

Bath Township Public Library Board of Trustees

Sue Garrity - President
Lynn Bergen - Treasurer
Larry Fewins-Bliss

Theresa Kidd – Vice President
Audrey Barton - Secretary
Ken Jensen

AGENDA, MAY 17, 2023, 6 P.M.

Meeting In Person at BTPL

1. Call to Order.
2. Moment of Civic Reflection
3. Approval of the Agenda
4. Public Comment – limited to 3 minutes, on agenda items only.
5. Disclosure of Conflicts of Interest
6. Review and Approval of Minutes (see agenda packet) -
7. Financial Report – Lynn Bergen, Treasurer and Transparent Bookkeeping – (see agenda packet)
8. Director Report (see agenda packet)
9. Unfinished Business - Items for Discussion
 - a. Switching Circulation Systems from Apollo by Biblionix (<https://www.biblionix.com/apollo-ils-only-for-public-libraries/>) to Atrium by Book Systems (<https://booksys.com/atrium>) – do we have a quote?
 - b. Benefits Changes - update
 - c. Handbook Updates
 - d. Strategic Planning Initiatives
10. Unfinished Business – Items for Action
 - a. Vote on moving forward with circulation system changes.
11. New Business - Items for Discussion
 - a. Options for forming a District Library in the future as identified as a potential goal in our Strategic Plan
12. New Business - Items for Action
 - a. Possible action re: District Library
13. Public Comment – Limited to 3 minutes
14. Board Member Comments
15. Adjournment

Reminder: Next Meeting is June 21, 2023, 6 p.m.

Bath Township Public Library

Meeting Minutes

Wednesday, April 19, 2023

Present: (Board Members) Sue Garrity, Lynn Bergen, Ken Jensen,
Theresa Kidd, Audrey Barton
(Library Director & Staff) Kristie Reynolds

Absent: Larry Fewins-Bliss

Public Present: Joana Bancroft

Next meeting: Wednesday May 19, 2023 @ 6:00pm

I. Regular Business

- a. Meeting called to order at 6:06 pm
- b. Moment of civic reflection.
- c. Audrey **motions** to approve the agenda, Lynn supports, all in favor.
- d. Public comment: none
- e. Disclosures of conflict of interest: none
- f. Lynn **motions** to approve the minutes. Sue supports, all in favor.

II. Financial Report

Please see the full Treasurer's Report in April meeting packet. Audrey **motions** to accept the financial report, Ken supports, all in favor.

The Board did not meet last month, so Treasurer Bergen's report encompasses the last two months. The March and April reports look good. The budget is healthy, and BTPL expects an easy, clean audit. The process went smoothly, thanks to good organization.

III. Director Report

Please see the full Director's Report in April meeting packet.

It's been a busy start to spring at BTPL. Due to lousy weather, the library did close for a few days in February. The winter reading program was a success, and BTPL staff is working on summer reading program activities. Kristie has been gathering information about the process of becoming a district library as the library continues to grow.

Two new security cameras, a panic button, and an AED machine have been added to the facility. Kristie continues to work on the benefits package, and awaits a response from Foster Swift. This will also be affected by changes in law at the state law. The audit process went smoothly, and a clean report is expected.

Library use statistics are up, across the board. In many categories, statistics have doubled!

Staff member Joana Bancroft reports that the Irish Day event was a great success, with nearly 90 attendees. Other in-building events are growing and evolving, including a poetry competition, a quiet coloring group and a spring seed exchange with the aim of planting in the community garden. State Representative Penelope Tsernoglou will host a meet and greet this Friday, at noon.

The Summer Reading Program plans include a major kick-off event on June 10th, including indoor and outdoor activities. Thanks to the Friends of the Library for sponsoring the bounce house! This will coincide with the Bath Twp Bike Rodeo, organized by the Safe Routes to School committee. It's a wonderful opportunity for the entire community to come together.

