



TRAVERSE AREA
DISTRICT
LIBRARY

PUBLIC NOTICE

The Traverse Area District Library
Regular and Annual Board Meeting
scheduled for

March 18, 2021 at 4:00pm

will be held remotely
due to Coronavirus Outbreak and
in the Interest of the Public, Health Safety and Welfare.

Members of the public can remotely attend the meeting via the following:

<https://us02web.zoom.us/j/5795909071>

Call-in: 1-312-626-6799 | Webinar Code: 579 590 9071

*Access code may change without notice, please verify updates by going to the Traverse Area District Library website at the following link: <https://www.tadl.org/online-board-meeting/> .

Due to the high number of users utilizing remote meeting platforms, you may experience delays or difficulties in calling in or accessing the online meeting platform. TADL will make reasonable efforts to ensure the platform is open and accessible before conducting a remote meeting. Please contact TADL by phone 231-932-8527 or email publiccomment@tadl.org if you experience any difficulty in accessing the conference call meeting.

Anyone wishing to give public comment will need to call in and wait in a "virtual waiting room" where their microphones will be muted until they are called upon.

Members of the TADL Board of Trustees may be contacted by members of the public by using the following dedicated email address: www.tadl.org/contact-the-board-of-trustees/ to provide input or ask questions on any business that will come before the TADL Board of Trustees at this meeting. To contact an individual board member use the following email addresses: Joseph Jones (President) jjones@tadl.org ; Susan Odgers (Vice President) sodgers@tadl.org ; Marylee Pakieser (Secretary) mpakieser@tadl.org ; Carol Sullivan (Treasurer) csullivan@tadl.org ; Michael Vickery (Trustee) mrvickery@tadl.org ; Jeffery Wescott (Trustee) jwescott@tadl.org ; Mary Budzinski (Trustee) mbudzinski@tadl.org.

In addition, you may submit any comments that you have prior to the close of the public hearing and meetings to the following address: Traverse Area District Library, 610 Woodmere Ave., Traverse City, MI 49686; email ~ publiccomment@tadl.org.

Any written public comments received by mail or email prior to the close of the meeting will be read into the record. The AGENDA is available at tadl.org/governance and consists of the following items:

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Public Comment***
5. **Approval of Minutes**
 - a. [Regular Meeting of February 18, 2021](#)
6. **Reports and Communications**
 - a. [Director Report](#) | [Departmental Reports](#)
 - b. Financial Report – [Expenses](#) | [Revenues](#)
 - c. Member Library Reports – [FLPL](#) | [IPL](#) | [PCL](#)
 - d. Committee Reports
 - a. Finance & Facilities and Services Committee – [March 9, 2021](#)
 - b. Policy and Personnel Committee – [March 2, 2021](#)
 - e. Other Reports and Communications
 1. Friends' Report – Doug Weaver, President Friends of TADL
7. **Old Business**
 - a. [Summary of Fund Balances](#)
 - b. [3.4 Confidentiality of Library Records Policy](#)
 - c. [1.6 Freedom of Information Procedures and Guidelines](#) | [FOIA Public Summary](#)
8. **New Business**
 - a. [Resolution - Rotary Charities of TC Assets for Thriving Communities Grant](#)
 - b. [3.7 Wi-Fi Hotspot and laptop Lending Policy](#)
9. **Strategic Planning Discussion**
10. **Public Comment***
11. **Trustee Comment**
12. **Adjournment**

* If you wish to speak during the Public Comment section of the meeting, please (1) wait until you are recognized by name or last four digits of your phone number; (2) you will be unmuted by the moderator; (3) while not required, state your name and the county and township or city in which you reside; and (4) limit your comments to 5 minutes. Please keep all comments respectful. Pursuant to the bylaws of the TADL any person addressing the Board who becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting may be limited by the President.

The Traverse Area District Library will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon at least 3 days' notice to the Library. Individuals with disabilities requiring auxiliary aids or services should contact the Library Administrative Office by emailing publiccomment@tadl.org or calling 231-932-8500.



AGENDA

Board of Trustees Regular and Annual Meeting
Thursday, March 18, 2021 at 4:00pm

Virtual Meeting

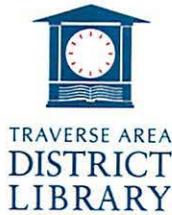
<https://us02web.zoom.us/j/5795909071>

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Board of Trustees Regular Meeting
MINUTES (approved)
Thursday, February 18, 2021 at 4:00pm
Virtual Meeting via Zoom

1. Call to Order

The meeting was called to order by President Jones at 4:00pm. By voice roll call, present were: Jones (President) attended from home in Fife Lake; Odgers (Vice President) attended from home in Traverse City; Sullivan (Treasurer) attended from home in Traverse City; Pakieser (Secretary) attended from home in Traverse City; Vickery (Trustee) attended from home in Traverse City; Wescott (Trustee) attended from home in Traverse City; and Budzinski (Trustee) attended from home in Traverse City. Also present were: Zeits and Adams (Counsel), Howard (Director), Radjenovich (Business Manager), Olson (Zoom Moderator), and Carpenter (Staff).

2. Pledge of Allegiance

Because an American flag was not present and available to all members participating in the virtual meeting President Jones eliminated the Pledge of Allegiance from the February 18, 2021 agenda.

3. Approval of the Agenda

Howard noted that the proposal for labor and employment legal services from Danbrook Adams Raymond, PLC recently became available and should be added for approval to item 7b, general counsel legal service. It was **MOVED** by Sullivan, **SUPPORTED** by Wescott to approve the agenda with the addition to item 7b. A roll call vote was taken with the following results:

Wescott – aye	Pakieser – aye	Vickery – aye	Budzinski – aye
Sullivan – aye	Odgers – aye	Jones – aye	

Motion **CARRIED** with 7 ayes.

4. Public Comment

President Jones opened the floor for public comment. There was none by attendees, or submitted via email or chat.

5. Approval of Minutes

a. *Regular Meeting of January 21, 2020*

President Jones noted that the minutes of January 21, 2021 should reflect that he attended the meeting from his home in Fife Lake, not Traverse City. It was **MOVED** by Pakieser, **SUPPORTED** by Sullivan, to approve the regular meeting minutes of January 21, 2020 as amended. A roll call vote was taken with the following results:

Wescott – aye	Pakieser – aye	Vickery – aye	Budzinski – aye
Sullivan – aye	Odgers – aye	Jones – aye	

Motion **CARRIED** with 7 ayes.

6. Reports and Communications

a. *Director Report | Departmental Reports*

Howard confirmed her written report and added the following:

- Howard reported that Spence Brothers have come up against a potential supply chain issue for the preferred roofing shingles which could affect the completion of the project and push it out to 2022.
- Howard and Brady are completing a Rotary grant for purchase of a Sprinter van to use as a Book Mobile.

Board members asked Howard several questions regarding the roof. After some discussion the trustees agreed that it would be helpful for Howard to schedule a presentation from the architect and a representative from Spence Brothers to discuss the current status of the roof project in more detail for the trustees, as there are several new trustees since the project started. She will try to schedule them for the March meeting.

President Jones was impressed with the curbside stats. The high volume shows that TADL is doing its best to serve patrons during the pandemic limitations. Wescott echoed the sentiments. Howard said she plans to reopen for inside services on March 1, 2021. The area's positivity rate has been holding below 4% for a while and it would also coincide with Governor Whitmer's deadline for Michigan schools to open again for face-to-face learning. Howard indicated that full-service curbside and inside service cannot be run simultaneously for the full operational hours so curbside hours will be limited once open.

b. *Financial Reports*

Radjenovich confirmed her written report and made the following highlights:

- About half of the revenues from property taxes have been received. She expects the balance by the end of March.
- Sales have slowed down since in-building service stopped. This should come back up after reopening when people can browse the used book sale items and see displays of the library swag items in person.
- On a good note, the insurance and bonds rate decreased, which then allowed TADL to purchase a cybersecurity plan and still stay within the budget. Several big expenses are paid in advance at the beginning of the year such as personnel insurance, HSA enrollee payments, and some professional and contractual fees. These categories will even out within budget throughout the year.

Sullivan requested a detailed list of fund balances if possible. Radjenovich will prepare a report for the next board meeting.

c. *Member Library Reports*

- Jennifer Thomet, Director of Interlochen Public Library (IPL), reported great circulation numbers. Virtual programming and craft kits are still popular – the most being the dog biscuits. IPL has given out about 400 dog biscuits to the curbside patrons' canine companions. IPL has received \$60,000 from the Allen Foundation to use over a three year period toward a Health and Wellness initiative. Janette Grice is heading up the program which is held in the library's community room.
- Vicki Shurly, Director of Peninsula Community Library (PCL), noted that while they will reopen in March, coinciding with TADL, they will keep curbside services in addition to in-building service. Staff plan to do a meet and greet Zoom program where patrons can get to know the staff from a personal side. A recent Insta-Pot program was a giant success as many folks received one for the holidays. PCL has given out about 250 craft bags per month through curbside. Shurly did a Valentine cake Zoom presentation that was very

popular with the older patrons and it gave them a much needed chance to socialize. Shurly thanked TADL for all the support throughout the pandemic. She felt that PCL would have been a little isolated without it.

A written report from Julie Kintner, Director of Fife Lake Public Library (FLPL) was included in the board packet.

d. *Committee Reports*

- Finance and Facilities and Services Committee – Sullivan noted that the committee had met and decided that due to the immediacy of the roof project and the upcoming lighting replacements that the bathroom project would be put on a temporary hold. The committee discussed the fact that the current Spence Brothers project contract does not include replacing the roof, but they were in favor of amending the Spence Brothers contract to remain as project manager through the roofing phase.
- Policy and Personnel Committee – Vickery noted that the committee had met and discussed changes to the Library Privacy Act and have included it later on the agenda for a full board discussion. Howard suggested changing the spending limits in two policies due to inflationary costs, but the committee determined that Howard should monitor the year's costs and a decision would be made at year end. Vickery noted that there was interest in cultivating deeper conversations at the full board level and suggested an annual retreat.

e. *Other Reports and Communications*

- Friends' Report – Doug Weaver, TADL Friends Board President
Weaver reported that an audit of the first bag sale revealed that it took 445 volunteer hours to sort and prep the last book sale. It showed the high level of commitment that the volunteers put forth on a very successful sale. The Friends will be holding another bag sale with items from the Charles Saunders donation beginning March 1st. Weaver expressed appreciation for all the help from Olson, TADL's Sight & Sound Coordinator, and Brady, TADL's Marketing and Communications Manager, on the upcoming Saunders collection bag sale.

7. **Old Business**

a. *Contract Agreement with Spence*

After a brief discussion and prior support from the Facilities and Services Committee it was determined that Spence Brothers was the preferred roofing contractor. President Jones concurred that Spence Brothers should be kept on for the roof project. An amendment will be drafted once the cost figures are available.

b. *General Legal Counsel Services Proposal & Labor and Employment Legal Counsel Services Proposal*

Zeits provided a brief history of legal services provided to TADL which began with Chuck Judson of Smith Howe Rice & Roegge (SHRR). Zeits, also of SHRR took over TADL's general legal counsel for Judson several years ago and has extensive knowledge and history with TADL. Adams, of SHRR also has the same long history with TADL in providing labor and employment legal services. SHRR split in 2016 and as a result Zeits became part of Sondee Racine & Doren, PLC and Adams became part of Danbrook Adams Raymond, PLC. Zeits and Adams both continued representing TADL in their areas of expertise and had been proportionately splitting the same extended retainer and contract terms of SHRR for many years, however this has become cumbersome, inefficient and not practical. The two separate proposals brought before the board are based on historical service needs from each type of representation. Rates have not

been increased and there is no fundamental change in legal services. The trustees asked questions of both attorneys to clarify the proposals.

It was MOVED by Sullivan, SUPPORTED by Wescott to accept the proposal for general legal service from Sondee Racine & Doren, PLC as presented. A roll call vote was taken with the following results:

Wescott – aye	Pakieser – aye	Vickery – aye	Budzinski – aye
Sullivan – aye	Odgers – aye	Jones – aye	

Motion CARRIED with 7 ayes.

It was MOVED by Wescott, SUPPORTED by Pakieser to accept the proposal for labor and employment legal services from Danbrook Adams Raymond, PLC. A roll call vote was taken with the following results:

Wescott – aye	Pakieser – aye	Vickery – aye	Budzinski – aye
Sullivan – aye	Odgers – aye	Jones – aye	

Motion CARRIED with 7 ayes.

8. New Business

a. *Library Privacy Act Changes (Discussion)*

Zeits (Counsel) reviewed the changes to the Library Privacy Act which are set to take effect March 28, 2021. The main change is that video footage is no longer protected under the Library Privacy Act. Currently any inquiries for video footage of activities in and on the library building and premises require a court order to obtain before it can be released. The change will mean that video footage can be subject to FOIA. The intent of the discussion was for Zeits to listen to the board's response to the changes in the Library Privacy Act so that an appropriate policy can be developed with regards to video footage inquiries. The trustees had a lengthy discussion on the operational impact of the new act. Zeits will draft a policy to be brought before the board at the March meeting.

b. *Strategic Planning Interview Questions (Discussion)*

The trustees agreed that they would each fill out the Strategic Planning Questionnaire and return it to Howard to compile. The information will be used in a continued discussion at the March board meeting.

9. Public Comment

President Jones opened the floor for public comment. There was none by attendees, or submitted via email.

10. Trustee Comment

Odgers was pleased to see the TADL tech team's collaborative work in getting Kalkaska students access to Kalkaska County Library resources. She suggested highlighting TADL's tech service collaborations in the monthly newsletter.

11. Adjournment

With a motion to adjourn by Wescott, supported by Pakieser, a roll call vote was taken with the following results:

Wescott – aye	Pakieser – aye	Vickery – aye	Budzinski – aye
Sullivan – aye	Odgers – aye	Jones – aye	

Motion CARRIED with 7 ayes.

President Jones adjourned the meeting at 5:50pm.

Respectfully submitted,



V. Carpenter, Recording Secretary

Approved by board vote on March 18, 2021



M. Pakieser, Board Secretary



Board of Library Trustees Regular Meeting
Library Director Report
 Meeting Date: **March 18, 2021**

Library Activity

For a graphical presentation of the statistical information included below, please visit the link: [online TADL dashboard](#).

Circulation Transactions			
Year-to-date activity			
<u>As of month end</u>	<u>Print/audio/video Circulation</u>	<u>Electronic books/audio/video</u>	<u>Total Circulation/Electronic Usage</u>
February 2020	178,397	22,704	210,101
February 2021	69,388	56,036	125,424

Lending

Physical item circulation decreased 63.7% in February, from the previous year. Curbside service is keeping us very busy. MEL service is still being offered.

