Normally can be amended by majority vote at any business meeting and can be suspended.

F. Rules of Order - parliamentary authority, superseded by any of the above that conflict.

Precedent and Custom - apply when there are no written rules governing a situation.



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II. Purposes of Parliamentary Procedure

- Ensure majority rule
- Protect the rights of the minority, the absentees and individual members
- Provide order, fairness and decorum
- Facilitate the transaction of business and expedite meetings

III. Basic Principles of Parliamentary Procedure

- All members have equal rights, privileges and obligations.
- A quorum must be *present* for the group to act – if the bylaws of the organization do not establish a quorum, the general rule is that a majority of the entire membership must be present in order to transact business.
- Full and free discussion of every motion is a basic right.
- Only one question at a time may be considered, and only one person may have the floor at any one time.
- Members have a right to know what the immediately pending question is and to have it restated before a vote is taken.
- No person can speak until recognized by the chair.
- Personal remarks are always out of order.
- A majority decides a question except when basic rights of members are involved.
- A two-thirds vote is required for any motion that deprives a member of rights in any way (e.g., cutting off debate).
- Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.
- The chair should always remain impartial.

IV. Typical Order of Business

- A. Call to Order
- B. Opening Exercises, if applicable
- C. Roll Call/Determination of a Quorum
- D. Adoption of the Agenda
- E. Reading and Approval of the Minutes of the Previous Meeting
- F. Reports of Officers
- G. Reports of Standing Committees
- H. Reports of Special (Ad hoc) Committees
- I. Special Orders
- J. Unfinished Business and General Orders
- K. New Business
- L. Program, if applicable
- M. Announcements
- N. "Good of the Order"
- O. Adjournment

V. Role of the Presiding Officer

- A. Remain impartial during debate - the presiding officer must relinquish the chair in order to debate the merits of a motion
- B. Vote only to create or break a tie (or 2/3 for matters requiring a 2/3 vote) – exception: the presiding officer may vote on any vote by ballot
- C. Determine that a quorum is present before transacting business
- D. Introduce business in proper order
- E. Recognize speakers
- F. Determine if a motion is in order
- G. Keep discussion germane to the pending motion
- H. Maintain order
- I. Put motions to a vote and announce results
- J. Employ unanimous consent (general consent) when appropriate

VI. General Procedure for Handling a Motion

- A. A member normally must obtain the floor by being recognized by the chair.
- B. Member makes a motion.
- C. A motion must normally be seconded by another member before it can be considered.

Before the motion is restated by the chair, any member can rise, without waiting to be recognized, and suggest a modification of the wording to clarify the motion. The maker of the motion can choose to accept or reject the modified wording (does not require a second).

If the motion is in order, the chair will restate the motion and open debate (if the motion is debatable). The maker of a motion has the right to speak first in debate.

Debate is closed when:

1. Discussion has ended, or
 2. A two-thirds vote closes debate ("Previous Question")
- H. The chair restates the motion, and if necessary clarifies the consequences of affirmative and negative votes.
- I. The chair calls for a vote.
- J. The chair announces the result.
- K. Any member may challenge the chair's count by demanding a "Division of the Assembly."

VII. General Rules of Debate

- A. No members may speak until recognized by the chair.
- B. All discussion must be relevant to the immediately pending question.
- C. No member may speak a second time until every member who wishes to speak has had the opportunity to do so.
- D. No member can speak more than twice to each motion.
- E. No member can speak more than ten minutes.
- F. All remarks must be addressed to the chair -- no cross debate is permitted.
- G. It is not permissible to speak against one's own motion (but one can vote against one's own motion).
- H. Debate must address issues not personalities -- no one is permitted to make personal attacks or question the motives of other speakers.
- I. The presiding officer must relinquish the chair in order to participate in debate and cannot reassume the chair until the pending main question is disposed of.
- J. When possible, the chair should let the floor alternate between those speaking in support and those speaking in opposition to the motion.
- K. When a large number of people wish to speak to a motion it may be advisable for the chair to make a speakers' list.
- L. Members may not disrupt the assembly.
- M. Rules of debate can be changed by a two-thirds vote.

VIII. Motions in Ascending Order of Precedence

Only one main motion may be on the floor at a time, but more than one secondary motion may be on the floor. When any of the motions on the following list is the immediately pending motion (i.e., the last motion made), any motion listed below it on the list can be made at that time and any motion above it on the list cannot be made at that time. Pending motions must be disposed of in descending order of precedence.