IV. Unfinished Business – Items for Discussion

- a. Switching Circulation Systems from Apollo by Biblionix Systems - The board appreciated the recent presentation about the Atrium interface and database. Discussion included a request for a complete quote, and the importance of information security.
- b. Benefits Changes – The suggested change is that on the day a new employee begins working for BTPL, they'll start collecting PTO. Upon completion of five years of employment, another week is added, and so forth. The accrued time will roll over for current employees, so no one is left without their banked time. This plan is not yet finalized and awaits approval from the lawyer. This can be automatically calculated by Paychex.
- c. Handbook Updates - (see item IV.b)
- d. Strategic Planning Initiatives – The proposed updated plan seems to include all of the key points brought up during strategic planning. Discussion included focusing on the use of current interiors, specifically improvements to spaces for teens and adding a new emergency exit near the children's area. The Board intends to take a close look at the current mission statement, too.

V. Unfinished Business – Items for Action

- a. Vote on moving forward with circulation system changes (no vote)

VI. New Business - Items for Discussion

- a. Update on benefits from Woodlands Cooperative – Improvements to legal services, technology allowances and other assistance. Woodlands continues to be a great partner for BTPL.
- b. Changing Hours of Operation for the library – Evenings at BTPL are very quiet, especially after 7pm. Kristie suggests opening earlier, at 9am, on weekdays. She also suggests

staying open for the full day on Fridays (currently closing time is 4pm). Saturdays would be 9 – 1. This proposed change would begin after Memorial Day.

VII. Items for Action

- a. Sue **motions** to approve the change in hours of operation, Ken seconds, all in favor.

VIII. Closing

- a. Public Comment: Joana mentions that with looking at Atrium, the Friends of the Library may be very helpful when it comes to special options.
- b. Board Member Comments: Kristie mentions that 2024 is approaching, and the board members will be up for reelection. She encourages the board to think about this.
- c. Lynn **motions** to adjourn the meeting at 7:09. Theresa seconds, all in favor.

(Minutes recorded by Audrey Barton, Secretary)

Treasurer's Report May 11, 2023

As of April 30, 2023 4 months = 33.3%

MSUFCU Savings	\$ 115,858.70
MSUFCU Checking	\$ 265,952.03

Notes:

- All April expenses were reviewed and verified using Kristie's Reconciliation and the MSUFCU Statement.
- Overall expenses were 34.6% per our 2023 Budget vs. Actuals Report. The difference of 1% is not statistically relevant.
- It is my opinion that our finances and budget are in great shape.

Lynn Bergen, Treasurer

To the Board of Trustees of
Bath Township Public Library
Lansing, Michigan

Management is responsible for the accompanying financial statements of Bath Township Public Library (a governmental organization), which comprise the balance sheet as of April 30, 2023, the related Profit and Loss, as well as the Profit and Loss Budget vs. Actual for the one month ended April 30, 2023, then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AIPCA. We did not audit or review the financial statements, nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion or a conclusion nor provide any assurance on these financial statements.

Management has elected to omit substantially all disclosures required by the governmental accounting standards generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Organization's financial position, changes in net assets, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Transparent Bookkeeping, LLC

Haslett



Bath Township Public Library

Balance Sheet
As of April 30, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 MSUFCU Checking	263,375.06
1010 MSUFCU Savings	115,858.70
1020 PayPal	17.03
Total Bank Accounts	\$379,250.79
Accounts Receivable	
1200 Accounts Receivable (A/R)	580.89
Total Accounts Receivable	\$580.89
Other Current Assets	
1400 prepaid expenditures	6,087.01
1500 Uncategorized Asset	0.00
Undeposited Funds	0.00
Total Other Current Assets	\$6,087.01
Total Current Assets	\$385,918.69
TOTAL ASSETS	\$385,918.69
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable (A/P)	-382.18
Total Accounts Payable	\$ -382.18
Other Current Liabilities	
2100 Accrued Payroll and Taxes	
2110 Accrued Wages payable	0.00
2120 Accrued Payroll taxes payable	0.00
Total 2100 Accrued Payroll and Taxes	0.00
2300 Unavailable Revenue	0.00
Total Other Current Liabilities	\$0.00
Total Current Liabilities	\$ -382.18
Total Liabilities	\$ -382.18