E-Book, magazine, downloadable audiobook and database utilization

In February, electronic use accounted for 44% of all collection utilization versus 10.8% for February 2020. Year-to-date usage of electronic resources increased 71% from 2020.

Visitors – Woodmere, East Bay and Kingsley Facilities

On March 1, 2021, we again opened, again, to the public! We'll report that data next month.

Public Computing

Many public patrons have been using our computer appointments, printing and faxing service. 112 patrons used our appointment service in February.

Additions to the Collection

In February 2021, 2,728 items were added to the collection compared to 2,783 in February 2020.

Finances

Heather Brady and I completed a Rotary Grant for a bookmobile and a Hagerty Grant for the bookmobile. Finances are on track. Please see Deb's report for more details.

Facilities

We are continuing on the process to replace our lighting, including looking at financing options and costs. At the April Board meeting, we plan on having both Jeff from Spence Brothers and Fred our architect ready to present a plan for the roof. Please see Bruce's report for more information.

Other News

Covid Update: We opened March 1 and everything is going very smoothly. The joy expressed by the patrons has been immeasurable. I am also happy to announce that the staff became eligible for the vaccine 2 weeks ago with many of us receiving our first doses starting March 10th.

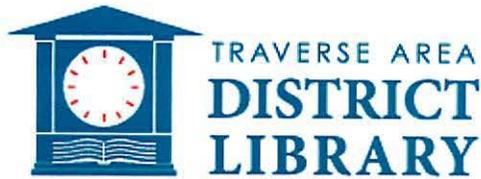
Because of physical distancing restrictions and space limitations, we had to change the usual format of our 1-day annual staff in-service and transitioned to monthly learning opportunities with themes and activities. February was Clean the Clutter month which produced some great re-organized and clean spaces. March is disability month. Thank you to Polly in TBL who help assemble a number of resources for March. Staff has welcomed the changed to the format and information.

TADL Operations

Please see the departmental reports for a more in-depth look at what is happening at the Main Library and East Bay and Kingsley branches.

Think Spring!

Michele P. Howard
Director



Administrative Reports
for the month of February
(March 18, 2021 Board Meeting)

Adult Services

- This month Melissa received notification that the Traverse City Human Rights Commission approved TADLs request for \$500 to support Book Club Kits that bring attention to racial and social justice. She and Betsy began ordering the books that are going to comprise those Book Club Kits. We expect them to be circulating by the end of March.
- Melissa, with a LOT of help from Heather Brady, was able to put the final processes in place for Poets' Night Out 2020. All the winning poets were sent their prizes, received copies of the printed chapbook, and a letter apologizing for the delay. Each of the 13 winning poets was invited to record a video of themselves reading their winning poem and share it with the library. Heather will be stringing the videos together with slides introducing each poet and poem. We'll then be able to share this video on our TADL YouTube channel, website, and social media. This is our way of recognizing these winners, since we were not able to hold the usual in-person event in 2020. We're thrilled that 12 of the 13 poets submitted videos!
- Melissa has been attending several webinars regarding leadership during difficult times and stress management for staff. One thing that she learned and is implementing is the regular sharing of kudos by Adults Services staff for each other. Feeling recognized and validated is one of the easiest ways to reduce staff burnout.
- The last two weeks of February we were all busy cleaning, rearranging, and reorganizing for the library's reopening to the public. When we opened the doors on March 1st everything was looking shipshape and ready for our patrons!
- This month the Adult Services Dept. held 4 programs with a total live attendance of 95 and 9 video views. Topics included discussion with filmmaker Craig Dudnick about Evanston's African American history, Reiki healing, workshop introducing some of the techniques from the bestselling book *Designing Your Life*, and the monthly Traverse Area Historical Society meeting.
- February Adult Services Statistics:
 - Questions answered via Phone - 1,434
 - Questions Answered via Email/Chat - 283
 - Readers' Advisory/Tech Help - 63
 - Craft Kits Distributed - 61 (2 different crafts-coloring bookmarks & felt cat toys)

Respectfully submitted,
Melissa A. McKenna
Adult Services Coordinator

Youth Services

February was a time Youth Services spent readying the department for young patrons and their families. Staff enjoy thinking about our space filled with families again and are excited to see children again that we haven't seen in a year.

We have been going craft crazy in Youth Services since the pandemic began, especially this school year. Families have become dependent on picking up a preschool, early elementary, Nature Maker, or MakerSpace activity to do with their children when time permits. We don't anticipate the demand for this lessening once we re-open. Since September 2020, Youth Services has made more than 2,200 kits and handed out over 2,000. Because volunteers have been wary about coming in the library, Youth Services desk staff and pages (along with our friendly Sorter Room pages) have been putting these together. It has been an amazing effort by these staff to keep us connected to our families!

Youth Services continues to run our virtual programming throughout the week, including virtual storytimes on Monday (Sing & Stomp), Wednesday (Play & Learn), and Friday (StoryBag Stories). We also continued our afterschool virtual programming for elementary-aged patrons, including our Full STEAM Ahead, MakerSpace, Nature Makers, Coding and Tween Craft and STEAM programs. In total, Youth Services conducted 26 virtual programs with 83 patrons attending. Facebook metrics for virtual programs showed 2,151 views, 203 1-minute plays, and 430 engagements- all significant improvements from January 2021. In the department, we answered 55 reference questions, including 37 via phone, 11 via walkin, and 7 digital.

Youth Services staff members created the [Build Your Own Storytime](#) (BYOS) page for families with babies and toddlers. On the BYOS page, we posted short videos of songs, rhymes, fingerplays, and activities that families can do one-at-a-time and at their own pace. We will continue to post new content each week. We also began a **Drive-Up Storytime** program in the parking lot while we were closed. Attendance was light, but it was great to see families and children in-person and excited about stories and songs.

We were happy to restart the TSO Tots program with the Traverse Symphony Orchestra. Monthly programming on Zoom and Facebook Live (@TADLKids) started February 6th with TSO Executive Director Kedrik Merwin playing the trombone and Melinda from Kindermusik sharing movement activities. Videos of the programs will be stored on TADL's YouTube channel (@TADLnotjustbooks). We will continue the monthly program with the TSO through May and hope to collaborate with the TSO during TADL's Summer Reading Club.

Speaking of Summer Reading Club, we have begun planning for the library's biggest program, though a lot of questions are still up in the air. This year's theme is Tails & Tales, with a focus on animals, pets, and the people who love and care for them. Andy Schuck and Linda Smith worked on a grant from the LSTA to be able to hand out a start-up bag of programming supplies to every family who signs up. We're excited about this year's program.

Youth Services Coordinator Andy Schuck was busy coordinating Youth Services participation in several STEM-oriented learning programs, including:

- [ExoLab 8](#), in partnership with [Magnitude.io](#) starting at the end of February;
- Virtual MakerFest, in partnership with several organizations from past in-person MakerFests, also starting at the end of February; and,

- Arranging orders of STEM Kits and their delivery to regional libraries for the STEM Kit grant with community partner Newton's Road.

Submitted by:

Andy Schuck, Youth Services Coordinator

Sight & Sound

On February 11th, I hosted a virtual program on zoom called Pandemic Blues with Special Guest: Alex Tank from 78s for the People. We had a fun ride into the Jazz and Blues music of the early 1920s - 1940s at 78 RPM. This Sight & Sound program was a great success with 30 in attendance. The full video edit is now up on the TADL YouTube page [#tadlnotjustbooks](#) here [Pandemic Blues](#) and it also is broadcasting on cable TV at [TACM.TV](#) This program was made possible with support from the Charles Saunders Jazz Donation.

Speaking of the Charles Saunders Jazz Donation Keith prepped "all that Jazz" in mid February for the TADL Friends / TADL S&S "Random Bag of Jazz Sale." We ironed out our ironclad plan for a remote sale. Then the world shifted again and we moved towards a re-opening of TADL on March 1st the same day the sale. We can give a more complete update in April but I would say over 30 bag of jazz in the first few weeks is a great start!

- We also added 60 new Charles Saunders Vinyl 33 1/3 LPs to the public circulating collection for all to enjoy!
- Everyone in S&S helped out with running Curbside Service in Feb.
- Keith trained Mike and Shannon on running the ELM-ECO Master Disc Repair Unit.
- We had a busy pre-reopening Sight & Sound Staff Meeting on March 24.
- Keith and crew shifted the balance of our collection creating more space in February.
- I reset our display Cabinets.
- Part of our reopening and the In-service we all did plenty of cleaning in Feb.
- We did host a successful Blood Drive in the McGuire Roon Feb. 17th.

On Aaron's Desk: 2021 Library of Things Collection development, Staff meeting, Developing and supporting new programming for 2021.

Thanks for reading.

Aaron

Circulation

I am very sad to say that Jody Wilson will be leaving us. Her last day will be April 1st. She will be greatly missed and I wish her the best.

Curbside stats-

- We helped 6,508 patrons in Curbside. These are the ones who picked up holds. We helped additional patrons who picked up print jobs and craft kits.
- Our busiest day we had 367 patrons.
- Busiest hour was 59 pickups.

TADL-wide we sent out 1,182 items in MelCat and received 1,529.

Anita Chouinard
Circulation Coordinator

Marketing and Communications

In February I took advantage of the opportunity to assist with grant applications, a new in-service approach, summer reading prep, as well as other programs and services. This included new signage and press for the reopen March 1. Attended virtual webinar on *Envisioning Future Library Experiences: Service Design Techniques for Responsive Libraries*.

Press Releases

- Reopen: Record-Eagle ([Link](#)), 9 & 10 News, WTCM, [Ticker](#), [IPR](#)
- Jazz CD Sale: Record-Eagle ([Link](#))
- Exolab: 9&10 News

Website Traffic: 11,500

Heather Brady
Marketing & Communications Manager

HR & Finance

Human Resources – We have hired a new PCC Desk Attendant. We are very excited to bring on board Ian Berry for this position. Ian has years of customer service and teaching experience to bring to the job. We have also hired a former employee, Robin Stanley, as a Library Assistant for our Kingsley Branch. Robin worked for TADL for almost 18 years prior to leaving for a couple of years. She moved back to the area and we are happy to have her back at the library! Robin has experience in special collections and part of her new position will be to work with the Local History Collection. We are currently looking to hire a full time employee for the Circulation Department to replace another employee who is looking to make a change. We will certainly miss Jody but wish her well.

Finance – Looking at our financials, we have gotten in a large portion of our Property Tax Revenue. Our sales are still down slightly but now that we are back open to the public, we hope that will pick up now. You will see that we have a large amount in the Misc Revenue & Reimbursements line. \$4183 of this amount came from the closing of our FSA (Flexible Spending Account). These were funds set aside by employees but not used in the allowable time frame. After a certain amount of time, these funds can be absorbed back into the General Fund. We have not had any employees signed up for an FSA account in the last three years so I got the auditor's approval to close and move those funds.

Not much to talk about on the Expense side. We are only two months into the year and everything is humming along nicely and on budget for now. Knock on wood. We did have some extra costs this month caused by ice dams on the front side of the building. Hopefully, our heavier winter costs are done with the warmer weather coming in. Also included under General

Bldg & Grounds were two annual maintenance contracts.

Deb Radjenovich
Business Manager

Facilities

- The Inergen fire suppression system in the server room had it's bi-annual inspection.
- I am getting a quote to insulate some chiller pipes on the first floor. In the summer they are sweating and dripping onto the ceiling tiles.
- I had two hot water actuators that controlled window fin tubes replaced.
- The entryway at the East Bay branch was repainted and Rosie is looking to order new sheving.
- One of the clocks in the tower at KBL is malfunctioning. Per an agreement with the village, I will purchase the new parts and they will be responsible for the installation.
- Our regular cleaning person, Jim, slipped on the ice at home and injured his shoulder. As he will be out for a while I met with the cleaning company owner to develop a plan to meet our needs. They are doing a great job.
- I am getting a quote to replace the entrance mats in between the doors. They are almost ten years old and with the heavy amount of traffic we see they are about worn out.
- In the continuing effort to eliminate heat loss into the attic I had a sheet metal company come in to assess our ductwork. They ran some pressure tests on the ducts supplying hot air and even sent a man inside to seal some leaks in the joints. We will continue to explore more ways to curtail the heat load in the unconditioned space.

Bruce Bennett
Facilities Manager

Technology

Erate Update - We are happy to report that the district has completed our E-rate filings for the 2021-2022 funding year. Though the process is tedious, the district receives a ~72% subsidy for our internet connections and network equipment through the program making it very much worth our while. This year we are also requesting funding to improve the parking lot wireless service at the Woodmere branch.

- Scott Morey, Asst. Director for Technology

TADL Talking Book Library

This month, the National Library Service implemented a long-awaited change to make it easier for people with reading disabilities to apply for Talking Book Library services. Now reading specialists, educators, librarians and school psychologists will be able to certify the eligibility of applicants with reading disabilities, not just doctors of medicine. We look forward to supporting more readers in our community!

Polly O'Shea
TBL Librarian

East Bay Branch Library

Our library was closed Feb. 6th through the 15th due to a staff shortage. All library materials on our "Hold" shelf were sent to TADL Main during this time, and we felt the closure went as smoothly as possible. Despite this unexpected closure we received 463 phone calls and served 363 individual curbside appointments, with our busiest curbside day ever on 2/18/21 with 47 individual appointments.

We have started to give our little library a makeover in anticipation of reopening, and we had the front entry hall painted a fresh bright blue. New shelving will make this space happy and inviting for patrons and staff alike. Rosie May has been working with Andy Shuck and Brian Carey to bring the ExoLab project back to TADL, and an ExoLab viewing station has been set up in the south west window to help spur interest and curiosity about this project. We gave away 30 curbside craft kits related to this project, as well as 40 other various craft kits in the month of February. We are also participating in the 2021 Virtual In-Service "Full Steam Ahead".

Rosie May
Branch Manager

Kingsley Branch Library

We assisted 300 patrons through curbside service, and hosted 28 patrons in need of computer services. Our young baker, Jordan Williams, recorded another amazing video we shared on our Facebook page. This month was a chocolate layer cake; we handed out 30 ingredients kits to patrons who followed along and made the cake!

Karen Pack retired from over two decades of serving the public, first at Kingsley Public Library and later Kingsley Branch Library.

Beth Anderson, our Early Literacy librarian, held storytimes for 33 Kingsley Elementary students and taught their parents some literacy games they can use to engage their children with at the annual Family Literacy Night, hosted by the school.