- A. **Main Motion** - introduces business to the assembly for its consideration. A main motion can only be made when no other motion is pending. A main motion yields to privileged, subsidiary and incidental motions.
- B. **Subsidiary Motions** - change or affect how the main motion is handled (voted on before the main motion)
1. **Postpone Indefinitely** - made when the assembly does not want to take a position on the main question. Its adoption kills the main motion for the duration of the session and avoids a direct vote on the question. It is useful in disposing of a poor motion that cannot be either adopted or expressly rejected without possibly undesirable consequences. Unlike other subsidiary motions, debate on the motion to postpone indefinitely can go into the merits of the main motion.
 2. **Amend** - changes the wording of the main motion before it is voted upon. An amendment must be germane to the main motion. Its acceptance does not adopt the motion thereby amended; that motion remains pending in its modified form. Rejection of an amendment leaves the pending motion worded as it was before the amendment was offered. An amendment can: delete words, phrases, sentences or paragraphs; strike out words, phrases or sentences and insert new ones; add words, phrases, sentences or paragraphs; or substitute entire paragraph(s) or the entire text of the motion and insert another.
When an entire motion is substituted for another, the chair must first call for a vote on the

Motion to Substitute to determine the advisability of substituting a new motion. If the Motion to Substitute passes, the chair then throws the Substitute Motion open to debate. The **Substitute Motion** in turn must be voted upon, and is subject to amendment. *Note: There is no provision in Robert's Rules for a "Friendly Amendment." The only way a motion can be modified without a vote, after it has been stated by the Chair, is with the unanimous consent of the members present.*

3. **Secondary Amendment** - An amendment can be offered to an amendment (amendment of the second order). Amendments of the third order are not permitted.
 4. **Refer (Commit)** - sends a pending motion to a standing committee, or to an ad hoc (special) committee to be appointed or elected, for consideration. The motion to refer may include instructions to investigate, recommend, or take action, and may specify the composition of the committee.
 5. **Postpone Definitely (Postpone to a Certain Time)** - delays action until a certain time specified in the motion (not beyond the next regular business meeting).
 6. **Limit or Extend Debate** - is used (1) to reduce or increase the number or length of speeches permitted or (2) to require that debate be closed at a specified time. It requires a two-thirds vote.
 7. **Previous Question ("Call for the Question")** - immediately closes debate if passed. Requires a second and a two-thirds vote.
 8. **Lay on the Table** - enables the assembly to lay the pending question aside *temporarily when something else of immediate urgency has arisen*. It is not debatable. *A motion to lay on the table is out of order if the evident intent is to avoid further consideration of the motion.* Frequently when one indicates a desire "to table" a motion, the correct motion is either to Postpone Indefinitely or Postpone Definitely.
- C. **Privileged Motions** - *do not relate to the pending business but have to deal with urgent matters which, without debate, must be considered immediately.*
1. **Call for the Orders of the Day** - requires the assembly to conform to the agenda or to take up a general or special order that is due to come up at the time ("time certain"), unless two-thirds of those voting wish to do otherwise. A member can interrupt a speaker to call for the orders of the day.
 2. **Raise a Question of Privilege** - permits a request or main motion relating to the rights and privileges of the assembly or any of its members. Examples include requests relating to members' ability to hear a speaker or a request to go into "executive session" (closed session). A member may interrupt a speaker to raise a question of privilege.
 3. **Recess** - used to request an intermission which does not close the meeting.
 4. **Adjourn** - used to close the meeting immediately. Not debatable.
 5. **Fix the Time to Which to Adjourn** - sets the time, and sometimes the place, for another meeting ("adjourned meeting") before the next regular business meeting to continue business of the session.

IX. **Incidental Motions** (*Questions of procedure that arise out of other motions and must be considered before the other motion*)

- A. **Point of Order** - used when a member believes that the rules of the assembly are being violated, thereby calling on the chair for a ruling and enforcement of the rules. A member can interrupt a speaker to raise a point of order.
- B. **Appeal** - used to challenge the chair's ruling on a question of parliamentary procedure. A member can interrupt a speaker to appeal from the decision of the chair.
- C. **Suspend the Rules** - used to make a parliamentary rule or special rule of an organization temporarily inoperative. The motion cannot be applied to the constitution and bylaws unless those documents include specific provisions for suspension. Normally requires a two-thirds vote.
- D. **Withdraw** - permits the maker of a motion to remove it from deliberation after the motion has been stated by the chair. If there is not unanimous consent, the motion is debated and voted upon.
- E. **Point of Information** - requests to the chair, or through the chair to another officer or member, to provide information relevant to the business at hand. *A point of information must be in the form of a question.* A request for information regarding parliamentary procedure or the organization's rules bearing on the business at hand is referred to as a **Parliamentary Inquiry**.
- F. **Objection to the Consideration of a Question** - suppresses business that is irrelevant or inappropriate and undesirable to be discussed. The objection must be made immediately

(acceptable to interrupt a speaker). Does not require a second, is not debatable, and requires a two-thirds vote opposed to consideration in order to pass.

