

RESOLUTION 2008 - 236

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING DELETION OF AND PURGING 815 INACTIVE PATRON RECORDS AND A TOTAL OF \$ 104,186.28 IN UNCOLLECTABLE FINES.

WHEREAS, the Library adheres to the Uniform Policy Concerning Overdue, Damaged and Lost Materials approved by the Board of County Commissioners of St. Johns County in May 2007; and

WHEREAS, fines up to \$25.00 may be waived by a Branch Manager or supervisor in charge at a branch for extenuating legitimate circumstances only, as defined in staff procedures manual and all disputes of fines over \$25.00 and less than \$50 must be submitted in writing to the Library Director for review; and

WHEREAS, all disputes of fines over \$50.00 will be forwarded to the St. Johns County Administrator or BCC for review; and

WHEREAS, Florida Statue 95.11 states that fines are not collectable after four years; and

WHEREAS, a total of \$104,186.28 in fines have been determined to be uncollectable; and

WHEREAS, the Library follows a Policy for Purging Obsolete Records which states that a report of patrons with no activity in over four years and fines over \$50 will be generated on an annual basis and sent to the St. Johns County Administrator and Board of County Commissioners to request write off of uncollectible fines; and

WHEREAS, a total of 815 patron records have been found to be inactive with no use for four or more years;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, that:

1. The above recitals are hereby adopted as legislative findings of fact.
2. The Library System is authorized to delete 815 inactive patron records.
3. The Library System is authorized to waive \$104,186.28 in uncollected fines.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 2nd day of September, 2008.

ATTEST: Cheryl Strickland, Clerk

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: Pam Haltemen
Deputy Clerk

By: Thomas G. Manuel
Thomas G. Manuel, Chairman

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REVISED 10/13/05

RENDITION DATE 9/5/08



**St. Johns County Public Library System
Technical Services Department
Policy Manual**

Policy Title: Purging Obsolete Records

Effective Date: March 22, 2007

Purpose: The St. Johns County Public Library System complies with Records Management requirements under both Florida Statutes, Title X, Chapter 119, and Title XVIII, Chapter 257. Public records will be maintained and retained as indicated by the State of Florida General Records Schedule GS15 for Public Libraries.

The ongoing purging of obsolete records is necessary to maintain the integrity of the library's electronic database. Records are purged on a regular schedule, typically monthly, in accordance with Records Management Laws and St. Johns County regulations.

Patron Records that have remained inactive for a period of three years or more and have NO fines or fees are purged from the system. In addition, patron records with no Lost items and fines under \$25 are cleared and removed from the system.

A report of patrons with no activity in over four years and fines over \$25 will be generated on an annual basis and sent to the St. Johns County Administrator/BCC to request write off of uncollectible fines. According to Florida Statute 95.11, fines may no longer be able to be collected after four years.

Deleted Item Records are item records that have been set to a status of "Deletes" at the branch level because the item is being removed from the collection in accordance with the Library's Collection Development Plan. Items may be deleted for one or more of the following reasons:

- Information contained within is obsolete or no longer viable
- Item is damaged beyond repair
- Item record shows little to no use over a period of time
- The library has many additional copies of the item

Lost Item Records are items that are checked out and not returned for a period of time and are automatically set to the status of "Lost" by the system. Notices are sent to patrons attempting to retrieve the Lost materials and associated fines and fees. After an item is Lost for more than three years, it is purged from the system as it is obsolete. Item title and fine information will NOT be removed from patrons' records when a Lost item is purged, and patron is still responsible for the Lost charges.

**ST. JOHNS COUNTY, FLORIDA
DEPARTMENT OF LIBRARIES
UNIFORM POLICY CONCERNING
OVERDUE, DAMAGED AND LOST
MATERIALS**

Section 01. Rationale for Policy.