Brian Carey has built a partnership with two Kingsley Middle School teachers, whose classes will be participating with our ExoLab experiment. We are thrilled to have the opportunity to bring this challenge directly to our students, which also gives us an in-road for promoting our other resources for STEM learning.

Respectfully submitted,

Amy Barritt
Branch Manager

TRAVERSE AREA DISTRICT LIBRARY
CONSOLIDATED EXPENSES
MONTH ENDING
FEBRUARY 28, 2021

CATEGORY	BUDGET	2021 YTD	2020 YTD	VARIANCE	% OF BUDGET
Salaries & Wages	2,431,419	286,098	306,041	2,145,321	11.8%
Social Security/Medicare	68,125	7,304	8,309	60,821	10.7%
Health/Hospitalization	375,446	108,924	102,928	266,522	29.0%
Vision Insurance	4,035	1,118	969	2,917	27.7%
Dental Insurance	28,908	7,038	5,900	21,870	24.3%
Life Insurance	9,295	1,911	1,928	7,384	20.6%
MERS Defined Contribution Retirement	153,995	18,194	19,416	135,801	11.8%
MERS Unfunded Liability	120,000	20,000	20,000	100,000	16.7%
401K Retirement Contribution	115,820	13,360	14,202	102,460	11.5%
Unemployment Comp.	1,500	0	0	1,500	0.0%
Workers' Compensation	10,000	0	0	10,000	0.0%
Disability Insurance	8,425	1,382	1,837	7,043	16.4%
Office/Cat./General Supplies/Postage	119,795	13,593	17,703	106,202	11.3%
Covid-19 Supplies	7,000	1,364		5,636	19.5%
Books/Media/Online Resources	626,100	113,164	130,725	512,936	18.1%
Repair & Maintenance Supplies	6,750	261	266	6,489	3.9%
Professional & Contractual Services	270,355	32,312	31,190	238,043	12.0%
Communications	37,790	6,216	3,633	31,574	16.4%
Education & Travel	45,460	809	3,457	44,651	1.8%
Printing & Microfilming	3,900	0	0	3,900	0.0%
Advertising & Outreach	17,500	1,746	1,323	15,754	10.0%
Insurance & Bonds	33,746	33,113	30,093	633	98.1%
Utilities	118,200	8,294	8,987	109,906	7.0%
General Building & Grounds Maintenance	355,170	47,685	29,736	307,485	13.4%
Member Allocations	569,721	569,720	550,188	1	100.0%
Miscellaneous	3,500	0	0	3,500	0.0%
Property Tax Reimbursement	6,500	51	0	6,449	0.8%
Furniture/Equipment/Software	85,925	9,784	22,742	76,141	11.4%
Contingency	7,000	0	0	7,000	0.0%
TOTAL EXPENDITURES	5,641,380	1,303,441	1,311,573	4,337,939	23.1%
2021 APPROVED BUDGET					
EXPENSES BY CATEGORY					
Personnel	3,326,968	465,330	481,530	2,861,638	14.0%
Supplies	759,645	128,382	148,694	631,263	16.9%
Other Services and Charges	1,461,842	699,946	658,607	761,896	47.9%
Capital Outlay	92,925	9,784	22,742	83,141	10.5%
TOTAL EXPENDITURES	5,641,380	1,303,441	1,311,573	4,337,939	23.1%
This statement reflects activity through the second month of the 2021 fiscal year.					
Percentage of the year completed 16.7%.					
Certain items with higher percentages may have been paid quarterly or annually for the fiscal year.					

TRAVERSE AREA DISTRICT LIBRARY
REVENUE
MONTH ENDING
FEBRUARY 28, 2021

CATEGORY DESCRIPTION	BUDGET	2021 YTD	2020 YTD	VARIANCE	% OF BUDGET
Property Tax (Current, Delinquent, Other)	5,164,735	4,207,229	4,221,233	957,506	81.5%
State Aid - Library	83,750	0	0	83,750	0.0%
State Aid - TBL	41,075	0	0	41,075	0.0%
Local Support - TBL & Other Grants	18,400	1,353	6,430	17,048	7.4%
Fees/Services	42,150	17,015	16,100	25,135	40.4%
Sales	20,000	872	4,881	19,128	4.4%
Penal Fines - \$196,000 for this Category per budget		0			
Penal Fines - Grand Traverse Co.	168,250	0	0	168,250	0.0%
Penal Fines - Leelanau Co.	5,900	0	0	5,900	0.0%
Penal Fines - Benzie Co.	21,850	0	0	21,850	0.0%
Overdue Fines/Replacement Fees	32,000	1,124	13,162	30,876	3.5%
Interest & Dividends/Gains/Losses on Inv.	15,000	4,240	7,449	10,760	28.3%
Rents & Royalties	2,200	0	1,450	2,200	0.0%
Contributions	24,570	3,841	5,902	20,729	15.6%
Misc Revenue & Reimbursements	1,500	4,261	0	(2,761)	284.1%
TOTAL REVENUE	5,641,380	4,239,935	4,276,607	1,401,445	75.2%
Transfer In				0	
Use of Fund Balance				0	
TOTAL	5,641,380	4,239,935	4,276,607	1,401,445	75.2%
TOTAL REVENUE, TRANSFERS & USE OF FB	5,641,380	4,239,935	4,276,607	1,401,445	75.2%
TOTAL EXPENDITURES	5,641,380	1,303,441	1,311,573	4,337,939	23.1%
REVENUE OVER (UNDER) EXPENSE		2,936,494	2,965,034		
This statement reflects activity through the second month of the 2021 fiscal year.					
Percentage of the year completed is 16.7%.					

**Fife Lake Public Library
Director's Report
March 10, 2021**

February Statistics

Monthly Circulation:

2021	2020	New Patrons
1204	1368	9

Updates:

Forest Area Schools Partnership: I am excited to report a long time vision is coming to light: A Fife Lake Public Library/Forest Area Public School partnership! The Fife Lake area meets all demographics reflecting lower than average literacy rates among school age children emphasizing the need for public and school libraries. Our Library has encouraged literacy throughout the community in many formats but realize the two main challenges in our community are the inability to visit the library, due to community demographics, and also the lack of librarianship in the schools. We have had minor successes over the years, but unsuccessful in creating a sustainable Library/School relationship for the students and staff. This is a common issue in many rural areas. Libraries are beginning to create solutions for the schools by contracting with them to provide needed library services. Kaskaska County District Library, with the assistance of TADL Tech, has created a successful model. We are using their model to create a similar relationship with the Forest Area Schools.

Even though we are still in the beginning phase of an official relationship with the school, we are confident that this will be a sustainable program benefiting the Library, the school, and most importantly the students. I have been in discussions with all essential parties for support to move forward with this relationship. The encouragement and support we are receiving from the school staff, boards, and community is overwhelming. We want to capture the momentum and have decided to move forward with this project. A committee has been formed on behalf of the FLPL to assist with all the details. Kendall Spratt, Jarin Weber-Hall, (FLPL Staff), Margaret Novy (FLPL Trustees), have been included to develop a logical, phased plan, including timeline and end goal. We will be overseeing this project and will keep all interested parties up to date as to our progress. I have discussed the plan with TADL administration and board for support. I have also been in contact with TADL Tech to review needed infrastructure. Conversations on needs and services have been discussed with FA administration and staff. John Roberts (Kaskaska County Library Director), is sharing their documentation for us to review. I am working with J. Rothwell to finalize a contract. All documents will be presented to all interested parties for review and approval.

Building and Grounds Maintenance:

- **Lawn Care Service:** Elite Outdoors has done our grounds maintenance for over 6 years but unfortunately will not be able to provide service this year. I have accepted a proposal from D&L Home & Lawn Care Service for 2021 lawn and grounds maintenance. He comes with high recommendations around the community.
- **Snow Plowing:** I am pleased with our current service with Rogers Excavating and hopefully willing to continue in the fall but am open to bids.

Grants:

- **Cares Grant 2020:** We have completed the allotted expenditures for the CARES grant and utilized \$2,000 for technology and PPE equipment for our library.

Collection Development: DVD's continue to be a high circulation item at our Library. We took advantage of Family Videos liquidation sale and were able to increase our DVD collection, purchasing many used copies, at a very low cost. We continue to see a rise in patronage with new patrons daily. Our circulation shows that our Library continues to show the importance of our Library in Fife Lake.

Continuing Education Opportunities for Staff:

- Jarin Weber-Hall (Staff) participated in a recent Grab-And Go, Tell-And-Do webinar.
- I have participated in the LOM Accounting Webinar: Uniform Chart of Accounts. There are some changes that we will need to make in preparation for the new regulations. I will be working with our accountant to update.

New Senior Center Director: The Senior Center has hired a new Director: Michelle Krumm. Michelle comes with years of experience and great energy. Leeslie Sneller (Senior Center Outreach Coordinator) and Michelle, stopped by the library for a visit. We discussed Michelles vision for our area seniors. Michelle has many ideas and a great vision to keep our senior programming successful.

NOCL Meeting: The NOCL group met virtually and discussed all the activities coming up with the TADL member and branch libraries. The TADL in-service will be done virtually this year, including monthly activities for all staff to participate in. We look forward to the opportunity to reconnect with all our members.

Programs:

- Book Club Take 2: We have a small group, under 10, that have been meeting the past two months. It has gone very smooth and participants have expressed appreciation for the opportunity to meet.
- Grab-N-Go Crafts: We are offering bi-weekly crafts for patrons to take home to do. They have been very successful.
- TSO Tots: Andy Schuck, TADL Children's Librarian, invited us to partner with TADL and TSO Tots for monthly grab and go, themed activities. We appreciate being included in this program. Our patrons love the grab and go kits.
- Summer Reading: We are moving forward with summer reading plans and excited to plan a successful outreach program for the summer.
- Senior Meals will begin curbise in April.
- Senior indoor activities are on hold until some clarification has been made regarding indoor gatherings.
- Blind Date with a Book or Movie: We created a display including hot chocolate, tea and popcorn to make the date complete that made this year's program successful.

Fife Lake Township Donation: G. Street and I are still in discussion as to how a donation to the Library should be appropriately documented. We have worked on a contract and she is going to present documentation to her board at their next meeting. I will keep you posted as to any decisions made.

MDHHS/COVID Updates: There have been many updates to the guidelines regarding indoor gatherings. I will review the recent updates and consult with necessary partners to decide the appropriate time to reinstate indoor programs. I also am seeking guidance for guidelines/requirements to reinstate utilize the community room for public events. I will keep the board informed as to any changes in our procedures.

Sincerely,
Julie Kintner, Director



MARCH DIRECTOR'S REPORT—JENNIFER THOMET

February at IPL was another great month. Our team spread delight and warmth to our patrons with their exceptional customer service and willingness to please. The team wore funny hats for curbside pickup to help lift the spirits of patrons. Miss Ann's Beach Party was a little different this year, but 40 goodie bags were distributed to children which included sand, sea shells, Gold Fish crackers, juice boxes and craft supplies.

I enjoyed working with the other members of the Strategic Planning Committee for TADL. The interviews I conducted were perceptive and fruitful. Hearing the interviewee's responses to what kind of community they wanted to live in provided insight into our community's needs and areas where the library can improve our services. I am interested to hear the summary of the final survey results.

Summer Reading Club planning is in full swing! We will be hosting outdoor performances at the Green Lake Township park on Wednesday mornings. We have a few performers already booked! We are very excited to provide this safe and fun opportunity for our community. We are very grateful for the opportunity to participate in *Talking is Teaching*, supplied by the Great Start Collaboration. Our littlest patrons appreciated the kits and resources that IPL gave out.

Book Clubs are meeting via Zoom. Both groups have active participation, and great discussions have ensued. Our adult craft kits were a huge success, and a big thank you to Sue Shipman for providing an additional craft.

February's Health and Wellness Program, *Exercise and Heart Health* resource guide is available on our website (<https://www.interlochenpubliclibrary.org/site-assets/files/heart-health-reference-guide>).

I am using an enhancement grant from Northland Coop to update IPL's Children's Nonfiction collection. Our current collection is being evaluated and replaced with comprehensive curriculum-based material for ages birth to middle school.

We are pleased to be open to the public once again and look forward to brighter days.

Circulation February 2021: 2,366 (Feb 2020: 5,099)
Hold Transit Counts February: 922 to other libraries, 1,290 from other libraries to IPL
Programs February 2021: 15
Program Attendance February 2021: 352
Curbside Pickup February 2021: 611
Questions Answered: 477
Computer Use: 51
New Library Card Issued for 2021: 18



MARCH 2021 DIRECTOR'S REPORT - VICTORIA SHURLY

PCL reopened its doors March 1 for restricted indoor services. Patrons have been excited and grateful. Masks and distancing are required and we have had no issues. No inside programming. We are still offering curbside and the popular take-out craft bags, along with activity sheets. Laptops, iPads and AWE computers for preschoolers are now available for library use. We disinfect units between patrons and offer free earbuds they can take with them.

Public boards are still prohibited from in-person meetings, so the PCL Board must continue to meet virtually by law through March.

Our quarterly snail mail newsletter was sent out to all Old Mission residents this month. Much thought has gone into creative virtual programming, including a cooking class with Brit Eaton, craft and story programs, a Cinco de Mayo celebration with Cruz, a Zoom visit with staff from our homes and more.

Our annual fundraiser courtesy of Doug Kosch will take place this year on April 19 as Books from the Boathouse, instead of Books at the Boathouse. It will feature a takeout meal that patrons will pick up at the library and take home. That evening, we will offer a virtual live auction with patron Jack Olson (he is hilarious and the husband of PCL staffer Carol!) as auctioneer and a short presentation that I am still planning. I will need each trustee to take 5 tickets to sell. We have 60 to sell and I will sell the remaining. Doug and I agreed that the tickets will sell at \$75 each. The meal will include wine. I am most grateful to Doug. In what has been a difficult year for restaurants, he is ever the PCL supporter. Auction items include a private evening at the library after hours for one couple with wine, a charcuterie board and dessert and a personal story hour for one family in the library after hours. I am looking for higher end items as I want no more than ten so let me know if you have ideas.

The pressure release valve and dielectric union leading to the water heater was replaced at a cost of \$600 including labor. D&W did not charge us for the initial analysis of cause.