- G. **Division of a Question** - divides a motion containing two or more provisions that can stand alone so that each provision can be considered and voted upon separately. Not debatable.
- H. **Division of the Assembly** - used to demand a rising vote to verify the vote count. The motion can be made without obtaining the floor, does not require a second, is not debatable, and does not require a vote.

X. Main Motions That Bring a Question Back Before the Assembly

- A. **Take from the Table** - resumes consideration of a motion laid on the table earlier in the same session or in the previous session. Not debatable.
- B. **Reconsider** - reopens a motion to debate that has already been voted upon in the same session. The motion to reconsider can only be made by a member who voted on the prevailing side. It suspends action on the motion to which it is applied until it has been decided. It cannot be postponed beyond the next regular business session.
- C. **Rescind (Annul or Repeal) or Amend Something Previously Adopted** - repeals or amends a motion for which it is too late to reconsider. Normally requires a two-thirds vote of those present or a majority vote of the entire membership; however, if previous notice has been given then only a majority vote of those present is required. A motion to rescind cannot be applied to action that cannot be reversed.

XI. Voting

- A. **Majority vote** - defined as more than half of the votes cast by those present and voting (i.e., excluding abstentions) unless the organization's rules specify otherwise (e.g., majority of those present, or majority of the entire membership)
- B. **Two-thirds vote** - defined as at least two-thirds of those present and voting, unless otherwise specified by the organization's rules. Examples of motions that require a two-thirds vote: to close, limit, or extend debate; to suspend the rules; to amend the constitution and bylaws; to close nominations; to remove an officer or expel a member; or to object to the consideration of a motion.
- C. **Voting by the Chair** - except when there is a ballot vote, the chair only votes when his/her vote would affect the result.
- D. **Methods of Voting**
 - 1. Voice vote - method normally used
 - 2. Show of hands or rising vote - used to verify an inconclusive voice vote or on motions requiring a two-thirds vote
 - 3. Ballot - normally used for election of officers and when ordered by a majority vote
 - 4. Roll call vote - used when it is desired to have a record of how each member voted. Can be ordered by a majority vote unless the organization's bylaws specify otherwise.
- E. **Proxy voting** is prohibited unless specifically provided for in the charter or bylaws.

Recommended Books

Robert's Rules of Order, Newly Revised, Tenth Edition, 2000

Robert's Rules of Order, Newly Revised, In Brief, 2004

The Complete Idiot's Guide to Robert's Rules, Nancy Sylvester, 2004

Robert's Rules for Dummies, C. Alan Jennings, 2004

Recommended Web Sites

www.robertsrules.com

parliamentarians.org

www.rulesonline.com

www.parlipro.org

St. Lucie County, Florida - Law Library
Balance Sheet
August 31, 2017

UNAUDITED- FINAL

Assets

Cash and investments	\$ 116,919
* Reserve cash account	180,000
Petty cash	50
Total assets	<u>\$ 296,969</u>

Liabilities and Fund Balance

Liabilities:

Accounts payable	\$ -
Customer deposits	<u>2,767</u>
Total liabilities	<u>2,767</u>

Fund Balance	<u>294,202</u>
Total Liabilities and Fund Balance	<u>\$ 296,969</u>

* Reserve cash account was established on 6/1/2010 by Law Library Trustees

* Reserve cash account was increased on 10/1/2011 by Law Library Trustees

St. Lucie County, Florida - Law Library
Statement of Revenues, Expenditures and Changes in Fund Balance
For the month ended August 31, 2017

UNAUDITED- FINAL

Revenues:	Current Month	Fiscal Year to Date
Copies	\$ 605	\$ 1,970
Court facility surcharge	15,272	163,021
Clerk fees - court related	5,674	70,802
Interest on investments	-	2,356
Donations	1,240	2,431
Total revenues	22,791	240,580
Expenditures:		
Contract services	12,508	137,713
Travel	250	2,750
Phone	196	4,277
Postage	-	538
Insurance	-	5,206
Equipment maintenance	142	990
Promotional advertising	-	84
Special district fees	-	200
Office supplies	-	1,291
Computer supplies	-	80
Subscriptions	-	1,350
Law books	1,754	70,243
Works of art	-	1,661
Total expenditures	14,850	226,383
Excess of revenues over expenditures	7,941	14,197
Fund balance - beginning	286,261	280,006
Fund balance - ending	\$ 294,202	\$ 294,203

