



LAKELAND LIBRARY COOPERATIVE

PLAN OF SERVICE

Approved by Lakeland Library Cooperative Members
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I. NAME

The name of this library cooperative shall be the Lakeland Library Cooperative.

II. AUTHORITY

The authority for the Lakeland Library Cooperative and this Plan of Service is Michigan Public Act 89 of 1977. The requirements, definitions, specifications, and conditions of said Act as most recently amended are assumed by implication in this Plan, even if they are not generally repeated by specific reference within the Plan document. This Plan supersedes the previous Lakeland Library Cooperative Plan of Service.

III. MEMBERSHIP

A. MEMBERSHIP IN LAKELAND LIBRARY COOPERATIVE

1. Requirements

a) Membership in the Lakeland Library Cooperative may be available to any public library in or adjacent to Allegan, Barry, Ionia, Kent, Montcalm, Muskegon, Newaygo and Ottawa counties meeting the following requirements:

- i. Maintain a minimum local support of 3/10 of a mill on taxable value, as taxable value is calculated under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a, in the fiscal year before October 1 of the year before distribution.
- ii. Participate in the development of the Lakeland Library Cooperative plans.
- iii. Loan materials to other libraries participating in the Lakeland Library Cooperative.
- iv. Member libraries will maintain an open door policy to other residents of the state, as provided by Section 9 of Article 8 of the State Constitution of 1963.

- v. The Lakeland Library Cooperative encourages reciprocal borrowing among its member libraries and encourages its members to consider any resident of all other member libraries' legally defined service areas as a resident of its own service area and as eligible to use the facilities and resources of the library.
- vi. The Lakeland Library Cooperative strongly recommends member libraries' contract areas support the member library with a minimum of 3/10 of a mill on taxable value as defined in the Plan of Service (Section III. A.1.a)i.) in order to receive reciprocal borrowing from the Lakeland Library Cooperative member libraries.

2. New Members

- i. The board of a local library shall adopt a resolution requesting the local library become a member of the Lakeland Library Cooperative. Duplicate copies of the resolution, certified by the clerk of the local board, shall be filed with Lakeland Library Cooperative Board.
- ii. The Lakeland Library Cooperative Board shall accept or show reason for denial of request for membership within sixty (60) days after filing. When the Lakeland Library Cooperative Board has accepted the resolution, the resolution and acceptance shall be endorsed by the President and an Officer and a copy filed with the Library of Michigan.
- iii. Prospective members may apply at any time during the fiscal year. Membership is subject to the approval of the Lakeland Library Cooperative Board and the Library of Michigan's approval of the amended Plan of Service.
- iv. Provide, upon joining, a collection containing one item per capita with 10% having a copyright date less than 2 years old.

- v. New members will be allowed only if they agree to immediately become a full participant in the shared integrated library system.

3. Withdrawal

A local member library must adopt a resolution in order to withdraw from membership in the Lakeland Library Cooperative. All contractual agreements entered into between the member library and the Lakeland Library Cooperative must be fulfilled. Duplicate copies, certified by the clerk of the local board, shall be filed with the Cooperative Board and the Library of Michigan six (6) months prior to October 1. The Lakeland Library Cooperative Board may waive the six-month notice requirement at its discretion.

4. Affiliate Member

Other libraries in the area may become affiliated with the Lakeland Library Cooperative. Such affiliates may attend meetings, but will not be given voting privileges. Affiliates may be public libraries not meeting the membership requirements or such libraries as academic, special or school libraries.

B. STANDARDS

1. Member libraries shall conform to certification requirements for personnel, library hours, and material collections as required by Public Act 89, 1977, Section 17 and as specified in the Rules and Regulations promulgated by the Library of Michigan.
 - a) Member libraries that fail to meet such standards and are hence refused state aid will be given one year probation in which to reach the standards before any further action is taken by the Lakeland Library Cooperative Board.
 - b) After one year's probation, a member library failing to meet such standards may become an affiliate member and may continue to receive minimal service, at the discretion of the Lakeland Library Cooperative Board.

2. The Lakeland Library Cooperative shall meet such standards in the Rules and Regulations promulgated by the State of Michigan as are required.

C. ACCESSIBILITY

Services of the Lakeland Library Cooperative, including those of participating libraries, are to be available at reasonable times and on an equal basis within the areas served as stated in Public Act 89, 1977.