We have received so many notes of appreciation from patrons thanking us for being there for them throughout the pandemic. I leave you with this Facebook post from one of our patrons, *"Shout out to Peninsula Community Library for being the best of the best community library around! We've taken full advantage of curbside pickup - for books, music, games, AND kids and adult craft kits! - and virtual programming for the last year. As a cherry on top, we got a special personal text today saying they'd received the scavenger hunt entries the kiddos stuck in the front door after hours to turn in by the deadline yesterday. When your library ladies know and love your family as much as you love them, you're in a good place. We are excited to come inside and see you all in person again soon!"*

Circulation February 2021: 1024

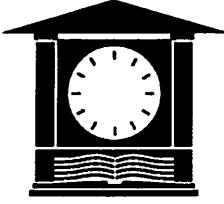
Circulation February 2020: 1792

Hold Transit Counts February 2021: 742 to other libraries, 542 from other libraries to PCL

Hold Transit Counts February 2020: 503 to other libraries, 238 from other libraries to PCL

Programs February 2021: 9

Program Participation February 2021: 244



TRAVERSE AREA DISTRICT
LIBRARY

TADL Board of Trustees Finance & Facilities Committee

March 9, 2021
4:00 pm ~ via Zoom

610 Woodmere Ave. / Traverse City, MI / 49686

Attendance: M. Budzinski, S. Odgers, and C. Sullivan Trustees. B. Bennett, D. Radjenovich and M. Howard, staff.

Agenda Approval: The agenda was approved.

Minutes Approval: Minutes from the February 2, 2021 Facilities Committee were approved.

Public Comment: No public comment.

Finance:

Summary of TADL Fund Balances: Howard and Radjenovich presented an accounting of TADL's fund balances. After much discussion and clarifying questions, Howard and Radjenovich will do some re-organizing before presenting to the Board at the March meeting. There are some inconsistencies between our Policies and the funds. Howard and Radjenovich will work to resolve these with the Auditors, Legal Counsel and the Board.

Support to Enroll in the Finance Certificate Program from MLA: Howard would like to enroll in this program. It is \$1,500 but there are scholarships right now via the MLA to pay for it. This program would help Howard as we move toward long range planning and expenses. Howard would also be able to mentor other directors. All were supportive and Howard will ask Jones for his approval as it does not require full board approval.

Support for Bookmobile Rotary Grant Application: Howard and Brady have submitted a grant application for \$50,000 for a Bookmobile. Many partners are very excited about this but Rotary needs full Board approval for this grant. Motioned by Odgers, supported by Budzinski, all were in favor to present this at the March Board Meeting.

Facilities:

Roof Update: Bennett provided an update. We continue to see melting on the East Side of the building. Hopefully a new roof will improve this. While we had hoped to have information by the March meeting, we will have roofing cost information at the April committee and Board meeting, including having the engineer and architect at those meetings.

Electric Vehicle (EV) Charging Station: Howard found a grant to pay for an EV charging station. Odgers suggested we create a Green or Environmental Plan for the library. All were supportive of Howard looking into this further.

Lighting Update & RFP Process: Bennett provided an update that we continue to work with legal counsel to get the RFP process ready and are hopeful to get this work done by April.

ADA Assessment: Odgers suggested we get an ADA assessment of the building as we work toward remodeling of the bathrooms. Howard will look into this.

Book Return Lane Issues: Odgers noted there was a lot of ice building up in the book return lane. Bennett was challenged by this all winter and spent hours outside chipping the ice away. The situation resulted in the gutters dripping. Bennett will talk to Spence about making sure these are sealed properly when the roof is renovated. We can watch conditions in winter 2021-22, to see if they are resolved. If not, we can explore some sort of coverage in that area.

Next Meeting Date / Time: April 13, 2021 at 4:00pm

Next Meeting Topic Suggestions: EV Changing Station; Fund Balance Amount

Public Comment: No public Comment.

Adjournment: The meeting adjourned at 5:03 pm



TRAVERSE AREA DISTRICT
LIBRARY

TADL Board of Trustees Policy and Personnel Committee

March 2, 2021
10:00 am~ Zoom meeting

610 Woodmere Ave. / Traverse City, MI / 49686

Attendance: M. Pakieser, J. Wescott, Trustees; M. Myers, D. Radjenovich, M. Howard, Staff. M. Vickery, Trustee excused absent.

Agenda Approval: The agenda was approved.

Minutes Approval: The minutes of the February 2, 2020 meeting were approved.

Public Comment: There was none.

Policy:

Nepotism 7.5

Howard has observed that the final clause in the nepotism policy is onerous because it doesn't allow for staff to rent from another staff member. With housing being in short supply, she suggested we remove this clause. Committee members agreed. It was motioned by Wescott and supported by Pakieser to bring this to the March Board meeting.

After public comment, the Committee further discussed the issue and Howard will bring back other suggestions for a policy including allowing for family members to work at the library as long as they are not in the same department and leaving some discretion to the director for these decisions to the April Board Meeting.

3.7 Wif-Fi Hotspot and Laptop Lending Policy

Based on suggestions from Morey, Howard has some minor changes based on the software called Deep Freeze, the library using to implement the laptop lending program. It was motioned by Wescott and supported by Pakieser to bring this to the March Board meeting.

Library Privacy Act Changes and Discussion

Legal Counsel Zeits and Howard revised the relevant policies after the February Board meeting. Howard presented the changes to two policies and the corresponding FOIA Public summary.

Policy 3.4 Confidentiality

The wording in this policy was strengthened to clearly support patron's privacy and request for library records.

Policy 1.6 Freedom of Information Procedures and Guidelines

Howard commented that our FOIA policy was already and very well written policy but some changes were made to some key areas being Section 4 (L) and Section 10 Fee Waivers (D)Public Interest. Discussion followed that they thought this was an accurate reflection of supporting the new changes to the new Library Privacy Act while protecting patron privacy. It was motioned by Wescott and supported by Pakieser to bring the policy changes and public summary to the March Board meeting.

Trustee Odgers Request to revisit the October Board meeting and her remote attendance
Trustee Odgers requested this to item be discussed. Odgers did not attend. Howard will communicate with Trustee Odgers to check for any unresolved issues.

Next Meeting Date / Time: April 6, 2021 at 10:00 am.

Next Meeting Topic Suggestions: Nepotism Policy

Public Comment: M. Myers made public comment about the importance of notifying the public of their privacy rights suggesting a good time would be during National Library Week in April, was positive about the changes to the laptop policy, and supported changes to the Nepotism policy by explaining past policies and practices.

Adjournment: The meeting adjourned at 11:05 am.

TADL Asset Availability

as of 2/28/21

Cash/Investments

Fifth Third Checking – General Fund – Operating	\$3,042,272	Restricted to Operating
Fifth Third Money Market - General Fund	\$ 550,436	Restricted to Operating **
Fifth Third Investments – General Fund	\$ 862,139	Restricted for 2 months operating
Multi-Bank Investments – General Fund	\$ 263,278	Restricted for 2 months operating
Fifth Third Investments – Public Improvement Fund (PIF)	\$1,413,422	See Breakout Below
Fifth Third Investments – Internal Service Fund (ISF)	\$ 16,694	Restricted
Fifth Third Investments – Lewis Trust	\$ 25,696	Restricted
Multi-Bank Investments – Slear Trust	<u>\$ 93,105</u>	Restricted
Total Cash	\$6,267,042	

Public Improvement Fund Availability

Unreserved	\$ 650,565
Unreserved – Marion Talbot Donation	\$ 18,000
Reserved for Service Improvements	\$ 225,000
Reserved for Replacements	\$ 498,106
Reserved for Young Adult Area	\$ 1,350
Reserved for Talking Book Library	\$ 10,000
Reserved for Sight & Sound Dept	\$ 1,075
Reserved for Local History Collection	<u>\$ 9,326</u>
Total PIF	\$1,413,422

A portion of these funds is carryover from prior year operations (2020) that will be divided and moved to PIF and ISF once the audit is complete.

3.4 Confidentiality of Library Records

Pursuant to "The Library Privacy Act" (MCL 397.603), library records are not subject to disclosure without the written consent of the person liable for payment for or return of the materials identified in that library record.

The Library will refuse the issuance or enforcement of any process, order or subpoena for library records or portions thereof protected by the Library Privacy Act until such time as the proper showing of good cause has been made in a court of competent jurisdiction.

Reviewed January 2003
Revised February 16, 2012
Revised March 18, 2021

Motion by: Vickery

Support by: Wescott

Adopted: Y N

Marylee Pakieser

Date: 3-18-2021

M. Pakieser, Board Secretary

3.4 Confidentiality of Library Records

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The Library will refuse the issuance or enforcement of any process, order or subpoena **for library records or portions thereof protected by the Library Privacy Act** until such time as the proper showing of good cause has been made in a court of competent jurisdiction.

Reviewed January 2003
Revised February 16, 2012
Revised March 18, 2021

Motion by: _____

Support by: _____

Adopted: Y N

M. Pakieser, Board Secretary

Date: _____

1.6 FREEDOM OF INFORMATION PROCEDURES AND GUIDELINES

1. Purpose. It is the intent of this policy to provide clear-cut procedures for citizens and Traverse Area District Library (TADL) officials in requesting and disclosing public records under the Michigan Freedom of Information Act (FOIA). The intent of this Procedures and Guidelines Policy (the "Policy") is to comply in all respects with the FOIA, and the FOIA shall be deemed a part of this Policy. In the event of an unintentional conflict between this Policy and the FOIA, the FOIA shall control.

2. FOIA Coordinator. The Library Director is hereby designated as the FOIA Coordinator. Pursuant to MCL 15.236(3), the FOIA Coordinator may designate another individual to act on their behalf in accepting and processing FOIA requests in the event of the Library Director's absence. With the exception of Section 4 of this Policy, all TADL officials and employees receiving document disclosure inquiries shall immediately transfer them to the FOIA Coordinator or designee. All written requests for public records shall be forwarded to the FOIA Coordinator or designee to keep for no less than one year.

3. Definition of Library Public Records. Library public records are defined as information prepared, owned, used, in the possession of, or retained by the Library in the performance of an official library function. Materials in the library collection are publicly available according to circulation and other holdings policies of the library and according to the mission of TADL. Any request for materials in the library collection shall not be processed as FOIA requests, but rather according to applicable TADL policy and procedure.

4. Procedure. With the exception of information requested described in Sections 3 and 5 of this policy, all responses to requests for information under the FOIA shall be forwarded to and reviewed by the FOIA Coordinator or designee prior to responding to the request according to the following procedure:

- A. Requests to review and for copies of records under the FOIA shall be in writing and shall sufficiently describe the public record to enable the FOIA Coordinator or designee to identify the requested public record and shall include the name of the individual(s) or firm requesting the public records, mailing address, email address, and telephone number. In the event that clarification is needed, the FOIA Coordinator or designee may send a notice requesting clarification of the request and such notice shall not be interpreted as a denial of the request. The requesting person agrees by submitting a FOIA request that the date that such clarification is provided shall be deemed the date of receipt of the request.
- B. Updates or revisions to any of the requested information will not be automatically supplied by TADL. A new written request must be made for any revisions or updated versions of the requested public record unless the requesting person has submitted a subscription request under Section (3)(1) of the FOIA for information that is created, issued, or disseminated on a regular basis.

- C. Requests shall be considered received if by mail on the date of receipt. The request shall be date-stamped by the TADL. If the request is received by email or other electronic means, the request shall be received on the next business day. If the request is received by TADL in a junk email or spam account, the request shall not be received until one business day following the date that TADL becomes aware of the request.
- D. Requests received in a junk mail or spam account shall be logged as to the date that the request was delivered to the junk mail or spam account and the date that TADL became aware of the request.
- E. The FOIA Coordinator or designee shall distribute the request to all persons within TADL who may maintain the records requested and such persons shall promptly return the information in their possession to the FOIA Coordinator or designee or provide written notice that they do not have any of the requested public records in their possession.
- F. The FOIA Coordinator or designee shall prepare the response, with review by counsel for TADL when appropriate, and in the event that a request is denied in whole or in part, the FOIA Coordinator or designee shall sign the written notice of denial.
- G. TADL is not obligated to create a record, list, compilation or summary of information that does not already exist. This includes analyzing, compiling, or summarizing existing information into a new format.
- H. In responding to requests, TADL will utilize its best efforts to locate the public records requested. TADL will search only the most likely locations, or in the case of a request for electronic public records, will utilize only normal and basic search tools for locating the public record(s) requested.
- I. The FOIA Coordinator shall respond within five (5) business days from the date that TADL received the FOIA Request as required by the FOIA. For purposes of compliance with the FOIA and this policy, “business days” for TADL are defined as Monday through Friday, but excluding any state holiday or business day TADL is otherwise closed due to a holiday. The response shall be in writing and may grant the request, deny the request, grant the request in part and deny the request in part, request clarification of the FOIA Request, request a deposit, or extend by not more than 10 business days the time to respond. The timeframes for responding may be extended by mutual agreement of the parties.
- J. Any response to a FOIA Request shall include a copy of or a link to these Procedures and Guidelines and TADL’s Public Summary of its FOIA Process. A response shall also detail the Requester’s appeal rights as set forth in these Procedures and Guidelines and the FOIA.

- K. Upon receipt of a FOIA request for documents, TADL shall halt any scheduled destruction of the documents pursuant to the TADL’s document retention schedule.
- L. In the event that the TADL receives a FOIA request for video surveillance images prepared, owned, used, in the possession of, or retained by TADL, TADL shall halt any scheduled destruction of the images or footage pursuant to the TADL’s document retention schedule

5. Exceptions.

- A. Routine Information. The following requests for information from TADL may be handled without a written FOIA Request:
 - (1) A request for records that are routinely provided to the public by TADL;
 - (2) Records that are readily available, may not be exempted from disclosure under the FOIA, and exist at the time of the request.

The fees described in Section 8 shall be applicable to such requests.

- B. Records on Website. TADL maintains an official internet presence. All public records available to the general public on that site, <http://www.tadl.org> are available to the public at no charge. If a verbal request for information is for information that an employee or official of TADL believes is available on the website, the employee or official will endeavor to inform the requestor about TADL’S website address.

6. Rules to Prevent Excessive and Unreasonable Interference with TADL’S Functions.

- A. Records may be personally examined only during normal business hours, i.e., between 9 am and 5 pm Monday through Friday.
- B. TADL’s officers, agents, or employees shall be given ample opportunity to review files for exempt or privileged records prior to allowing public examination.
- C. Personal inspection and examination shall be conducted by the requesting person in the presence of an employee or designated agent of TADL and under the conditions the FOIA Coordinator or designee might require in order to prevent excessive and unreasonable interference with TADL’s functions.
- D. In the event that the FOIA Coordinator or designee determines that a personal examination or inspection of the public record would cause excessive and unreasonable interference with TADL’s functions regardless of any conditions imposed on the inspection and examination, the FOIA Coordinator or designee

may deny a request to personally examine records within the time limits indicated in the FOIA provided that the nonexempt records are otherwise provided as required by the FOIA.