St. Lucie County, Florida - Law Library
 Actual Revenues & Expenditures per Banner
 For the month ended August 31, 2017
UNAPPORTIONED FUNDAL

Account	Year to Date												
	Sep-17	Aug-17	Jul-17	Jun-17	May-17	Apr-17	Mar-17	Feb-17	Jan-17	Dec-16	Nov-16	Oct-16	Balance
Revenues:													
Copies	347120	604.75	215.00	242.00	5.25	243.00	144.00	14.00	338.35	45.00	132.50	13,775.00	137,715.00
Court facility surcharge	348930	15,272.47	16,893.80	16,899.04	16,544.41	20,926.45	18,220.63	14,995.21	13,821.86	14,723.02	14,784.09	14,942.42	2,780.00
Check fees - court related	348923	5,673.82	5,824.55	7,789.40	6,772.63	10,660.13	8,908.24	6,684.81	6,412.54	6,004.84	6,270.81	5,174.47	4,276.50
Interest on investments	361100	-	383.63	279.63	359.14	150.16	201.13	180.44	454.33	25.00	345.87	-	5,208.96
Donations	366900	1,240.00	40.00	323.50	-	95.00	350.00	90.00	90.00	25.00	95.00	-	988.72
Total revenues		22,791.04	23,308.98	25,525.57	23,681.43	31,874.74	27,994.00	21,860.46	21,117.28	20,797.86	21,628.27	240,579.63	
Expenditures:													
Contract services	534000	12,508.00	12,508.00	12,508.00	12,533.00	12,508.00	12,508.00	12,508.00	12,508.00	22,974.00	775.00	13,775.00	137,715.00
Travel	540000	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	500.00	386.28	250.00	2,780.00
Phone	541000	195.83	410.78	413.33	410.99	606.74	175.60	383.10	563.84	213.54	386.28	517.47	4,276.50
Postage	542000	-	-	-	-	270.00	-	-	268.00	-	-	-	538.00
Insurance	545000	-	-	-	-	-	3,114.96	-	2,091.00	-	-	-	5,208.96
Equipment maintenance	546000	141.82	224.00	187.29	-	-	171.98	101.00	-	-	163.63	-	988.72
Promotional advertising	549000	-	-	-	84.00	-	-	-	-	-	-	-	84.00
Special district fees	549150	-	-	-	-	-	-	-	200.00	-	-	-	200.00
Office supplies	551000	-	-	64.39	375.63	-	255.64	77.24	-	433.00	83.54	-	1,291.44
Computer supplies	551501	-	-	79.99	-	-	-	-	-	-	-	-	79.99
Subscriptions	566100	-	-	-	-	-	-	-	410.00	540.00	-	-	1,349.95
Law books	566100	1,754.08	19,152.70	271.21	18,151.04	691.75	13,382.50	1,225.00	7,701.26	7,721.26	191.95	-	70,242.75
Works of art	567000	-	-	-	-	-	-	777.59	-	883.00	-	-	1,660.59
Total expenditures		14,849.73	32,545.48	13,774.21	31,904.66	14,325.49	29,858.68	15,321.93	23,992.10	33,264.80	1,602.40	14,942.42	226,381.90
Prior Year Transfer/Expenditure		7.941	(9,237)	11,751	(8,223)	17,549.25	(1,864.68)	6,598.53	(2,874.82)	(12,466.94)	20,025.87	(14,942.42)	
Excess of revenues over expenditures		7,941	(9,237)	11,751	(8,223)	17,549.25	(1,864.68)	6,598.53	(2,874.82)	(12,466.94)	20,025.87	(14,942.42)	
Fund balance - beginning		286,361.00	293,498.00	283,747.00	291,971.00	274,422.00	276,287.00	269,748.00	272,623.00	285,090.00	265,064.00	280,006.40	
Fund balance - ending		\$ 294,302.31	\$ 286,261.50	\$ 295,698.36	\$ 283,747.77	\$ 291,971.25	\$ 274,422.32	\$ 276,286.53	\$ 269,748.18	\$ 272,623.06	\$ 285,089.87	\$ 265,063.98	

MONTH	REVENUE	COURT
OCT	\$ 21,094.90	
NOV	20,727.86	
DEC	20,234.40	
JAN	21,680.02	
FEB	27,128.87	
MAR	25,317.04	
APR	24,678.44	
MAY	22,668.33	
JUN	20,946.59	
JUL		
AUG		
SEP		
YTD:	233,822.75	