Bath Township Public Library

Balance Sheet
As of April 30, 2023

	TOTAL
Equity	
3000 Opening Balance Equity.	0.67
3500 Retained Earnings	170,554.65
Net Income	215,745.55
Total Equity	\$386,300.87
TOTAL LIABILITIES AND EQUITY	\$385,918.69

Note

NOTE: This report is a DRAFT until the audit is complete and the journal entries added to the file.



Bath Township Public Library

Profit and Loss

April 2023

	TOTAL
Income	
4000 Donation	754.39
4200 State Aid	6,692.22
4300 Tax Revenue	233.51
4600 Service Fees	134.50
4610 Reimbursable Expense Income	580.89
4700 Interest	4.76
Total Income	\$8,400.27
GROSS PROFIT	
	\$8,400.27
Expenses	
6010 Collection Acquisitions	2,956.72
6020 Library Programming	338.08
6070 Reimbursable Expenses	391.46
6200 Advertising & Marketing	979.38
6310 Contractual Services	4,954.74
6400 Payroll	12,776.08
6410 Payroll Taxes/Benefits	1,275.88
6420 Employer Retirement Contribution	324.70
Total 6400 Payroll	14,376.66
6500 Bank Charges & Fees	4.00
6510 Insurance	321.50
6540 Membership	705.00
6550 Office Supplies & Software	337.98
6560 Professional Development	75.00
6580 Rent & Lease	3,823.00
6590 Repairs & Maintenance	721.02
6620 Technology	2,635.37
6630 Travel	115.98
6640 Utilities & Internet	1,840.75



Bath Township Public Library

Profit and Loss

April 2023

	TOTAL
7000 Cash Over/Short	-6.05
Total Expenses	\$34,570.59
NET OPERATING INCOME	\$ -26,170.32
NET INCOME	\$ -26,170.32

Note

NOTE: This report is a DRAFT until the audit is complete and the journal entries added to the file.

NOTE 2: Bath School District was awarded a Safe Routes to School (SRTS) grant at the end of last calendar year. The district asked the library to participate in this community building activity and in return they offered to reimburse the library for the cost of staff time, supplies, copy fees, and books for the SRTS.

Account #4610 tracks the reimbursement request income for this program and account #6070 tracks the expenses. Because invoices are sent to the district after incurring expenses, the two numbers will not match from month to month. By the end of the year, the reimbursement income should off-set the majority of the expenses.