- E. A requesting person may ask that the public records be provided by non-paper physical media. The FOIA Coordinator shall provide such records to the requesting person by non-paper physical media provided that doing so would not interfere with TADL's functions by overloading the FOIA Coordinator's or TADL computer network and TADL has the technological capability necessary to provide the records on the media requested.
 - F. A requesting person shall not be permitted to personally monitor TADL's examination, review, or search for the public record requested or TADL's deletion and separation of exempt from non-exempt material.
7. Rules to Protect Records. To protect records from loss, unauthorized alteration, mutilation or destruction, the following rules are adopted to protect the records of TADL in the event of personal examination or inspection by the requesting person.
- A. Records are to remain at the location provided for review of the records by the FOIA Coordinator while being reviewed.
 - B. Records are not to be altered in any manner.
 - C. Pens are not allowed in record review rooms.
 - D. Copies of records are to be made by TADL's staff or its designee. Copy charges for such records shall apply.
 - E. For documentation purposes, TADL shall keep copies of or a list of documents released or copied.
 - F. Records may not be removed by the requesting person from binders.
 - G. Records within files shall be kept intact and in order.
 - H. Copies of TADL's computer or video records shall be made by TADL on the most reasonably economical media provided by TADL. Due to the significant risk of alteration of computer files, a requesting person shall not be allowed to personally examine or inspect TADL's electronic records, including, but not limited to, files on TADL's computer network or the email accounts of a TADL officer, board member, or employee, and video surveillance images.
 - I. Copies of tapes shall be made by TADL on tapes provided by TADL.
 - J. Records to be copied may be identified by the requesting person by tape flags or sticky notes, by separate written description, or by inserting loose paper

between pages.

- K. Copyrighted material shall not be photocopied.
- L. The FOIA Coordinator may require that the requesting person’s inspection and examination of the public records be monitored by an employee or agent of TADL.

8. Fees.

A. Copies.

- 8.5” x 11” or 8.5” x 14 – 10 cents per sheet.
- Actual cost per page for larger prints.
- Digital Storage Devices - current cost.
- Tapes - current cost.
- If duplication requires outside services as determined by the FOIA Coordinator, and provided that such method is the most economical method - actual cost.

B. Faxing. Actual cost.

C. Mailing. Actual mailing, packaging and transportation costs shall be charged provided that such method is the most economical method and may include a charge for the least expensive form of postal delivery confirmation. No charge may be made for expedited shipping or insurance unless agreed to by the requester.

D. Labor.

Duplication and Publication.

Records Not Available on Website. The labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of duplicating and publishing the records, including making paper copies, digital copies, transferring digital public records to be provided or conveyed through the internet or other electronic means.

Records Available on Website. No charge unless the requester requests the record in a different format other than as published on website. In that case, the labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of duplicating and publishing the records, including making paper copies, digital copies, transferring digital public records to be provided or conveyed through the internet or other electronic means.

Labor costs for duplication and publication shall be charged in time increments of 5 minutes and all partial time increments shall be rounded down to the

nearest time increment.

Search, Location, Examination and Redaction. When it is determined that the cost of search, examination, review, and redaction would result in unreasonably high costs to TADL, the labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of searching for, locating, and examining the public records.

The following factors shall be used to determine an unreasonably high cost to TADL:

- Volume of the public record requested.
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records required to respond are located within several locations.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

Labor costs shall be charged in time increments of 15 minutes and all partial time increments shall be rounded down to the nearest time increment.

Separation and Deletion of Material. The labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of separating and deleting exempt material. If no employee is capable of separating and deleting exempt information in a particular instance as determined by the FOIA Coordinator, TADL may charge for contracted labor for the separation and the deletion in an amount equal to actual costs or 6 times the State current minimum hourly wage, whichever is less.

In the event that the FOIA Coordinator anticipates that fees shall be charged for separation and deletion of material, the FOIA Coordinator shall provide the requesting person an estimate of the fees. Labor costs shall be charged in increments of 15 minutes and all partial time increments shall be rounded down to the nearest time increment.

Overtime. Overtime wages shall not be included in the calculation of any labor costs unless overtime is specifically agreed to by the requesting person.

- E. Public Records Routinely Authorized for Sale. Current fee schedule or cost.
- F. Costs set by Law. Documents which are required to be prepared and sold for a specific fee under Michigan or federal law shall be sold in accordance with the applicable Michigan or federal law.

The FOIA Coordinator or their designee is authorized to establish such other fees and charges

in situations not covered by this policy, including fees and charges incurred by TADL in connection with allowing the requesting person to personally examine the records, which may include employee or staff time to monitor or assist the requesting person in reviewing the records if such monitoring or assistance causes an excessive or unreasonable interference with TADL's functions.

All estimates or fees charged shall be itemized on the standard form for detailed itemization adopted by TADL. The FOIA Coordinator shall utilize the most economical means of providing copies of public records that the FOIA Coordinator has the technological capability for. This shall include making double sided copies, utilizing the most economical electronic medium for copying the records the FOIA Coordinator has the technological capability for, and providing the records in the form requested by the requester when the FOIA Coordinator is capable of accommodating the request and doing so would not interfere with TADL's functions or cause damage to the records.

The requesting person shall pay for the public records prior to receipt of the public records. In the event that the requesting person fails to pick up the public records requested, the FOIA Coordinator shall retain a copy of the FOIA response and records compiled for at least 365 days from the date of the request.

Any fees shall be reduced by 5% per day up to a maximum of 50% for every day past the deadline to respond within the time periods established by the FOIA and these Procedures and Guidelines for every request properly designated as a request for records under the FOIA.

9. Deposits.

50% Deposit. The FOIA Coordinator may require a deposit from the person requesting the public record or series of public records if the fees will exceed \$50.00. The deposit shall not exceed one-half of the total fee for the request.

100% Deposit. The FOIA Coordinator may require a 100% deposit if the FOIA request is from a requester who has not paid for a previous FOIA fee in full to the public body. However, this 100% may be charged only if all of the conditions are present:

1. The prior fee was not more than 105% of the estimated fee.
2. The records from the prior request both contain all of the records requested in the prior request and are still in the public body's possession.
3. The records were offered to the requester by the public body subject to payment of the fees.
4. At least 90 days have passed since the records were offered in writing to the requester.
5. The requester cannot show proof of prior payment and continues to fail to pay for the prior request.
6. A detailed itemization form has been prepared for the current request.
7. Not more than 365 days have passed since the requester made the request for the request that has not been paid.

Any request for a deposit must include: (1) a detailed itemization of an estimate of the fees, (2) TADL's Freedom of Information Act Procedures and Guidelines or a link to the Procedures and Guidelines, (3) TADL's Public Summary of its Procedures and Guidelines or a link to the Public Summary, and (4) an estimate of how long it will take TADL to provide the records to the requester

following receipt of the deposit.

If a deposit is requested, the date of receipt of the deposit shall be deemed to be the date of receipt of the FOIA Request and the requesting person expressly agrees to this by submitting a FOIA request.

10. Fee Waivers.

- A. **Indigency.** The first \$20.00 of any fee shall be waived for any person who is indigent. In order to demonstrate indigency, an individual must submit an affidavit specifying that the individual is indigent, receiving some type of public assistance or otherwise demonstrates their inability to pay, they have not received a fee waiver twice in the same calendar year as the request, and the individual is not requesting information on behalf of someone that is paying them to request the public records.
- B. **Certain Non-Profits.** The first \$20.00 of any fee shall be waived for nonprofit corporations that are designated by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 or the Protection and Advocacy for Individuals with Mental Illness Act if the request is made on behalf of the organization or its clients, is made for a reason wholly consistent with the mission of the provisions of the Mental Health Code, and is accompanied by documentation of its designation by the State.
- C. **Documents on Website.** A fee shall not be charged for any public records requested that are available to the general public on TADL's internet site. If the information or a portion of the information requested is available on TADL's website, the FOIA Coordinator shall notify the requestor of its availability on the website and shall include, to the extent practicable, the webpage address of the information. In the event that requester requests the information in another form, TADL may charge the fees set forth in the policy for providing such records.
- D. **Public Interest.** A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the TADL Board determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. The decision to waive the fee under this provision is completely discretionary with the TADL Board. Generally, such waivers will not be provided where the person requesting the information will be receiving directly or indirectly a financial benefit from the information provided regardless of whether the information has some public interest.

The TADL Board determines that it is in the public interest that video surveillance footage requested by law enforcement as defined by 1965 PA 203,

MCL 28.601 to 28.615 shall be without charge when the video surveillance footage is asked for or provided in connection with an investigation by law enforcement into a crime or an alleged crime that has occurred or is alleged to have occurred in the Library or on Library property.

11. Appeals.

A. Response to Request.

Head of Public Body. A requesting person, before filing an appeal with the Circuit Court pursuant to Section 10 of the FOIA, may file a written appeal to the TADL Board identifying the reason or reasons for reversal of the denial. The TADL Board shall respond to the written appeal not more than 10 business days after receiving a written appeal. The TADL Board shall be considered to receive the appeal at its next regular meeting following the filing of the written appeal.

The TADL Board may take any of the following actions in response to the filing of an appeal:

- a. Reverse the denial.
- b. Issue a written notice to the appellant affirming the denial.
- c. Reverse the denial in part and issue a written notice to the appellant affirming the denial in part.
- d. If necessary due to unusual circumstances, issue a notice extending for not more than 10 business days the period during which the TADL Board may respond to the appeal.

B. Fees.

Head of Public Body. A requesting person, before filing an appeal with the Circuit Court pursuant to Section 10A of the FOIA, may file a written appeal of the fees charged by the TADL Board for a fee reduction identifying the reason or reasons the required fee exceeds the amount permitted under the FOIA and these Procedures and Guidelines. The TADL Board shall respond to the written appeal not more than 10 business days after receiving a written appeal. The TADL Board shall be considered to receive the appeal at its next regular meeting following the filing of the written appeal.

The TADL Board may take any of the following actions in response to the filing of an appeal:

- a. Waive the fee.
- b. Reduce the fee and issue a written determination indicating the basis of support for the remaining fee. The determination shall include a certification that the statements in the determination are accurate and the fee complies with these Procedures and Guidelines and the FOIA.

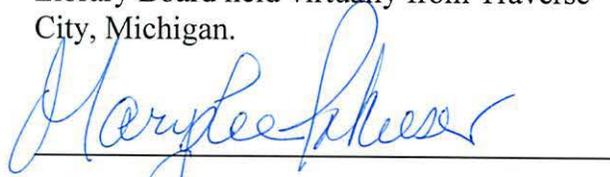
- c. Uphold the fee and issue a written determination indicating the basis of support for the fee. The determination shall include a certification that the statements in the determination are accurate and the fee complies with these Procedures and Guidelines and the FOIA.
- d. Issue a notice extending for not more than 10 (10) business days the period during which the TADL Board must respond to the appeal, including a detailed reason why the extension is necessary.

12. Exemptions. The FOIA Coordinator is authorized to exempt from disclosure a public record pursuant to Section 13 of the FOIA as allowed by and pursuant to the FOIA, and on appeal, the TADL Board is authorized to so exempt a public record.

13. Availability to Public. These Procedures and Guidelines and the Public Summary shall be available to the public at no cost. The Procedures and Guidelines and the Public Summary shall be posted on the TADL website.

These Procedures and Guidelines shall supersede and replace the TADL FOIA Policy 1.6 adopted October 14, 2010, as of July 1, 2015 and shall become effective on July 1, 2015. This policy shall in addition incorporate, as adopted by the board, the FOIA Public Summary and the FOIA Request Detailed Cost Itemization supplements and shall also become effective on July 1, 2015.

I hereby certify that the above Procedures and Guidelines were adopted on, March 18, 2021, at a meeting of the Traverse Area District Library Board held virtually from Traverse City, Michigan.



Board Secretary

1.6 FREEDOM OF INFORMATION PROCEDURES AND GUIDELINES

1. Purpose. It is the intent of this policy to provide clear-cut procedures for citizens and Traverse Area District Library (TADL) officials in requesting and disclosing public records under the Michigan Freedom of Information Act (FOIA). The intent of this Procedures and Guidelines Policy (the "Policy") is to comply in all respects with the FOIA, and the FOIA shall be deemed a part of this Policy. In the event of an unintentional conflict between this Policy and the FOIA, the FOIA shall control.

2. FOIA Coordinator. The Library Director is hereby designated as the FOIA Coordinator. Pursuant to MCL 15.236(3), the FOIA Coordinator may designate another individual to act on their behalf in accepting and processing FOIA requests in the event of the Library Director's absence. With the exception of Section 4 of this Policy, all TADL officials and employees receiving document disclosure inquiries shall immediately transfer them to the FOIA Coordinator or designee. All written requests for public records shall be forwarded to the FOIA Coordinator or designee to keep for no less than one year.

3. Definition of Library Public Records. Library public records are defined as writings information prepared, owned, used, in the possession of, or retained by the Library in the performance of an official library function. Materials in the library collection are publicly available according to circulation and other holdings policies of the library and according to the mission of TADL. Any request for materials in the library collection shall not be processed as FOIA requests, but rather according to applicable TADL policy and procedure.

4. Procedure. With the exception of information requested described in Sections 3 and 5 of this policy, all responses to requests for information under the FOIA shall be forwarded to and reviewed by the FOIA Coordinator or designee prior to responding to the request according to the following procedure:

- A. Requests to review and for copies of records under the FOIA shall be in writing and shall sufficiently describe the public record to enable the FOIA Coordinator or designee to identify the requested public record and shall include the name of the individual(s) or firm requesting the public records, mailing address, email address, and telephone number. In the event that clarification is needed, the FOIA Coordinator or designee may send a notice requesting clarification of the request and such notice shall not be interpreted as a denial of the request. The requesting person agrees by submitting a FOIA request that the date that such clarification is provided shall be deemed the date of receipt of the request.
- B. Updates or revisions to any of the requested information will not be automatically supplied by TADL. A new written request must be made for any revisions or updated versions of the requested public record unless the requesting person has submitted a subscription request under Section (3)(1) of the FOIA for information that is created, issued, or disseminated on a regular basis.

