

AGREEMENT

THIS AGREEMENT is by and between Winnebago County, a State of Wisconsin Municipal Corporation, hereinafter called "COUNTY," and the Winnefox Library System, a public library system organized in accordance with Chapter 43 of the Wisconsin Statutes, hereinafter called "WINNEFOX."

WITNESSETH

WHEREAS, in accordance with Wisconsin Statutes, Section 43.15(4)(b), the County may participate in a federated public library system if it does all of the following:

1. Adopts and maintains the plan of library service submitted and approved under ss. 43.11 and 43.13(1).
2. Provides the financial support for library services required under ss. 43.15(2) and 43.12.
3. Enters into a written agreement with the public library system board to participate in the system and its activities and to furnish library services to residents of those municipalities in the county not maintaining a public library, and

WHEREAS, the plan of library service for a county . . . (43.11[3][c]) shall provide for library services to residents of those municipalities in the county not maintaining a public library under Chapter 43. The services shall include full access to public libraries in the county participating in the public library system (subject to limits provided for in 43.15(4)(c)4. Wisconsin Statutes) and the plan shall provide for reimbursement for that access. Services may be provided by contracting with existing public libraries in the county or in adjacent counties or with the public library system or by creating a county library organization under Chapter 43. The plan of library service for a county may provide for improving public library service countywide and in municipalities that have libraries. The plan shall specify the method and level of funding to be provided by the County to implement the services described in the plan, including the reimbursement of public libraries for access by residents of those municipalities in the county not maintaining a public library.

WHEREAS, Winnefox has been organized and operates as a federated public library system within the meaning of Section 43.19 Wisconsin Statutes, and

WHEREAS, Winnefox, pursuant to Section 43.24(2) Wisconsin Statutes, must, in order to qualify for and maintain its eligibility for state aid, provide:

- (a) Written agreements to provide, to any resident of the system area, the same library services, on the same terms, that are provided to the residents of the municipality or county that established the member library, except for group programming and remote

electronic database access preferences under s. 43.15(4)(c)4., and to provide for the interlibrary loan of materials among all participating public libraries as evidenced by agreements with those libraries.

(b) Backup reference, information and interlibrary loan services from the system resource library, including the development of and access to specialized collections, as evidenced by an agreement with that library.

(d) Referral or routing of reference and interlibrary loan requests from libraries within the system to libraries within and outside the system.

(e) In-service training for and professional consultation with participating public library personnel and trustees.

(f) Electronic delivery of information and physical delivery of library materials to participating libraries.

(g) Service agreements with all adjacent library systems.

(h) Professional consultant services to participating public libraries.

(i) Any other service programs designed to meet the needs of participating public libraries and the residents of the system area, as determined by the public library system board after consultation with participating public libraries.

(k) Promotion and facilitation of library service to users with special needs.

(l) Cooperation and continuous planning with other types of libraries in the system area which results in agreements with those libraries for the appropriate sharing of library resources to benefit the clientele of all libraries in the system.

(m) Planning with the Division and with participating public libraries and other types of libraries in the area in regard to library technology and the sharing of resources. By January 1, 2000, and by every 5th January 1 thereafter, the public library system shall submit to the Division a written plan for library technology and the sharing of resources.

(n) That, if the system reimburses a participating public library for the costs of providing interlibrary borrowing services to an individual who holds a valid borrower's card of another participating public library, the reimbursement shall not exceed the actual costs incurred by the public library in providing such services. The department shall promulgate rules defining "actual costs" for the purposes of this paragraph.

WHEREAS, it is in the best interest of Winnebago County to contract with Winnefox to provide for the extension and development of library services described in the Long Range Plan of Library Service, hereinafter called the Plan, which is incorporated hereto as Appendix A.

NOW IT IS HEREBY AGREED as follows:

1. The Winnebago County Board of Supervisors authorizes the Winnefox Library System to negotiate and execute such Agreements as are necessary to implement the Plan attached hereto for the calendar year 2008 and funding from the County for 2008 not to exceed \$2,055,381 and to exercise such powers and duties afforded Winnefox under Chapter 43, Wisconsin Statutes.
2. The County agrees to participate in the Winnefox Library System and its activities.
3. The County agrees to provide financial support in the amount of \$2,055,381 to implement the Plan for the calendar year 2008 and in a manner consistent with the methodology contained therein:
 - a. The County agrees to provide the total County library appropriation of \$2,055,381 for calendar year 2008 through a County tax levy pursuant to sec. 43.64, Wis. Stats.
 - b. The Winnebago County Treasurer shall disburse to Winnefox the total 2008 County library appropriation of \$2,055,381 in four (4) equal parts to be paid January 31, April 30, July 31, and October 31.
 - c. The County recognizes the fairness and equity embodied within the funding formula and intends to continue to sustain the goal of full formula funding.
4. The County shall be entitled to membership on the library boards of the participating libraries as provided in sec. 43.60(3), Wis. Stats. Appointment of County members of the library boards shall be made by the Winnebago County Executive subject to confirmation by the Winnebago County Board of Supervisors.
5. The County designates the UW Education, Extension & Agriculture Committee and the Winnebago County Librarian Advisory Committee as the Winnebago County Library Planning Committee.
6. An audit of borrower registration records of the participating libraries shall be conducted at least once every five years (beginning in 2003) for the purpose of ascertaining that the registration procedures for borrowers are applied equitably to both city and township residents and that the borrower/circulation percentage figures described in the Plan are accurate. A process will be developed and agreed to by the County Executive, Winnefox Library System Director and the library directors. The cost of the audit will be included in this funding request.