IV. GRIEVANCE PROCEDURE

Section 22 of Public Act 89 of 1977 states:
"When there is a dispute concerning the cooperative library to which a public library shall belong, services rendered to member libraries, or the operations of a cooperative system which cannot be resolved on the local level, the department may hear the case. The decision of the Department (*sic* Library of Michigan) shall be final." (MCLS 397.572 Section 22)

The Lakeland Library Cooperative is committed to resolving disputes at the local level. When there is a dispute concerning the cooperative to which a public library shall belong, services rendered to member libraries, or the operation of a cooperative system which cannot be resolved on the local level, the Library of Michigan may hear the case. The decision of the Library of Michigan shall be final. (MCLS 397.572 Section 22)

The following procedure shall be followed:

1. The director of the public library(ies) concerned shall meet with the Cooperative Director and attempt in good faith to resolve any problem.
2. If a resolution to the problem is not reached, the board of the library(ies)concerned, following a review of the issue, shall petition the Cooperative Director and the Lakeland Library Cooperative Board in writing for redress of the matters in dispute specifying the remedies sought.
3. The Cooperative Director shall present the petition to the Lakeland Library Cooperative Board within 90 days, along with his/her recommendation. The Cooperative Director shall report the conclusion of

the Lakeland Library Cooperative Board to all parties concerned, promptly and in writing.

4. If this effort is not sufficient to resolve the dispute the matter shall be reported to the Library of Michigan by the Lakeland Library Cooperative Board or by the board of the appealing library(ies), with copies of all documentation.

The exclusion of a member library(ies) by the Lakeland Library Cooperative Board is a dispute for the purpose of this procedure. No member library(ies) may be excluded from Lakeland Library Cooperative membership while pursuing an appeal under this procedure. If the Lakeland Library Cooperative intends to exclude a member library(ies) it must notify that library(ies) and the Library of Michigan in writing. The member library(ies) has 45 days from the receipt of the exclusion notice to initiate the appeal process. If the member library(ies) fails to appeal within 45 days, it forfeits its(their) right to appeal the exclusion.

V. COOPERATIVE BOARD

A. REPRESENTATION

The Lakeland Library Cooperative Board shall be representative of the participating libraries and shall consist of nine (9) members as provided in Public Act 89, 1977, Section 7. The Lakeland Library Cooperative Board shall include one (1) member from libraries serving populations of 9,999 and under (Group A); one (1) member from libraries serving populations of 10,000 - 19,999 (Group B); one (1) member to alternate between Group A and Group B; one (1) member from libraries serving populations of 20,000 - 99,999 (Group C); one (1) member from each library serving a population of 100,000 - 249,999 (Group D); and two (2) members from each library serving a population of more than 250,000 (Group E). Lakeland Library Cooperative Board members from libraries in Groups D and E will be selected by the Boards of those libraries. Lakeland Library Cooperative Board members representing Groups A, B, and C will be selected in alphabetical rotation based upon each library's three-letter Lakeland Library Cooperative code. Any library may choose to pass on the opportunity to serve on the Lakeland Library Cooperative Board. (Their place within the rotation remains the same, and another chance to serve will not

occur until the rotation comes back around to that library. All Lakeland Library Cooperative Board terms shall be two (2) years. A vacancy on the Lakeland Library Cooperative Board will be filled by the next library in the rotation. A library filling a term of less than one year will be eligible for a full term of its own; a library filling a term of one year or more will not be eligible for an additional term.

B. MEETINGS

1. The Lakeland Library Cooperative Board shall meet at least 10 times per year, on a monthly basis.
2. The annual meeting of the Lakeland Library Cooperative Board shall be held in October.
3. Representatives from all member libraries may attend all meetings.

C. RESPONSIBILITIES OF THE COOPERATIVE BOARD

1. The Lakeland Library Cooperative Board as defined in Public Act 89, 1977, Section 8, as amended, shall be a body corporate and may sue and be sued.
2. The Lakeland Library Cooperative Board shall do all of the following:
 - a. Operate the Lakeland Library Cooperative and manage and control the funds and property.
 - b. Select a President.
 - c. Establish, maintain, and operate cooperative services for public libraries in the Lakeland Library Cooperative area.
 - d. Appoint a Cooperative Director to administer the Lakeland Library Cooperative, fix that person's compensation, and delegate to that person those powers the delegation of which is in the best interest of the Lakeland Library Cooperative, including the power to hire necessary employees.
 - e. Acquire books, periodicals, library materials, equipment, supplies, or other personal property by purchase, installment purchase contract, or lease with or without an option to purchase or enter into a loan agreement and borrow money for that purpose.