- C. Requests shall be considered received if by mail on the date of receipt. The request shall be date-stamped by the TADL. If the request is received by email or other electronic means, the request shall be received on the next business day. If the request is received by TADL in a junk email or spam account, the request shall not be received until one business day following the date that TADL becomes aware of the request.
- D. Requests received in a junk mail or spam account shall be logged as to the date that the request was delivered to the junk mail or spam account and the date that TADL became aware of the request.
- E. The FOIA Coordinator or designee shall distribute the request to all persons within TADL who may maintain the records requested and such persons shall promptly return the information in their possession to the FOIA Coordinator or designee or provide written notice that they do not have any of the requested public records in their possession.
- F. The FOIA Coordinator or designee shall prepare the response, with review by counsel for TADL when appropriate, and in the event that a request is denied in whole or in part, the FOIA Coordinator or designee shall sign the written notice of denial.
- G. TADL is not obligated to create a record, list, compilation or summary of information that does not already exist. This includes analyzing, compiling, or summarizing existing information into a new format.
- H. In responding to requests, TADL will utilize its best efforts to locate the public records requested. TADL will search only the most likely locations, or in the case of a request for electronic public records, will utilize only normal and basic search tools for locating the public record(s) requested.
- I. The FOIA Coordinator shall respond within five (5) business days from the date that TADL received the FOIA Request as required by the FOIA. For purposes of compliance with the FOIA and this policy, “business days” for TADL are defined as Monday through Friday, but excluding any state holiday or business day TADL is otherwise closed due to a holiday. The response shall be in writing and may grant the request, deny the request, grant the request in part and deny the request in part, request clarification of the FOIA Request, request a deposit, or extend by not more than 10 business days the time to respond. The timeframes for responding may be extended by mutual agreement of the parties.
- J. Any response to a FOIA Request shall include a copy of or a link to these Procedures and Guidelines and TADL’s Public Summary of its FOIA Process. A response shall also detail the Requester’s appeal rights as set forth in these Procedures and Guidelines and the FOIA.

- K. Upon receipt of a FOIA request for documents, TADL shall halt any scheduled destruction of the documents pursuant to the TADL's document retention schedule.
- L. In the event that the TADL receives a ~~Upon receipt of a FOIA request for video surveillance images prepared, owned, used, in the possession of, or retained by TADL~~, TADL shall halt any scheduled destruction of the images or footage pursuant to the TADL's document retention schedule

5. Exceptions.

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 - (1) A request for records that are routinely provided to the public by TADL;
 - (2) Records that are readily available, may not be exempted from disclosure under the FOIA, and exist at the time of the request.

The fees described in Section 8 shall be applicable to such requests.

- B. Records on Website. TADL maintains an official internet presence. All public records available to the general public on that site, <http://www.tadl.org> are available to the public at no charge. If a verbal request for information is for information that an employee or official of TADL believes is available on the website, the employee or official will endeavor to inform the requestor about TADL'S website address.

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- A. Records may be personally examined only during normal business hours, i.e., between 9 am and 5 pm Monday through Friday.
- B. TADL's officers, agents, or employees shall be given ample opportunity to review files for exempt or privileged records prior to allowing public examination.
- C. Personal inspection and examination shall be conducted by the requesting person in the presence of an employee or designated agent of TADL and under the conditions the FOIA Coordinator or designee might require in order to prevent excessive and unreasonable interference with TADL's functions.
- D. In the event that the FOIA Coordinator or designee determines that a personal examination or inspection of the public record would cause excessive and unreasonable interference with TADL's functions regardless of any conditions imposed on the inspection and examination, the FOIA Coordinator or designee

may deny a request to personally examine records within the time limits indicated in the FOIA provided that the nonexempt records are otherwise provided as required by the FOIA.

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 - F. A requesting person shall not be permitted to personally monitor TADL's examination, review, or search for the public record requested or TADL's deletion and separation of exempt from non-exempt material.
7. Rules to Protect Records. To protect records from loss, unauthorized alteration, mutilation or destruction, the following rules are adopted to protect the records of TADL in the event of personal examination or inspection by the requesting person.
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 - B. Records are not to be altered in any manner.
 - C. Pens are not allowed in record review rooms.
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 - H. Copies of TADL's computer or video records shall be made by TADL on the most reasonably economical media provided by TADL. Due to the significant risk of alteration of computer files, a requesting person shall not be allowed to personally examine or inspect TADL's electronic records, including, but not limited to, files on TADL's computer network or the email accounts of a TADL officer, board member, or employee, and video surveillance images.
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between pages.

- K. Copyrighted material shall not be photocopied.
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- If duplication requires outside services as determined by the FOIA Coordinator, and provided that such method is the most economical method - actual cost.

B. Faxing. Actual cost.

C. Mailing. Actual mailing, packaging and transportation costs shall be charged provided that such method is the most economical method and may include a charge for the least expensive form of postal delivery confirmation. No charge may be made for expedited shipping or insurance unless agreed to by the requester.

D. Labor.

Duplication and Publication.

Records Not Available on Website. The labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of duplicating and publishing the records, including making paper copies, digital copies, transferring digital public records to be provided or conveyed through the internet or other electronic means.

Records Available on Website. No charge unless the requester requests the record in a different format other than as published on website. In that case, the labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of duplicating and publishing the records, including making paper copies, digital copies, transferring digital public records to be provided or conveyed through the internet or other electronic means.

Labor costs for duplication and publication shall be charged in time increments of 5 minutes and all partial time increments shall be rounded down to the

nearest time increment.

Search, Location, and Examination and Redaction. When it is determined that the cost of search, examination, review, and redaction would result in unreasonably high costs to TADL, the labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of searching for, locating, and examining the public records.

The following factors shall be used to determine an unreasonably high cost to TADL:

- Volume of the public record requested.
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records required to respond are located within several locations.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

~~Labor costs to locate, examine, and redact video surveillance footage for law enforcement as defined in _____ shall not be charged when the video surveillance footage is asked for or provided in connection with an investigation by law enforcement into a crime or an alleged crime that has occurred or is alleged to have occurred in the Library or on Library property.~~ Labor costs shall be charged in time increments of 15 minutes and all partial time increments shall be rounded down to the nearest time increment.

Separation and Deletion of Material. The labor cost of the lowest paid employee, plus 32% to cover or partially cover the cost of fringe benefits, capable of separating and deleting exempt material. If no employee is capable of separating and deleting exempt information in a particular instance as determined by the FOIA Coordinator, TADL may charge for contracted labor for the separation and the deletion in an amount equal to actual costs or 6 times the State current minimum hourly wage, whichever is less.

In the event that the FOIA Coordinator anticipates that fees shall be charged for separation and deletion of material, the FOIA Coordinator shall provide the requesting person an estimate of the fees. Labor costs shall be charged in increments of 15 minutes and all partial time increments shall be rounded down to the nearest time increment.

Overtime. Overtime wages shall not be included in the calculation of any labor costs unless overtime is specifically agreed to by the requesting person.

- E. Public Records Routinely Authorized for Sale. Current fee schedule or cost.

- F. Costs set by Law. Documents which are required to be prepared and sold for a specific fee under Michigan or federal law shall be sold in accordance with the applicable Michigan or federal law.

The FOIA Coordinator or their designee is authorized to establish such other fees and charges in situations not covered by this policy, including fees and charges incurred by TADL in connection with allowing the requesting person to personally examine the records, which may include employee or staff time to monitor or assist the requesting person in reviewing the records if such monitoring or assistance causes an excessive or unreasonable interference with TADL's functions.

All estimates or fees charged shall be itemized on the standard form for detailed itemization adopted by TADL. The FOIA Coordinator shall utilize the most economical means of providing copies of public records that the FOIA Coordinator has the technological capability for. This shall include making double sided copies, utilizing the most economical electronic medium for copying the records the FOIA Coordinator has the technological capability for, and providing the records in the form requested by the requester when the FOIA Coordinator is capable of accommodating the request and doing so would not interfere with TADL's functions or cause damage to the records.

The requesting person shall pay for the public records prior to receipt of the public records. In the event that the requesting person fails to pick up the public records requested, the FOIA Coordinator shall retain a copy of the FOIA response and records compiled for at least 365 days from the date of the request.

Any fees shall be reduced by 5% per day up to a maximum of 50% for every day past the deadline to respond within the time periods established by the FOIA and these Procedures and Guidelines for every request properly designated as a request for records under the FOIA.

9. Deposits.

50% Deposit. The FOIA Coordinator may require a deposit from the person requesting the public record or series of public records if the fees will exceed \$50.00. The deposit shall not exceed one-half of the total fee for the request.

100% Deposit. The FOIA Coordinator may require a 100% deposit if the FOIA request is from a requester who has not paid for a previous FOIA fee in full to the public body. However, this 100% may be charged only if all of the conditions are present:

1. The prior fee was not more than 105% of the estimated fee.
2. The records from the prior request both contain all of the records requested in the prior request and are still in the public body's possession.
3. The records were offered to the requester by the public body subject to payment of the fees.
4. At least 90 days have passed since the records were offered in writing to the requester.
5. The requester cannot show proof of prior payment and continues to fail to pay for the prior request.
6. A detailed itemization form has been prepared for the current request.
7. Not more than 365 days have passed since the requester made the request for the request that has not been paid.

Any request for a deposit must include: (1) a detailed itemization of an estimate of the fees, (2) TADL's Freedom of Information Act Procedures and Guidelines or a link to the Procedures and Guidelines, (3) TADL's Public Summary of its Procedures and Guidelines or a link to the Public Summary, and (4) an estimate of how long it will take TADL to provide the records to the requester following receipt of the deposit.

If a deposit is requested, the date of receipt of the deposit shall be deemed to be the date of receipt of the FOIA Request and the requesting person expressly agrees to this by submitting a FOIA request.

10. Fee Waivers.

- A. **Indigency.** The first \$20.00 of any fee shall be waived for any person who is indigent. In order to demonstrate indigency, an individual must submit an affidavit specifying that the individual is indigent, receiving some type of public assistance or otherwise demonstrates their inability to pay, they have not received a fee waiver twice in the same calendar year as the request, and the individual is not requesting information on behalf of someone that is paying them to request the public records.
- B. **Certain Non-Profits.** The first \$20.00 of any fee shall be waived for nonprofit corporations that are designated by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 or the Protection and Advocacy for Individuals with Mental Illness Act if the request is made on behalf of the organization or its clients, is made for a reason wholly consistent with the mission of the provisions of the Mental Health Code, and is accompanied by documentation of its designation by the State.
- C. **Documents on Website.** A fee shall not be charged for any public records requested that are available to the general public on TADL's internet site. If the information or a portion of the information requested is available on TADL's website, the FOIA Coordinator shall notify the requestor of its availability on the website and shall include, to the extent practicable, the webpage address of the information. In the event that requester requests the information in another form, TADL may charge the fees set forth in the policy for providing such records.
- D. **Public Interest.** A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the TADL Board determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. The decision to waive the fee under this provision is completely discretionary with the TADL Board. Generally, such waivers will not be provided where the person requesting the information will be receiving directly or indirectly a financial benefit from the

information provided regardless of whether the information has some public interest.

The TADL Board determines that video surveillance footage requested by law enforcement as defined by 1965 PA 203, MCL 28.601 to 28.615 shall be without charge when the video surveillance footage is asked for or provided in connection with an investigation by law enforcement into a crime or an alleged crime that has occurred or is alleged to have occurred in the Library or on Library property because furnishing copies in this instance aids in providing a safe and welcoming environment for the Library's users by hastening the investigation of crimes committed in the library and on library property through video surveillance.

11. Appeals.

A. Response to Request.

Head of Public Body. A requesting person, before filing an appeal with the Circuit Court pursuant to Section 10 of the FOIA, may file a written appeal to the TADL Board identifying the reason or reasons for reversal of the denial. The TADL Board shall respond to the written appeal not more than 10 business days after receiving a written appeal. The TADL Board shall be considered to receive the appeal at its next regular meeting following the filing of the written appeal.

The TADL Board may take any of the following actions in response to the filing of an appeal:

- a. Reverse the denial.
- b. Issue a written notice to the appellant affirming the denial.
- c. Reverse the denial in part and issue a written notice to the appellant affirming the denial in part.
- d. If necessary due to unusual circumstances, issue a notice extending for not more than 10 business days the period during which the TADL Board may respond to the appeal.

B. Fees.

Head of Public Body. A requesting person, before filing an appeal with the Circuit Court pursuant to Section 10A of the FOIA, may file a written appeal of the fees charged by the TADL Board for a fee reduction identifying the reason or reasons the required fee exceeds the amount permitted under the FOIA and these Procedures and Guidelines. The TADL Board shall respond to the written appeal not more than 10 business days after receiving a written appeal. The TADL Board shall be considered to receive the appeal at its next regular meeting following the filing of the written appeal.

The TADL Board may take any of the following actions in response to the filing of an appeal:

- a. Waive the fee.
- b. Reduce the fee and issue a written determination indicating the basis of support for the remaining fee. The determination shall include a certification that the statements in the determination are accurate and the fee complies with these Procedures and Guidelines and the FOIA.
- c. Uphold the fee and issue a written determination indicating the basis of support for the fee. The determination shall include a certification that the statements in the determination are accurate and the fee complies with these Procedures and Guidelines and the FOIA.
- d. Issue a notice extending for not more than 10 (10) business days the period during which the TADL Board must respond to the appeal, including a detailed reason why the extension is necessary.

12. Exemptions. The FOIA Coordinator is authorized to exempt from disclosure a public record pursuant to Section 13 of the FOIA as allowed by and pursuant to the FOIA, and on appeal, the TADL Board is authorized to so exempt a public record.

13. Availability to Public. These Procedures and Guidelines and the Public Summary shall be available to the public at no cost. The Procedures and Guidelines and the Public Summary shall be posted on the TADL website.

These Procedures and Guidelines shall supersede and replace the TADL FOIA Policy 1.6 adopted October 14, 2010, as of July 1, 2015 and shall become effective on July 1, 2015. This policy shall in addition incorporate, as adopted by the board, the FOIA Public Summary and the FOIA Request Detailed Cost Itemization supplements and shall also become effective on July 1, 2015.

I hereby certify that the above Procedures and Guidelines were adopted on, _____, ~~2015~~2021, at a meeting of the Traverse Area District Library Board held in the _____, 610 Woodmere Avenue, Traverse City, Michigan.

Board Secretary

TRAVERSE AREA DISTRICT LIBRARY FREEDOM OF INFORMATION ACT PUBLIC SUMMARY

The purpose of this document is to provide a summary of the Traverse Area District Library's (TADL) Freedom of Information process, fees, and information regarding filing an appeal of TADL's response and fees charged.

Filing a Freedom of Information Act Request with TADL.

In order to file a Freedom of Information Act (FOIA) request with TADL, a person needs to file a written request with the FOIA Coordinator, who is the Library Director. The FOIA Coordinator's contact information is mhoward@tadl.org, fax 231-932-8500, or 610 Woodmere, Traverse City, Michigan 49686. The request should clearly designate that the documents requested are being requested pursuant to the FOIA.