Bath Township Public Library

Budget vs. Actuals: Fiscal Year 2023

January - December 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
4000 Donation	1,079.03	1,000.00	79.03	107.90 %
4100 Grant Income		2,000.00	-2,000.00	
4200 State Aid	6,692.22	13,000.00	-6,307.78	51.48 %
4300 Tax Revenue	327,302.06	337,429.00	-10,126.94	97.00 %
4400 Sales	0.00		0.00	
4500 Penal Fines		37,000.00	-37,000.00	
4600 Service Fees	490.60	1,000.00	-509.40	49.06 %
4610 Reimbursable Expense Income	580.89		580.89	
4700 Interest	19.04	50.00	-30.96	38.08 %
4710 Dividend	264.00	283.00	-19.00	93.29 %
Total Income	\$336,427.84	\$391,762.00	\$ -55,334.16	85.88 %
GROSS PROFIT	\$336,427.84	\$391,762.00	\$ -55,334.16	85.88 %
Expenses				
6000 Capital Expenses	741.99	7,000.00	-6,258.01	10.60 %
6010 Collection Acquisitions	9,836.55	25,000.00	-15,163.45	39.35 %
6020 Library Programming	1,316.17	7,000.00	-5,683.83	18.80 %
6070 Reimbursable Expenses	391.46		391.46	
6200 Advertising & Marketing	1,193.70	3,000.00	-1,806.30	39.79 %
6310 Contractual Services	18,701.41	33,000.00	-14,298.59	56.67 %
6320 Legal & Professional Services	821.75	2,000.00	-1,178.25	41.09 %
6400 Payroll	56,803.14	157,000.00	-100,196.86	36.18 %
6410 Payroll Taxes/Benefits	5,433.53	12,500.00	-7,066.47	43.47 %
6420 Employer Retirement Contribution	1,423.00	4,000.00	-2,577.00	35.58 %
6430 Benefits (Employer Health Insurance)	1,290.40	16,000.00	-14,709.60	8.07 %
Total 6400 Payroll	64,950.07	189,500.00	-124,549.93	34.27 %
6500 Bank Charges & Fees	9.85	200.00	-190.15	4.93 %
6510 Insurance	1,268.24	4,500.00	-3,231.76	28.18 %
6530 Meals	59.75	1,000.00	-940.25	5.98 %
6540 Membership	705.00	8,500.00	-7,795.00	8.29 %
6550 Office Supplies & Software	2,404.65	8,000.00	-5,595.35	30.06 %
6560 Professional Development	75.00	1,000.00	-925.00	7.50 %
6580 Rent & Lease	15,292.00	45,900.00	-30,608.00	33.32 %
6590 Repairs & Maintenance	3,358.40	9,000.00	-5,641.60	37.32 %
6620 Technology	4,168.86	11,000.00	-6,831.14	37.90 %
6630 Travel	115.98	2,000.00	-1,884.02	5.80 %
6640 Utilities & Internet	3,742.85	16,000.00	-12,257.15	23.39 %
6650 Bad Debt	1.19		1.19	
7000 Cash Over/Short	-19.42		-19.42	
Total Expenses	\$129,135.45	\$373,600.00	\$ -244,464.55	34.57 %



Bath Township Public Library

Budget vs. Actuals: Fiscal Year 2023

January - December 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
NET OPERATING INCOME	\$207,292.39	\$18,162.00	\$189,130.39	1,141.35 %
NET INCOME	\$207,292.39	\$18,162.00	\$189,130.39	1,141.35 %

Note

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Account #4610 tracks the reimbursement request income for this program and account #6070 tracks the expenses. Because invoices are sent to the district after incurring expenses, the two numbers will not match from month to month. By the end of the year, the reimbursement income should off-set the majority of the expenses.

Directors Report

- Legal & Professional
 - Working on the benefits package
- Staffing
 - We are fully staffed but still dealing with a ton of sickness
- Scheduling
 - We have a full schedule.
- Upcoming Programs
 - We had an Irish program that was well attended.
- Community outreach
 - Working on the Safe Routes to School
- Technology
 - None
- Policy
 - Changes to the benefits package
- Continuing Education
 - None
- Projects
 - The Audit
 - Finishing the Strategic Plan
 - Becoming a District Library
 - Changing Circulation Systems
- Statistics

March	2022	2023
Visit	691	1177
Items Checked out	1409	1989
Computer Use	79	75
Wireless use	116	210
Hoopla	176	157
Overdrive	266	395
New Cards	32	40
Renewal Cards	52	54
Kanopy	11	10
Event Attendance	95	148
Virtual Program Attendance	285	150
Story Time Attendance	38	130
Passive Program Attendance	40	228
Reference Calls	131	99
Outreach	56	57

Directors Report

- Legal & Professional
 - Spoke with the attorney about a staffing issue.
 - Spoke with an attorney about the benefits package.
- Staffing
 - We are fully staffed.
 - Had a staff issue.
 - Had a staff that is tardy and had to them on an improvement plan.
- Scheduling
 - We have a full schedule.
- Upcoming Programs
 - Seed programs and gardening.
 - Prepping for Summer Reading Program
- Community outreach
 - Working on the Safe Routes to School
 - Went to Nights for Notables
- Technology
 - None
- Policy
 - Changes to the benefits package
- Continuing Education
 - Left the Library of Michigan Board
- Projects
 - Finishing the Strategic Plan
 - Becoming a District Library
 - Changing Circulation Systems