July 31, 2007

This section cannot violate provisions of sec. 43.30, Wis. Stats., Public Library Records which relates to the confidentiality of library records.

7. The parties further agree to work cooperatively to improve public library service to county residents.
8. Winnefox agrees to provide such financial or operational reports of its activities as the County deems appropriate and desirable.
9. Winnefox will present a request for a County library appropriation in accordance with the County's budgeting procedures and, in accordance with 43.12 (2), will provide the County Clerk with the necessary circulation statistics. Terms of compensation will be covered under terms of this Agreement and Winnefox will distribute any such funds to the participating libraries on the basis of this and Member Library Agreements.
10. The term of this Agreement shall be (1) year effective 1/1/2008. This Agreement may be amended by mutual agreement of both parties.

APPENDIX A: Long Range Plan of Library Service - Winnebago County (2008-2010)
ATTACHMENT A: 2008 Winnebago County Library Services Levy Request

WINNEBAGO COUNTY, a State of Wisconsin
Municipal Corporation, ("COUNTY")

Mark Harris, Winnebago County Executive

Date:

Susan Ertmer, Winnebago County Clerk

Date:

WINNEFOX LIBRARY SYSTEM
("WINNEFOX")

Lewis Rosser, Winnefox System Board President

Date:

Jeff Gilderson-Duwe, Winnefox System Director

Date:

APPENDIX A

WINNEFOX LIBRARY SYSTEM

LONG-RANGE PLAN OF LIBRARY SERVICE - WINNEBAGO COUNTY (2008-2010)

INTRODUCTION

GOALS/STATEMENTS OF PRINCIPLE:

1. The people of Winnebago County should be free to use any or all public libraries at their discretion. All residents of Winnebago County should have convenient access to library services being provided by all municipal public libraries within Winnebago County, within the Winnefox Library System, and elsewhere in Wisconsin.
2. Although access should be free to all, public libraries are primarily supported by the taxpayers of particular municipalities. Wisconsin law provides for municipal public libraries to be compensated in an adequate manner for use by people other than residents of the municipalities that support them.
3. The authority of Winnebago County relative to library services is defined by statute and accomplished through adoption of a county plan of service, contract negotiations, and appointments to local library boards and the Winnefox Library System Board [43.15(4)(b), 43.19, 43.60(3), Wisconsin Statutes].
4. The authority for determination of local library service program rests with each public library board of trustees as provided by statute [43.58-43.60, Wisconsin Statutes]. That local autonomy is not sacrificed to either the Winnefox Library System or Winnebago County [43.19(2)(b), Wisconsin Statutes].
5. Winnebago County rural resident use of a Winnebago County public library:
 - a. It is the responsibility of Winnebago County, under Wisconsin Statutes 43.12(1), to compensate municipal public libraries for use made of them by county residents who have no local public library services.
 - b. The following methodology will be used to determine the County's share of library service costs and library allocations:
 - i. Determine each library's percentage of nonresident County circulation:
As of each December 31, the Appleton, Menasha, Neenah, Omro, Oshkosh, and Winneconne public libraries shall determine what proportion of their total circulation is to residents of Winnebago County living outside of the respective municipalities and excluding circulation (or borrowers) from other counties or library systems or paying borrowers.

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- ii. Calculate the County's share of each library's operational budget: The percentage of nonresident County circulation (or borrowers) for each library shall be multiplied by the operational budget of each library for the year prior to the service year of the Agreement, provided that the library has determined to request reimbursement from the County. The operational budget will be the budget raised from city and county funds only and will not include funds generated from fines, fees, grants, donations or the like. The County will therefore not be charged a percentage of grant, fine or similar types of revenue.
- iii. Calculate the County's share of major library facility improvements:
 - 1. The percentage of nonresident County circulation (or borrowers) for each library shall be multiplied by the amortized facility improvement cost for the year prior to the service year of the Agreement, provided that the library has determined to request reimbursement from the County.
 - 2. Major facility improvements shall be defined as new buildings or major remodeling and expansion of library space. The debt retirement for these projects shall be amortized over at least 20 years, and that amount must be larger than 5% of the current library operating budget (in the year of initial billing to the County).
 - 3. These costs may include any and all expenses associated with projects, including property acquisition, financing costs, etc. but not to include costs paid with privately donated funds, federal and/or state grants.
 - 4. Appleton Public Library shall be excluded from these provisions.
- iv. The sum of the amounts requested by the Appleton, Neenah, Menasha, Omro, Oshkosh, and Winneconne libraries shall constitute the total County library appropriation requested by Winnefox from Winnebago County.