TADL considers records available under the FOIA to include information prepared, owned, used, in the possession of, or retained by TADL in the performance of an official TADL function. Public records available under FOIA DO NOT include materials in the library collection that are publicly available according to TADL's circulation and holdings policies. These materials are available according to the applicable library policies and procedures.

Your request will be considered received on the date of receipt by the FOIA Coordinator if by mail, on the date after the email or the fax transmission if the request is forwarded to the FOIA Coordinator by those mediums. If for some reason the FOIA request is sent to TADL's junk mail account, the request will not be considered received until the request is discovered by TADL.

If you would like to request records that are created, issued, or disseminated on a regular basis by TADL, you will need to designate your request as a "subscription" for such records.

In requesting records, you may ask for copies of records or to search and examine TADL's records. All timelines and fees will apply to either request.

If you ask to personally search and examine TADL's records, there are certain rules that have been established in order to prevent interference with the functions of TADL and to protect patron privacy and the records themselves. These include restrictions on the times the records may be available for examination, the need for an employee or agent of TADL to be present during the examination, and prohibitions on altering, removing, or moving the records.

Under some circumstances, a personal examination may be impossible, such as a personal examination of TADL's computer or electronic files. In those cases, you will be provided a copy of the records requested. In no case, will you be allowed to observe or examine TADL's search for, examination, review, or deletion and separation of exempt material.

You may also request the records in certain forms. If you would like your request to be

provided in a particular form, please provide this information in your request. TADL's "default" method of supplying copies of records will be on paper. These requests will be accommodated by TADL to the extent TADL is feasibly capable of accommodating the request.

There are times when the information or records you are seeking do not require a FOIA request. These include requests for information or records routinely given and readily available that do not contain information that may be exempted under the FOIA as well as any and all records available on TADL's website, www.tadl.org.

Responding to Your Request.

Once a FOIA Request is received by TADL, the FOIA request will be immediately forwarded to the FOIA Coordinator who will then forward the request to all people within TADL that could or should have information or records responsive to the request. In the event that the record requested is scheduled for destruction according to TADL's record retention schedule, the destruction will be halted upon receipt of your request. In looking for records, TADL will utilize its best efforts to locate the public records requested. In doing so, TADL will search the most likely locations for such records. When electronic records are requested, TADL will utilize normal and basic search tools for locating the public records.

Sometimes, the FOIA Coordinator may need clarification regarding the public records requested. In this event, the FOIA Coordinator will contact you to ask for such clarification. The date upon which such clarification is provided will be considered the date that the request is received for purposes of the timelines set forth in the FOIA.

The FOIA Coordinator will respond to your request by granting the request, extending the time to respond, granting your request in part and denying in part, or denying your request. If your request is partially or wholly denied, the FOIA Coordinator will indicate in the response the reason for the denial or partial denial.

The FOIA Coordinator will respond to your request within the timelines provided by the FOIA, which is five (5) business days from the date of receipt. Business days for FOIA purposes are defined as Monday through Friday, but excluding state holidays and holidays for which TADL is closed to the public. Sometimes, due to the nature of the request, the FOIA Coordinator may need to extend this time by 10 business days from the minimum five (5) business days. In the event that this happens, the FOIA Coordinator will provide you notice of this extension not later than 5 business days from the date the request was received. These timelines may be extended by mutual written agreement between you and TADL.

Each response shall include a link to TADL's FOIA Procedures and Guidelines and this Summary as well as a copy of a detailed itemization of the fees charged.

Please note, in responding to a request, TADL is not obligated to create a record, list, compilation or summary of information that does not already exist.

Fees.

In most cases, you will likely be charged a fee for your request. Generally speaking, the fees charged will be the actual cost to TADL to respond to your request, including copying, faxing, and mailing costs. Regular or legal size pages are 10 cents per sheet. In charging these costs, TADL will utilize the most economical method possible, such as double sided copying or the most inexpensive form of media TADL is capable of utilizing.

Labor costs will also be charged. This includes labor for copying and transferring the records to a medium for your review. This also may include labor for searching, locating, and examining the public records where the request requires more time than usual to process the request. Factors that will be used to determine whether labor for searching, locating, and examining public records will be charged include volume of the public record requested, amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested, whether the public records from various TADL departments or offices are necessary to respond to the request, available staffing to respond to the request, or any other similar factors identified by the FOIA Coordinator in responding to the particular request. The labor costs charged will be the hourly wage of the lowest paid employee capable of performing the work regardless of who did the work plus 32% to cover or partially cover fringe benefits.

Labor costs for separating and deleting exempt material may also be charged in the amount indicated above in the event that it will take more time than usual to process the request. However, sometimes it is necessary for TADL to engage a third person to do this work. In this case, you may be charged the lesser of the actual cost or six (6) times the State current minimum wage. Before being charged this amount however, we will let you know and provide you an estimate of the fees.

Overtime will not be charged unless you agree.

We will require you to pay the fees before providing you with the public records requested where you have requested copies of the record either in paper or other electronic form. Where you have requested examination, payment of the fees will be expected prior to your examination for any fees incurred up to that point and following your examination prior to receiving any copies of public records requested during the examination.

Information Available on Website.

If you request in writing or verbally any records that are available on TADL's website, we will let you know where such records may be located. You will not be charged a fee for such information or records unless you request that the FOIA Coordinator provide you a copy of these records. In that case, you will be charged the hourly wage of the lowest paid employee capable of performing the work regardless of who did the work plus 32% to cover or partially cover fringe benefits.

Deposits.

Sometimes it is necessary for us to ask for a deposit prior to proceeding with the request due to the estimated time and material in responding to the request. We may request a deposit in the event that the estimated fees will exceed \$50.00 in the amount of ½ of the estimated fees. Any

request for a deposit will include a detailed itemization of the expected fees and costs, an estimate of how long it will take to fulfill the request, and an invitation to narrow or clarify your request, which may result in a reduction of the fees.

We also may request a 100% deposit in certain circumstances where you have not paid for prior FOIA requests. Before requesting a 100% deposit, we will provide you an opportunity to pay for the prior FOIA request and any request will include the information stated above.

When a deposit is requested, we will not consider the request received under the FOIA until the deposit is made.

Fee Waivers.

There are several circumstances where the fees may be waived. These include demonstrated indigency, requests from certain non-profits, documents located on TADL's website, and where TADL determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

There are certain requirements that must be met to qualify for the indigency waiver and such waiver only applies to the first \$20.00 in fees. In order to qualify for the indigency waiver, you will be required to execute an affidavit indicating your inability to pay, that you have not already received two fee waivers in the past year, and that you are not requesting information on behalf of someone that is paying you to request the records.

There is a limited class of nonprofits that qualify for a waiver and, again, the waiver only applies to the first \$20.00 in fees.

A fee for records available on TADL's website will not be charged unless you ask the FOIA Coordinator to provide them in another form. In that case, the cost for covering or partially covering fringe benefits that will be added is 32%.

A "public interest" waiver is completely discretionary with the public body. Generally, such waivers will not be provided where the person requesting the information will be receiving directly or indirectly a financial benefit from the information provided regardless of whether the information has some public interest. The TADL Board has determined that requests from law enforcement for video surveillance when such requests are in connection with law enforcement's investigation of a crime that has occurred or is alleged to have occurred in the Library or on Library property shall be without charge under this type of waiver.

Exempt Information.

Sometimes information that you have requested will contain information that is exempt from disclosure under the FOIA. There are several exemptions under the FOIA. Unless certain information is required to be exempted under the FOIA, the FOIA Coordinator will determine in each case whether information that may be exempted under the FOIA will be exempted under the FOIA. In the event that some information contained in the records is exempt, but other information

is not exempt, the public body will only remove those portions of the records that are exempt. TADL will always exempt from disclosure a library record or portion of a library record protected from disclosure by the Library Privacy without the written consent of the person liable for payment for or return of the materials identified in that library record.

Appeals.

You may appeal the FOIA Coordinator's response to your FOIA request or the amount of fees charged by TADL.

Please note, if you file an appeal to the TADL Board, the TADL Board is not considered to have received your appeal until the first regularly scheduled meeting of the Board following the date your appeal is filed.

Response.

You may appeal the FOIA Coordinator's response either to TADL Board or the Circuit Court. If you are going to appeal to the TADL Board, you must do so in writing. You should indicate that it is a "FOIA Response Appeal" and the reason you are appealing the FOIA Response. The TADL Board will respond within 10 business days of receipt by doing one of the following:

1. Reverse the denial.
2. Uphold the denial.
3. Reverse the denial in part and uphold the denial in part.
4. Issue a notice extending for not more than 10 business days the time period for the head of the public body to respond.

You may also appeal to the Circuit Court in Grand Traverse County. However, the appeal must be filed within 180 days following TADL's final decision to deny or deny in part the request. If you prevail at the Circuit Court, the Circuit Court can order any records it determines to be improperly withheld to be disclosed. If you prevail in an action commenced in the Circuit Court, the Circuit Court will award you your reasonable attorney's fees. If you prevail in part, you may be awarded some of your attorney fees. If the Circuit Court finds that TADL acted arbitrarily and capriciously in failing to disclose the records as required by the FOIA and TADL's Procedures and Guidelines, the Court shall order TADL to pay a civil fine of \$1,000 to the general fund of the state treasury. In addition, the court shall award actual or compensatory damages and punitive damage in the amount of \$1,000 to you.

Fees.

You may appeal the fees charged to you by TADL. You must do so in writing. You should indicate that it is a "fee appeal" and you should state the reasons you believe the fees do not comply with the FOIA or TADL's Procedures and Guidelines. The TADL Board will respond within 10 business days of its receipt of your appeal by doing one of the following:

1. Waive the fee.
2. Reduce the fee.

3. Uphold the fee.
4. Extend the time to respond by not more than 10 business days.

If the TADL Board reduces the fee or upholds the fee, the TADL Board will provide you a certification that the determination is accurate and the fee complies with TADL's Procedures and Guidelines.

You may also appeal to the Circuit Court in Grand Traverse County. You may not appeal to the Circuit Court until after the TADL Board makes a determination on your appeal. The appeal must be filed within 45 days after the TADL Board makes a determination with respect to your appeal. If the Court determines that TADL charged a fee in excess of the amount authorized by the FOIA or its Procedures and Guidelines, the Court will reduce the fee to a permissible amount. If the fee is reduced by 50% or more, the Court may, but is not required to, award you your attorney fees, costs, and disbursements. If the Court finds that TADL acted arbitrarily and capriciously in charging an excessive fee, the Court will order TADL to pay a civil fine of \$500 to the state general fund. The Court may also award punitive damages in the amount of \$500 in addition to actual and compensatory damages.

Willful and Intentional Violations.

If the Circuit Court finds in any action brought under the FOIA, that TADL acted willfully and intentionally in failing to comply with the FOIA, the Court shall order the payment of a civil fine of not less than \$2,500 or more than \$7,500 for each occurrence in addition to any other money TADL is ordered to pay. This fine will go into the State's general fund.

TRAVERSE AREA DISTRICT LIBRARY FREEDOM OF INFORMATION ACT PUBLIC SUMMARY

The purpose of this document is to provide a summary of the Traverse Area District Library's (TADL) Freedom of Information process, fees, and information regarding filing an appeal of TADL's response and fees charged.

Filing a Freedom of Information Act Request with TADL.

In order to file a Freedom of Information Act (FOIA) request with TADL, a person needs to file a written request with the FOIA Coordinator, who is the Library Director. The FOIA Coordinator's contact information is gparsons@tadl.org or mhoward@tadl.org, fax 231-932-8500, or 610 Woodmere, Traverse City, Michigan 49686. The request should clearly designate that the documents requested are being requested pursuant to the FOIA.

TADL considers records available under the FOIA to include ~~writings~~ information prepared, owned, used, in the possession of, or retained by TADL in the performance of an official TADL function. Public records available under FOIA DO NOT include materials in the library collection that are publicly available according to TADL's circulation and holdings policies. These materials are available according to the applicable library policies and procedures.

Your request will be considered received on the date of receipt by the FOIA Coordinator if by mail, on the date after the email or the fax transmission if the request is forwarded to the FOIA Coordinator by those mediums. If for some reason the FOIA request is sent to TADL's junk mail account, the request will not be considered received until the request is discovered by TADL.

If you would like to request records that are created, issued, or disseminated on a regular basis by TADL, you will need to designate your request as a "subscription" for such records.

In requesting records, you may ask for copies of records or to search and examine TADL's records. All timelines and fees will apply to either request.

If you ask to personally search and examine TADL's records, there are certain rules that have been established in order to prevent interference with the functions of TADL and to protect patron privacy and the records themselves. These include restrictions on the times the records may be available for examination, the need for an employee or agent of TADL to be present during the examination, and prohibitions on altering, removing, or moving the records.

Under some circumstances, a personal examination may be impossible, such as a personal examination of TADL's computer or electronic files. In those cases, you will be provided a copy of the records requested. In no case, will you be allowed to observe or examine TADL's search for, examination, review, or deletion and separation of exempt material.

You may also request the records in certain forms. If you would like your request to be

provided in a particular form, please provide this information in your request. TADL's "default" method of supplying copies of records will be on paper. These requests will be accommodated by TADL to the extent TADL is feasibly capable of accommodating the request.

There are times when the information or records you are seeking do not require a FOIA request. These include requests for information or records routinely given and readily available that do not contain information that may be exempted under the FOIA as well as any and all records available on TADL's website, www.tadl.org.

Responding to Your Request.

Once a FOIA Request is received by TADL, the FOIA request will be immediately forwarded to the FOIA Coordinator who will then forward the request to all people within TADL that could or should have information or records responsive to the request. In the event that the record requested is scheduled for destruction according to TADL's record retention schedule, the destruction will be halted upon receipt of your request. In looking for records, TADL will utilize its best efforts to locate the public records requested. In doing so, TADL will search the most likely locations for such records. When electronic records are requested, TADL will utilize normal and basic search tools for locating the public records.

Sometimes, the FOIA Coordinator may need clarification regarding the public records requested. In this event, the FOIA Coordinator will contact you to ask for such clarification. The date upon which such clarification is provided will be considered the date that the request is received for purposes of the timelines set forth in the FOIA.

The FOIA Coordinator will respond to your request by granting the request, extending the time to respond, granting your request in part and denying in part, or denying your request. If your request is partially or wholly denied, the FOIA Coordinator will indicate in the response the reason for the denial or partial denial.