- Statistics

April	2022	2023
Visit	778	1241
Items Checked out	1386	1898
Computer Use	43	158
Wireless use	140	269
Hoopla	161	144
Overdrive	292	428
New Cards	87	53
Renewal Cards	63	62
Kanopy	4	10
Event Attendance	74	288
Virtual Program Attendance	126	156
Story Time Attendance	19	107
Passive Program Attendance	89	75
Reference Calls	116	148

Outreach	334	258
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FOSTER SWIFT

FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

FORMING A DISTRICT LIBRARY

I. **District Library Establishment Act -- Required Provisions.** There are certain requirements that must be addressed in the Agreement that are required by the District Library Establishment Act, 1989 PA 24, ("DLEA"):

A. **The Name of The District.** The parties must decide on the name of the district and the name must include the word "district."

B. **Participating Municipalities.** The Agreement must address the identity of the municipalities establishing the district library. The Library should review the boundaries to determine if any territory should be excluded. The participating Municipalities are as follows:

C. **Elected or Appointed Boards.** The method of selection of board members, whether by election or appointment, must be addressed. Will the Board be appointed or elected?

1. If by appointment, their term of office, the total number of board members (between 5 and 8), and the number of board members to be appointed by the legislative body of each participating municipality (**we can assist in making sure the terms are staggered**);

2. If by election, the number of elected board members will be seven (7). Thus, the Library must provide for the provisional board members to be appointed by the legislative body of each participating municipality.

D. **Budget Issues.** Of the amount of money to be stated in the annual budget pursuant to section 13, the percentage to be supplied by each participating municipality,*[if nothing, should state it is nothing]* is as follows:

1. Will the Participating Municipalities contribute funds from the general fund? If so, how much?

2. Will any Participating Municipality continue to levy an existing millage?

E. **Amendment.** The agreement shall contain procedure for amending the agreement, which shall require the consent of the legislative bodies of not less than 2/3 of the participating municipalities. If there are only 2 Participating Municipalities, both must approve.

F. **Withdrawal Resolution.** The library must address the period of time after the effective date of the agreement, not less than 1 year, during which the adoption of a resolution to withdraw from the district library pursuant to section 24 shall be void.

G. **Distribution of Library Assets.** Any distribution of district library assets to take place upon the withdrawal of a participating municipality.

H. **Miscellaneous.** Any other necessary provisions regarding the district library.

II. **District Library Establishment Act -- Permissive Provisions.** A district library agreement may provide that the district library board is abolished and the district library terminates unless, on or before a date stated in the agreement, the district electors approve

a district library millage at a rate not less than a minimum number of mills stated in the agreement. If the district library agreement contains such a provision, the district library agreement shall specify the manner in which the net assets of the district library shall be distributed to the participating municipalities upon termination and shall contain a plan for continuing public library service to all residents of the district after termination.

III. Issues for Discussion.

A. Funding

1. Millage: The exact millage cannot be dictated by the Board; however, the agreement may provide for a minimum that must be requested (see above).
2. Interim Period: If there is a district-wide millage or if individual participating municipalities were to ask for a millage, how will the Library be funded in the interim?
4. Contributions from participating municipalities.
5. Penal fines and state aid.