- f. Erect buildings or acquire real property, including buildings and fixtures, by purchase, land contract, installment purchase contract, or lease with or without an option to purchase, or enter into a loan agreement and borrow money for that purpose.
 - g. Enter into contracts to receive service from or give service to libraries in the state, including public, school, academic, cooperative, or special libraries, and political subdivisions of the state.
 - h. Exclusively control expenditures for the Lakeland Library Cooperative.
 - i. Accept gifts and donations of property for the benefit of the Lakeland Library Cooperative and for the purposes for which donated.
 - j. Adopt bylaws and rules not inconsistent with this act for its own government and do those things necessary to carry out the purposes of this act.
 - k. Provide for an annual financial audit filed within 12 months following the close of the fiscal year. If the annual financial audit report discloses a deficit or other material deficiency, the Lakeland Library Cooperative shall submit a corrective action plan for review and approval by the Library of Michigan. If a deficit is disclosed, the corrective action plan shall include a deficit elimination plan and proof that the plan is filed with the Michigan Department of Treasury as required by section 21 of 1971 PA 140, MCL 141.921
 - l. The Lakeland Library Cooperative shall maintain current fidelity bond coverage and file annual verification of coverage with the Library of Michigan.
 - m. The Lakeland Library Cooperative shall conform to investment of surplus funds Public Act 20 of 1943 (as amended).
3. All of the following shall apply to an installment purchase contract, land contract, loan agreement, or lease purchase contract entered into pursuant to subsection 2:
- a. The contract shall not constitute an indebtedness of any member of the Lakeland

Library Cooperative within any constitutional, charter, or statutory limitation.

- b. Principal and interest are payable solely from the revenues of the Lakeland Library Cooperative.
 - c. No member of the Lakeland Library Cooperative shall pledge its full faith and credit to the payment of principal and interest on the contract.
 - d. Interest on the unpaid principal amount of the contract shall not be treated as excluded from gross income under the internal revenue code.
4. An installment purchase contract, land contract, lease purchase contract, or loan agreement entered into pursuant to subsection (2) shall contain a statement setting forth the provisions of subsection (3).
 5. An installment purchase contract, land contract, lease purchase agreement, or loan agreement entered into by the Lakeland Library Cooperative Board for a purpose discussed in subsection (2) that occurred prior to the effective date of the 1995 amendatory act that added this subsection is validated and made legal for all purposes.
 6. It is expressly understood that the Lakeland Library Cooperative Board has no jurisdiction over the property and management of the member libraries.

VI. ADVISORY COUNCIL

A. REPRESENTATION

The Advisory Council shall be composed of a library director or director's designee from each member library. Representatives on the Advisory Council shall each be entitled to one vote.

B. MEETINGS

1. The Advisory Council shall meet at least six times per year.
2. The annual meeting of the Advisory Council shall be held in September.

3. Representatives from all member libraries may attend all meetings.

C. RESPONSIBILITIES OF THE ADVISORY COUNCIL

1. The role of the Advisory Council shall be to identify, define, discuss, and prepare recommendations for solutions to problems of the Lakeland Library Cooperative. The Advisory Council's recommendations will be presented to the Lakeland Library Cooperative Board.
2. The Advisory Council shall review the annual budget and recommend any changes for possible action by the Lakeland Library Cooperative Board.
3. The Advisory Council shall elect officers.
4. It is expressly understood that the Advisory Council has no jurisdiction over the property and management of the member libraries.

VII. FUNDING

1. The fiscal year of the Lakeland Library Cooperative shall be October 1 to September 30.
2. Lakeland Library Cooperative State Aid
 - a) Continuing State Aid, granted by the State of Michigan for cooperative libraries as authorized by Public Act 89, 1977, Section 13, and paid to Lakeland Library Cooperative will be used for any library purpose approved by the Lakeland Library Cooperative Board.
 - b) Member libraries may contract with the Lakeland Library Cooperative for services.
 - c) Lakeland Library Cooperative service charges and charges for contracted services may be paid from funds coming to the member library from the State of Michigan as authorized by Public Act 89, 1977, Section 16 (4). Any portion of the State Aid grant remaining after the charges have been paid, may be applied by the member library to local services.
3. Additional Fees