St. Johns County, Florida, through its Board of County Commissioners, implements an overall County-wide policy concerning overdue, damaged, lost books, periodicals, video movies, CD-ROMs, DVDs, and other loaned materials. The rationale for implementing such a policy is noted as follows: 1) establishing an overall County-wide, uniform administrative library policy associated with overdue, damaged, missing/lost books, periodicals, video movies, CD-ROMs, DVDs, and other loaned materials (from this point forward collectively referred to as "*loaned materials*"; 2) providing both the Patrons of the St. Johns County Public Library System, and the public at-large, with an overall written, consistent, and uniform policy (from this point forward referred to as "*Uniform Library Policy*" or "*ULP*"

Section 02. Definitions.

For the purposes of this Policy, the following terms, phrases, words and their derivations shall have the meaning herein given, unless the context clearly indicates that another meaning is intended. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "*shall*" is always mandatory and not merely directory.

- a. *Board* means Board of County Commissioners of St. Johns County, Florida.
- b. *Branch Library* means the Anastasia Island Branch Library, Bartram Trail Branch Library, Hastings Branch Library, Main Library, Ponte Vedra Beach Branch Library, Southeast Branch Library, and any subsequently opened and funded Library, all located within St. Johns County, and all a part of the St. Johns County Public Library System.
- c. *County* means St. Johns County, Florida.
- d. *County Library System* means the Public Library System serving St. Johns County, Florida.
- e. *Damaged* means loaned materials returned to the Library System in a condition that is worse (beyond normal wear) than originally loaned.

- f. *Due Date* means the final date that loaned material may be returned to the Library without a late fee/overdue fee being imposed.
- g. *Library* means any or all of the branches of the Library System serving St. Johns County, Florida.
- h. *Library Director* means the Executive Director of the St. Johns County Public Library System. The Library Director shall serve as the chief administrative officer for the St. Johns County Public Library System.
- i. *Lost* means any loaned material that is not returned after a specified amount of time.
- j. *Overdue* means any loaned material that is not returned to the Library by the Due Date.
- k. *Patron* means a user of the St. Johns County Public Library System.
- l. *Privilege* means the ability to check-out loaned materials owned or maintained by the St. Johns County Public Library System, or otherwise have access to other resources owned, maintained, or offered by the St. Johns County Public Library System.
- m. *Recognized Library Card* means a card or other equivalent device issued by the St. Johns County Public Library System, or recognized by the St. Johns County Public Library System (which may include a Library Card issued by another County or jurisdiction located within the State of Florida), in order to allow a Patron to check-out loaned materials owned or maintained by the St. Johns County Public Library System, or otherwise have access to other resources owned, maintained, or offered by the St. Johns County Public Library System.
- n. *St. Johns County Public Library System* means the collection of Libraries, including all support and administrative staff that makes up the St. Johns County, Florida Public Library System.
- o. *ULP* means the Uniform Library Policy.

Section 03. Responsibility of Patron.

The following notes the responsibilities of each Patron:

1. The Patron is responsible for returning items on or before the due date.
2. The Patron is responsible for returning items in the same condition that they were checked out.

3. The Patron is responsible for seeing that his/her card is used only by the authorized cardholder whose signature appears on the back of the card. If a cardholder chooses to allow other patrons to use his/her card, the cardholder remains responsible for items checked out on the card.
4. The Patron is responsible for reporting a lost or stolen card as soon as he/she is aware that the card is lost or stolen. The Patron is responsible for items charged out on the card until it is reported lost or stolen.
5. The Patron is responsible for reporting to the Library any change of name, address, or phone number.
6. If items are not returned on time, returned damaged, or are lost the Patron is subject to fines or replacement charges.
7. The Patron is responsible for adhering to, and complying with, the Patron Code of Conduct, which is attached hereto, and incorporated herein, as *Exhibit A*.

Failure of Patron to abide by, and/or comply with the responsibilities listed in items 1 through 7 above will subject the Patron to forfeiture of privileges until the violation is cured, and/or resolved in a manner deemed acceptable by Manager of the Branch Library.

Section 04. Imposition of Fines, Fees, Charges.