B. Employment

1. Termination/lease
2. Retirement
3. Benefits
4. Seniority
5. Need information regarding current employees

C. Property Transfer

1. Real Property
2. Personal Property
3. Determine owners of property
4. Any restrictions of use for the property
5. Effect of property upon dissolution; any favorable

D. Contractual Obligations

E. Insurance

IV. After Approval.

A. Map of District

B. Tax ID Numbers

C. Millage Results

D. Library now a Taxing Unit

1. Prepare own budget

2. Own Fiscal Responsibilities

3. Need audit

4. Submit L-4029 Tax form

AMS

District Library Establishment

Anne M. Seurync

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BEFORE THE AGREEMENT

BEFORE THE AGREEMENT

- Why form a district library?
 - Funding:
 - Fairness Issue.
 - Ability to locally determine funding needs.

BEFORE THE AGREEMENT

■ Why form a district library?

■ Independence:

- Funding.
 - District-wide millage.
 - Bonding.
- Library governance -- independent library board.
- Special considerations for PA 164 or City department libraries.

BEFORE THE AGREEMENT

- How do you Determine the Participating Municipalities?
 - Who may participate? A district library needs 2 or more (except for a “single unit” except described below) of the following:
 - Cities
 - Villages
 - Townships
 - School Districts
 - Counties.

BEFORE THE AGREEMENT

- How do you Determine the Participating Municipalities?
 - School Districts at one point were subject of a “sunset” provision that prevented them from being participating municipalities after January 1, 2015.
 - That provision was amended in 2016 and now school districts are back in!
 - If 2 or more school districts participate, they must hold their regularly scheduled elections on the same date.

BEFORE THE AGREEMENT

■ How do you Determine the Participating Municipalities?

■ Why participate?

- Will have the opportunity to participate in the negotiating and drafting of the Agreement.
- May choose board members if there is an appointed board.
- Determine if future amendments to Agreement are made.
- Library service may come "off the books" of that Participating Municipality.

BEFORE THE AGREEMENT

- How do you Determine the Participating Municipalities?
 - Determine the boundaries:
 - Are any other legal library service areas included?
 - Must exclude all other district libraries.
 - May exclude certain public libraries that (a) are recognized to receive state aid and (b) are PA 164, school libraries or county libraries. If included, the Library Board (non-advisory) still must approve the agreement.
 - Other exclusions may apply

BEFORE THE AGREEMENT

- How do you Determine the Participating Municipalities?
 - Determine the boundaries:
 - Are any other contracted service areas included?
 - If yes, those service contracts will be void.
 - Library should consider the effect of those areas on the participation by the Participating Municipality and the neighboring library. May need to include continued service contracts as part of the "deal."

BEFORE THE AGREEMENT

II How do you Determine the Participating Municipalities?

- The pros and cons of including School Districts and Larger Municipalities.
 - Pro -- includes large area without individual participation of the cities, villages and townships included in the area. The Library can include a large territory without extra approvals of additional township boards and city and village councils.
 - Con -- includes large area without the individual participation of cities, villages and townships. What if the city, village or township does not want to be part of the district or wants a voice in the process? This can create political problems.
 - Be very open about what involving the School District will mean to the municipalities that are included in the School District.
 - **School Districts cannot be added later.** If a School District is considering joining, it must be an original Participating Municipality. Otherwise, the Library will have to dissolve and reform to include a School District.

SINGLE UNIT

II How do you Determine the Participating Municipalities?

- Recently added ways to form a District Library.
 - Single Unit (except a school district):
 - Must have approval of the state librarian; and
 - Each of the following requirements is satisfied:
 - » The municipality has made an assertive effort over a period of time of not less than 3 consecutive years to form a district library with 1 or more other municipalities.
 - » The municipality has submitted to and received the state librarian's approval of a plan of service.
 - » The municipality has a population of 4,500 or more.
 - » The municipality is otherwise qualified and meets the requirements of a district library under this act.
 - » Any other requirements considered necessary by the state librarian to ensure that a district library created under this section complies with the intent of this act.

REFERENDUM

- Recently added ways to form a District Library.
 - "Referendum."
 - Petition for a municipality to create or become part of an existing district.
 - Initiated by petition of not less than 5% of the registered electors residing in the affected municipality, municipalities, or the portion of a municipality, requesting a referendum on the question of becoming a district library or joining an existing district library

REFERENDUM

II "Referendum."