The FOIA Coordinator will respond to your request within the timelines provided by the FOIA, which is five (5) business days from the date of receipt. Business days for FOIA purposes are defined as Monday through Friday, but excluding state holidays and holidays for which TADL is closed to the public. Sometimes, due to the nature of the request, the FOIA Coordinator may need to extend this time by 10 business days from the minimum five (5) business days. In the event that this happens, the FOIA Coordinator will provide you notice of this extension not later than 5 business days from the date the request was received. These timelines may be extended by mutual written agreement between you and TADL.

Each response shall include a link to TADL's FOIA Procedures and Guidelines and this Summary as well as a copy of a detailed itemization of the fees charged.

Please note, in responding to a request, TADL is not obligated to create a record, list, compilation or summary of information that does not already exist.

Fees.

In most cases, you will likely be charged a fee for your request. Generally speaking, the fees charged will be the actual cost to TADL to respond to your request, including copying, faxing, and mailing costs. Regular or legal size pages are 10 cents per sheet. In charging these costs, TADL will utilize the most economical method possible, such as double sided copying or the most inexpensive form of media TADL is capable of utilizing.

Labor costs will also be charged. This includes labor for copying and transferring the records to a medium for your review. This also may include labor for searching, locating, and examining the public records where the request requires more time than usual to process the request. Factors that will be used to determine whether labor for searching, locating, and examining public records will be charged include volume of the public record requested, amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested, whether the public records from various TADL departments or offices are necessary to respond to the request, available staffing to respond to the request, or any other similar factors identified by the FOIA Coordinator in responding to the particular request. The labor costs charged will be the hourly wage of the lowest paid employee capable of performing the work regardless of who did the work plus 32% to cover or partially cover fringe benefits.

Labor costs for separating and deleting exempt material may also be charged in the amount indicated above in the event that it will take more time than usual to process the request. However, sometimes it is necessary for TADL to engage a third person to do this work. In this case, you may be charged the lesser of the actual cost or six (6) times the State current minimum wage. Before being charged this amount however, we will let you know and provide you an estimate of the fees.

Overtime will not be charged unless you agree.

We will require you to pay the fees before providing you with the public records requested where you have requested copies of the record either in paper or other electronic form. Where you have requested examination, payment of the fees will be expected prior to your examination for any fees incurred up to that point and following your examination prior to receiving any copies of public records requested during the examination.

Information Available on Website.

If you request in writing or verbally any records that are available on TADL's website, we will let you know where such records may be located. You will not be charged a fee for such information or records unless you request that the FOIA Coordinator provide you a copy of these records. In that case, you will be charged the hourly wage of the lowest paid employee capable of performing the work regardless of who did the work plus 32% to cover or partially cover fringe benefits.

Deposits.

Sometimes it is necessary for us to ask for a deposit prior to proceeding with the request due to the estimated time and material in responding to the request. We may request a deposit in the event that the estimated fees will exceed \$50.00 in the amount of ½ of the estimated fees. Any

request for a deposit will include a detailed itemization of the expected fees and costs, an estimate of how long it will take to fulfill the request, and an invitation to narrow or clarify your request, which may result in a reduction of the fees.

We also may request a 100% deposit in certain circumstances where you have not paid for prior FOIA requests. Before requesting a 100% deposit, we will provide you an opportunity to pay for the prior FOIA request and any request will include the information stated above.

When a deposit is requested, we will not consider the request received under the FOIA until the deposit is made.

Fee Waivers.

There are several circumstances where the fees may be waived. These include request from law enforcement, demonstrated indigency, requests from certain non-profits, documents located on TADL's website, and where TADL determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

There are certain requirements that must be met to qualify for the indigency waiver and such waiver only applies to the first \$20.00 in fees. In order to qualify for the indigency waiver, you will be required to execute an affidavit indicating your inability to pay, that you have not already received two fee waivers in the past year, and that you are not requesting information on behalf of someone that is paying you to request the records.

There is a limited class of nonprofits that qualify for a waiver and, again, the waiver only applies to the first \$20.00 in fees.

A fee for records available on TADL's website will not be charged unless you ask the FOIA Coordinator to provide them in another form. In that case, the cost for covering or partially covering fringe benefits that will be added is 32%.

A "public interest" waiver is completely discretionary with the public body. Generally, such waivers will not be provided where the person requesting the information will be receiving directly or indirectly a financial benefit from the information provided regardless of whether the information has some public interest. The TADL Board has determined that requests from law enforcement for video surveillance when such requests are in connection with law enforcement's investigation of a crime that has occurred or is alleged to have occurred in the Library or on Library property shall be without charge under this type of waiver.

Exempt Information.

Sometimes information that you have requested will contain information that is exempt from disclosure under the FOIA. There are several exemptions under the FOIA. Unless certain information is required to be exempted under the FOIA, the FOIA Coordinator will determine in each case whether information that may be exempted under the FOIA will be exempted under the FOIA. In the event that some information contained in the records is exempt, but other information

is not exempt, the public body will only remove those portions of the records that are exempt. TADL will always exempt from disclosure a library record or portion of a library record protected from disclosure by the Library Privacy without the written consent of the person liable for payment for or return of the materials identified in that library record.

Appeals.

You may appeal the FOIA Coordinator's response to your FOIA request or the amount of fees charged by TADL.

Please note, if you file an appeal to the TADL Board, the TADL Board is not considered to have received your appeal until the first regularly scheduled meeting of the Board following the date your appeal is filed.

Response.

You may appeal the FOIA Coordinator's response either to TADL Board or the Circuit Court. If you are going to appeal to the TADL Board, you must do so in writing. You should indicate that it is a "FOIA Response Appeal" and the reason you are appealing the FOIA Response. The TADL Board will respond within 10 business days of receipt by doing one of the following:

1. Reverse the denial.
2. Uphold the denial.
3. Reverse the denial in part and uphold the denial in part.
4. Issue a notice extending for not more than 10 business days the time period for the head of the public body to respond.

You may also appeal to the Circuit Court in Grand Traverse County. However, the appeal must be filed within 180 days following TADL's final decision to deny or deny in part the request. If you prevail at the Circuit Court, the Circuit Court can order any records it determines to be improperly withheld to be disclosed. If you prevail in an action commenced in the Circuit Court, the Circuit Court will award you your reasonable attorney's fees. If you prevail in part, you may be awarded some of your attorney fees. If the Circuit Court finds that TADL acted arbitrarily and capriciously in failing to disclose the records as required by the FOIA and TADL's Procedures and Guidelines, the Court shall order TADL to pay a civil fine of \$1,000 to the general fund of the state treasury. In addition, the court shall award actual or compensatory damages and punitive damage in the amount of \$1,000 to you.

Fees.

You may appeal the fees charged to you by TADL. You must do so in writing. You should indicate that it is a "fee appeal" and you should state the reasons you believe the fees do not comply with the FOIA or TADL's Procedures and Guidelines. The TADL Board will respond within 10 business days of its receipt of your appeal by doing one of the following:

1. Waive the fee.
2. Reduce the fee.

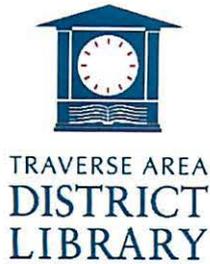
3. Uphold the fee.
4. Extend the time to respond by not more than 10 business days.

If the TADL Board reduces the fee or upholds the fee, the TADL Board will provide you a certification that the determination is accurate and the fee complies with TADL's Procedures and Guidelines.

You may also appeal to the Circuit Court in Grand Traverse County. You may not appeal to the Circuit Court until after the TADL Board makes a determination on your appeal. The appeal must be filed within 45 days after the TADL Board makes a determination with respect to your appeal. If the Court determines that TADL charged a fee in excess of the amount authorized by the FOIA or its Procedures and Guidelines, the Court will reduce the fee to a permissible amount. If the fee is reduced by 50% or more, the Court may, but is not required to, award you your attorney fees, costs, and disbursements. If the Court finds that TADL acted arbitrarily and capriciously in charging an excessive fee, the Court will order TADL to pay a civil fine of \$500 to the state general fund. The Court may also award punitive damages in the amount of \$500 in addition to actual and compensatory damages.

Willful and Intentional Violations.

If the Circuit Court finds in any action brought under the FOIA, that TADL acted willfully and intentionally in failing to comply with the FOIA, the Court shall order the payment of a civil fine of not less than \$2,500 or more than \$7,500 for each occurrence in addition to any other money TADL is ordered to pay. This fine will go into the State's general fund.



RESOLUTION

Rotary Charities of Traverse City
Assets for Thriving Communities Grant

March 18, 2021

A resolution of the Trustees of the Traverse Area District Library agreeing to apply for financial assistance from Rotary Charities of Traverse City through the Assets for Thriving Communities Grant program to finance a mobile library (bookmobile). Be it further resolved that the Trustees of the Traverse Area District Library authorizes Library Director Michele P. Howard and Trustee Secretary to sign all documents relating to the Rotary Charities of Traverse City Assets for Thriving Communities Grant.

PASSED and APPROVED this 18th day of March, 2021.

Motion to adopt the resolution was introduced by: Odgers

And supported by: Sullivan

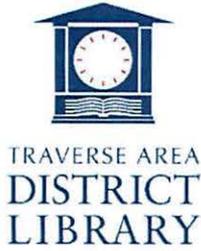
Roll Call Vote:

Mary Budzinski	<u>Yes</u>
Jeffrey Wescott	<u>Yes</u>
Marylee Pakieser	<u>Yes</u>
Micheal Vickery	<u>absent</u>
Carol Sullivan	<u>Yes</u>
Susan Odgers	<u>Yes</u>
Joseph Jones	<u>absent</u>

Motion adopted: Yes / No

Marylee Pakieser
M. Pakieser, Board Secretary

3-18-2021
(date)



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March 18, 2021

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PASSED and APPROVED this _____ day of _____, 2021.

Motion to adopt the resolution was introduced by: _____

And supported by: _____

Roll Call Vote:

Mary Budzinski _____
Jeffery Wescott _____
Marylee Pakieser _____
Michael Vickery _____
Carol Sullivan _____
Susan Odgers _____
Joseph Jones _____

Motion adopted: Yes / No

M. Pakieser, Board Secretary

(date)

3.7 Wi-Fi Hotspot and Laptop Lending Policy

Purpose

The Traverse Area District Library loans Wi-Fi hotspots and laptops for the purpose of providing patrons the ability to connect Wi-Fi enabled devices to the internet and home computing. Hotspots provide Internet access to smartphones, tablets, and other wireless enabled devices through the cellular network. Service is dependent on the availability of the various cellular networks where the hotspot is being used. There are no data plan limits. Laptops provide computing capabilities.

Guidelines for Borrowing and Use

- You must be 18 years of age or older to borrow a Wi-Fi hotspot or laptop.
- A valid Library Card in good standing with a current address on file, and photo identification must be presented at the time of checkout.
- You are limited to one (1) hotspot and one (1) laptop per account.
- Items can be checked out for one week.
- If you have placed a hold for a hotspot or laptop, after notification that the item is available, you will have 2 days (48 hours) to check out the item before your hold will be cancelled.
- You may renew Wi-Fi hotspot or laptop pursuant to library lending policies; however, they must be returned on their due date.
- Overdue hotspots will be deactivated at least within 4 days of their due date.
- Mobile hotspot and laptops should be kept in a temperature-controlled environment; do not leave it in a car.
- Do not remove the SIM card from the hotspot for any reason.
- The Library is not responsible for any liability, damages or expense resulting from use or misuse of the device, connection of the device to other electronic devices, or data loss resulting from use of the device.
- Any use of a device for illegal purposes, unauthorized copying of copyright-protected material in any format, or transmission of threatening, harassing, defamatory or obscene materials is strictly prohibited.
- The Library is not responsible for information accessed using this device or for personal information that is shared over the Internet.
- Users are encouraged to follow safe Internet practices.
- The Library is not responsible for any computer viruses that may be transferred to user storage devices.
- Tampering with library equipment, including bypassing security functions, is prohibited.
- Except as stated below, you must be 18 years of age or older.
- Internet content filtering is NOT provided through the wireless hotspot. In the event a person under the age of 18 utilizes the wireless hotspot, a parent or guardian shall be present and monitor the individual's access to the internet via the wireless hotspot.
- Per the Federal Funding that obtained the laptops as required by Children's Internet Protect Act (CIPA), the laptops are filtered. Library personnel may disable the blocking or filtering measure during use by an adult to enable access for bona fide research or other lawful purposes consistent with CIPA and state law.

Fines and Liability

- The cost for unreturned items is \$5/day, up to a maximum of replacement cost.
- Replacement costs will be assessed for any lost or unreturned devices, charging cable and/or carrying case.
- All components of the hotspot kit and laptop must be returned in order to be considered fully checked-in from your library account.
- The Library reserves the right to refuse to lend a hotspot or laptop to anyone who abuses equipment or is repeatedly late in returning electronic devices.
- Items **MUST** be returned to the circulation desk, **DO NOT** put the hotspot kits or laptop in the book drop. If the item is returned in the book drop, a \$10 fee will be charged. If the item is returned in the book drop, and broken, a replacement cost fee will be charged. Items must be returned to the library location where the item was checked out, it cannot be returned to other libraries.
- Patrons with an overdue hotspot or laptop will be fined and referred to a collections agency pursuant to library policy.

Additional Hotspot and Laptop Requirements

- Hotspots work on the cellular network. If you do not have cellular coverage the hotspot will not connect.
- The hotspots are password protected.
- All hotspot kits and laptops contain a member agreement with the loan information and fines & fees.
- By checking out a hotspot, you will be deemed to have accepted the terms and conditions of this Policy as well as the member agreement.
- By checking out a laptop, you will be deemed to have accepted the terms and conditions of this Policy, the member agreement, and TADL's Internet and Acceptable Use Policy, Policy 4.8.

New policy adopted February 20, 2020 / Revised December 17, 2020 | *Revised March 18, 2021*

Motion By: Pakieser Support By: Odgers

Adopted: (Y) N Date: 3-18-2021

Marylee Pakieser
 Marylee Pakieser, Board Secretary

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- You may renew Wi-Fi hotspot or laptop pursuant to library lending policies; however, they must be returned on their due date.
- Overdue hotspots will be deactivated at least within 4 days of their due date.
- Mobile hotspot and laptops should be kept in a temperature-controlled environment; do not leave it in a car.
- Do not remove the SIM card from the hotspot for any reason.
- The Library is not responsible for any liability, damages or expense resulting from use or misuse of the device, connection of the device to other electronic devices, or data loss resulting from use of the device.
- Any use of a device for illegal purposes, unauthorized copying of copyright-protected material in any format, or transmission of threatening, harassing, defamatory or obscene materials is strictly prohibited.
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- ~~Upon return of a laptop all files created by the user will be deleted.~~