Not later than March 1 of each year, the Library Director of the St. Johns County Public Library System shall prepare and deliver a recommended/proposed schedule of Fees, Fines, and/or Charges that should be imposed, under certain conditions, to Patrons.

Not later than September 30 of each year, the Board shall adopt a schedule of Fees, Fines, and/or Charges that are imposed, under certain conditions, to Patrons.

The schedule of Fees, Fines, and/or Charges is attached, and incorporated as *Exhibit B*. At such time as the Fees, Fines, and/or Charges are revised and/or amended, then a new schedule of Fees, Fines, and/or Charges shall be substituted as a new *Exhibit B*. No person and/or entity, other than the Board, or a person/position, delegated by the Board, has the authority to waive the imposition of any properly imposed fine, fee, and/or charge. As of, April 1, 2007, the Board has delegated such waiver authority to the following persons/positions: 1) Library Director of the St. Johns County Public Library System; and 2) Manager or Supervisor of any Branch Library. Such waiver authority also includes the authority to adjust fines, fees, and/or charges, as noted elsewhere in this ULP.

Section 05. Record of Fines, Fees, Charges.

On a daily basis, the Manager or Supervisor in charge of each Branch Library shall track, record, and/or log all fines, fees, and/or charges that are received by each Branch Library.

At a very minimum, the following categories of fines, fees, and/or charges shall be tracked, recorded, and/or logged on a separate basis: 1) fines collected on overdue loaned materials; 2) fees collected for photocopying; 3) fees collected for faxing (facsimile processing); 4) fees for other services provided by Library staff; 5) charges collected on lost loaned materials; 6) charges collected on damaged loaned materials; 6) any other fines, fees, and/or charges permitted, imposed, and collected by each Branch Library; and 7) any subsequently Board authorized fines, fees, and/or charges.

On a monthly basis, a record of systemwide fines, fees, charges, credits and waivers will be generated within the Technical Services Department and forwarded to County Administration.

Section 06. Adjustment of Fines, Fees, Charges.

The Manager of a Branch Library or supervisor in charge of a Branch Library may adjust fines, fees, and/or charges imposed on a Patron for the following reasons: 1) a Patron returns lost loaned material in undamaged condition to the Library; 2) a Patron is due a refund for an incorrect or improper fine, fee, and/or charge. 3) Replacement cost of item is different from Default cost of item; 4) Staff error.

Section 07. Waiver of Fines, Fees, Charges.

Fines up to \$25.00 may be waived by a Branch Manager or supervisor in charge at a branch for extenuating legitimate circumstances only, as defined in staff procedures manual. All disputes of fines over \$25.00 must be submitted in writing to the Library Director for review. All disputes of fines over \$50.00 will be forwarded to the St. Johns County Administrator or BCC for review. Various circumstances for waiving of fines might include death, hospitalization, or unusual hardship. Parents or legal guardians are responsible for overdue fines accrued and material lost or damaged by their children. The maximum overdue fine for each item is \$5.00. Except as noted in this Section, and authorized by the Board, no other person/individual/entity may waive any fine, fee, and/or charge of one or more patrons.

Section 08. Revocation of Patron Privileges.

A Patron's Privileges within the County Library System may be revoked under the following circumstances:

- Patrons who have reached fine and fee charges of \$25.00 on fines/fee amounts may not borrow any items until payment is made on the account.
- Patron violates the Patron Code of Conduct.

The Manager of a Branch Library, or any designated employee of the Branch Library is authorized to revoke a Patron's Privileges within the County Library System if the above circumstances are verified.

Should the Manager of a Branch Library, or designated employee revoke a Patron's Privileges within the County Library System, the Manager or designated employee shall provide written and/or electronic notification to the Patron of the revocation of Privileges.

Section 09. Restoration of Patron Privileges.

Upon satisfactory resolution (as deemed by the Manager of the Branch Library, or designated employee) of the circumstance that gave rise to the revocation of the Patron's Privileges, such Patron's Privileges within the County Library System shall be restored as soon as possible (immediately if at all possible, and in any case within three business days).