- The clerk of each affected municipality:
 - Verifies the required number of signatures on the petitions
 - Files a copy of the petition with the Department of Education
 - Submit the question of whether the municipality should become a participating municipality.

REFERENDUM

- **Referendum:** If the question of the petition relates to the joining of an existing district library:
 - Before circulating the petition for signatures, the supporters of the petition may submit the proposal and the petition language to the existing district library board for review and approval.
 - The district library board shall vote by resolution to accept or reject the proposed new participating municipality within 30 days of receiving a copy of the proposed petition.
 - If the proposal is approved by the district library board and the referendum is passed by the electors, the district library shall amend its agreement to incorporate the new participating municipality.

REFERENDUM

- **Referendum:** If the question of the petition relates to the joining of an existing district library:
 - Before circulating the petition for signatures, the supporters of the petition may submit the proposal and the petition language to the existing district library board for review and approval.
 - The district library board shall vote by resolution to accept or reject the proposed new participating municipality within 30 days of receiving a copy of the proposed petition.
 - If the proposal is approved by the district library board and the referendum is passed by the electors, the district library shall amend its agreement to incorporate the new participating municipality.

REFERENDUM

■ Referendum:

- The referendum submitted to the electors under this section shall include a request for a millage to fund the new district or the municipality's obligation to the existing district.
- For district libraries with appointed boards, the referendum shall include language regarding the appointment of new members to represent any new participating municipality.

BEFORE THE AGREEMENT

■ Referendum:

- If approved by a majority of the electors in the affected municipality voting on the question, the municipality shall proceed to become a participating municipality in the manner provided under this act.
- A new district library established under this section shall consist of 2 or more municipalities and be governed by an elected board as provided under section 11. The board required under this subsection shall be elected not later than 1 year from the date the electors approve the new district.

BEFORE THE AGREEMENT

II Referendum:

- If a new district library is created under this section, each participating municipality shall appoint members to an interim governing board in a number proportional to its population in relationship to the entire district.
- The interim board shall prepare and submit the agreement and map required by this act to the department no later than 180 days from the date the electors approve the new district.
- If the agreement and map are not submitted as required by this subsection, the agreement and map shall be prepared by the state librarian.

BEFORE THE AGREEMENT

II Referendum:

- If the district library board has not approved the new participating municipality under subsection (2) and the petition is submitted to the electors for approval and passes, the board of the district library shall vote within 30 days following certification of the election results whether to accept or reject the new proposed participating municipality. If the new participating municipality is accepted, the district library shall amend its agreement to incorporate the new participating municipality.



DISTRICT LIBRARY ESTABLISHMENT ACT REQUIREMENTS

DISTRICT LIBRARY ESTABLISHMENT ACT

- This session will focus on the typical issues that arise during a district library establishment process.

DISTRICT LIBRARY ESTABLISHMENT ACT

- Required Provisions. The agreement shall provide for the creation of a board to govern the operation of the district library and set forth all of the following:

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Name.** The Agreement must include the name of the district. Now, after the enactment of Act 60 of the Public Acts of 2005, the name must include the word "district."

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Participating Municipalities.** The Agreement must include the identity of the municipalities establishing the district library. The Library should review the boundaries to determine if any territory should be excluded.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Appointed or Elected Board.** The Agreement must include method of selection of board members, whether by election or appointment.
 - ***Appointment.*** If by appointment, the Agreement should include:
 - The term of office (up to 4 years);
 - The total number of board members (5 to 8); and
 - The number of board members to be appointed by the legislative body of each Participating Municipality.
 - ***Election.*** If by election, there shall be seven (7) members voted at large from the district. However, the Agreement must include the number of provisional board members to be appointed by the legislative body of each Participating Municipality.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Funding.** Of the amount of money to be stated in the annual budget pursuant to section 13, the Agreement must include the percentage to be supplied by each Participating Municipality. If a Participating Municipality provides nothing, the Agreement should specifically state that the Participating Municipality has no obligation to fund the district.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Amendment.** The Agreement should include the procedure for amending the agreement, which shall require the consent of the legislative bodies of not less than 2/3 of the Participating Municipalities.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Withdrawal.** A period of time after the effective date of the agreement, not less than 1 year, during which the adoption of a resolution to withdraw from the district library pursuant to section 24 shall be void.
 - The Participating Municipalities should understand the effect of withdrawing before they approve the agreement.
 - If all but one withdraw, the district library is dissolved.
 - If a Participating Municipality withdraws, the Library is still in existence, and there is a districtwide millage in effect, residents in the Participating Municipality must still pay the existing millage until it expires.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Distribution of Library Assets.** Any distribution of district library assets to take place upon the withdrawal of a Participating Municipality should be identified in the Agreement.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Miscellaneous.** The Agreement may provide for any other necessary provisions regarding the district library.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Involuntary Dissolution.** A district library agreement may provide that the district library board is abolished and the district library terminates unless, on or before a date stated in the agreement, the district electors approve a district library millage at a rate not less than a minimum number of mills stated in the agreement. If the district library agreement contains such a provision, the district library agreement shall specify the manner in which the net assets of the district library shall be distributed to the Participating Municipalities upon termination and shall contain a plan for continuing public library service to all residents of the district after termination.

DISTRICT LIBRARY ESTABLISHMENT ACT

- **Approval by Resolution.** The Participating Municipalities must approve by resolution and submit the resolution with the District Library Agreement to the Library of Michigan.



ISSUES FOR DISCUSSION

ISSUES FOR DISCUSSION

II Funding.

- Millage: The exact millage cannot be dictated by the existing Library Board or the Participating Municipalities. However, the agreement may provide for a minimum that must be requested (see above).
 - Either have a districtwide millage.
 - Passes if approved by the majority in the entire district.
 - Must be levied uniformly in the district. This becomes an issue at times if a Participating Municipality joins an existing district.
 - Millage may be up to 4 mills, 2 mills may be in perpetuity.
 - Individual Participating Municipalities may approve and levy "single unit" millages in support of the district library.

ISSUES FOR DISCUSSION

- Interim Period: If there is a districtwide millage or if individual Participating Municipalities were to ask for a millage, how will the Library be funded in the interim?
 - Continue to levy existing millage (if ballot language does not prevent it).
 - General fund contributions by Participating Municipality.
- Contributions from Participating municipalities.
- Penal fines and state aid.

ISSUES FOR DISCUSSION

II Employment.

- Termination/lease
- Retirement
- Benefits
- Seniority
- Need information regarding current employees

ISSUES FOR DISCUSSION

II Property Transfer.

■ Real Property

- Transfer
- Sale
- Lease

■ Personal Property

- Who owns what property in the Library
- Formal transfer of property should be included
- Endowment and other funds

■ Any restrictions of use for the property?

■ Effect of property upon dissolution

ISSUES FOR DISCUSSION

|| Contractual Obligations

ISSUES FOR DISCUSSION

|| Insurance

ISSUES FOR DISCUSSION

|| Fiscal Year



AFTER APPROVAL

AFTER APPROVAL

- Submission to State Librarian within ten (10) days of approval.
 - A copy of the Agreement
 - Resolutions from all the Parties
 - Map of District showing the relationship to adjacent and constituent units of government.

AFTER APPROVAL

|| Tax ID Numbers

AFTER APPROVAL

|| Millage Results

AFTER APPROVAL

- Library now an independent public body.
 - First meeting of Library Board.
 - Adopt Policies and Bylaws
 - Adopt Regular Meeting schedule
 - Approve all obligations under the District Library Agreement
 - Library does its own budget and budget hearing.
 - Tax Identification No.
 - Review all contracts and policies for notification of new District.

THANK YOU

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