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- c. The methodology for determining the allocations from Winnefox to the participating libraries shall be as follows:
 - i. In the event of full funding by Winnebago County, each public library shall receive full reimbursement for nonresident County use based on the method outlined in 5.b. above.
 - ii. In the event of partial funding, all participating libraries shall first receive their proportionate share of funds requested under 5.b.ii. above;
 - iii. When all libraries have received their full amount under 5.c.ii., each library requesting funds under 5.b.iii. shall then receive its proportionate share of the amount provided by the County under that section.
- d. All participating libraries will agree to the same contractual service and audit provisions of the County Agreement.
- e. No library may count borrower registrations older than 3 years. The libraries shall have procedures for honoring their respective library cards so that the County is not charged for duplicate borrowers.
6. Winnebago County rural resident use of a municipal public library in an adjacent county (whether or not it is a Winnefox county):
 - a. Beginning in 2008, it is the responsibility of Winnebago County, under Wisconsin Statutes 43.12(1), to compensate municipal public libraries in adjacent counties for use made of them by county residents who have no local public library services. Winnefox will work with neighboring public library systems to coordinate reporting and implementation of this requirement.
 - b. This section of the Plan applies to the following counties: Calumet, Fond du Lac, Green Lake, Waupaca, Waushara, and Outagamie.
7. Winnebago County rural resident use of a Winnefox Library System member public library located outside of Winnebago County:
 - a. It is the responsibility of Winnebago County, under Wisconsin Statutes 43.11(3)(c), to compensate municipal public libraries in the other four counties of the Winnefox Library System for use made of them by county residents who have no local public library services, should it become necessary. Cross-county use within the Winnefox Library System counties by residents who have no local public library services is regarded as reciprocal.
 - b. Beginning in 2008, this section applies only to Marquette County, the only non-adjacent Winnefox Library System County.

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8. Winnebago County resident use of a municipal public library in a non-adjacent county outside of the Winnefox Library System:
No compensation will be necessary when respective use between Systems is determined to be reciprocal.
9. The participating libraries recognize a responsibility to provide library services in the most cost effective manner. Each library will initiate planning processes that result in the provision of the most needed services in the most cost-effective way. These processes will provide for appropriate involvement of all interested parties.
10. To the extent possible, the development of library services in Winnebago County should occur in a way that does not seriously undermine local library service development or the present quality of library services.
11. It is imperative to establish agreements which preserve the stability of the Winnefox Library System and which maintain access to library and System services for all county residents.
12. Under the terms of this Plan and Agreement, the public libraries may provide such outreach services, as they deem necessary and worthwhile. Their provision will affect the County library appropriation only insofar as they affect each library's proportion of circulation.

WINNEFOX LIBRARY SYSTEM

LONG-RANGE GOALS - WINNEBAGO COUNTY

1. Goal Statement

To ensure all citizens of Winnebago County **on-site borrower access** to public library services both within and outside of Winnebago County.

2. Which subprograms will be involved?

Administration, County Aid to System Libraries.

3. What are the objectives of the goal for each of the remaining years?

2008 - 2010

Winnefox will continue to assist member libraries in achieving full implementation of the funding formula for reimbursement for library services to county residents outside of municipalities supporting public libraries.

Winnefox will continue to engage in discussions with county planning committees in its service area and with adjacent Library Systems in order to determine how to implement reimbursement to libraries for use by residents of municipalities in adjacent counties that do not support public libraries.

Winnefox will engage in continuous discussions with adjacent Library Systems in order to determine whether there are service imbalances that require some form of compensation and how best to incorporate solutions into the Plan of Library Service and Agreement for Winnebago County. Appleton PL has voluntarily agreed again to not request funding for 2008 due to the complicated nature of service patterns between Calumet County and libraries in Winnebago and Outagamie counties, and service patterns between Neenah, Menasha and Appleton.

Winnefox will continue to work with member libraries to determine whether there are significant service imbalances between other System member libraries and/or counties within the Winnefox Library System and, if so, attempt to establish appropriate reimbursement mechanisms.

The Librarian Planning Committee and Library Boards will revise the Plan annually until such time as it is apparent that there are significant library service gaps that indicate a need for a more comprehensive planning process.

SUBPROGRAM PLAN

1. Name of Subprogram - County Aid to System Libraries

2. Amount budgeted

a. State Aid	b. County Funds	c. Federal Funds	d. Local Funds
\$ 5,000	\$ 1,784,786	\$ 0	\$ 0
	\$ 265,095 (Facilities)		
	\$ 5,500 (Special Project)		

3. Describe the subprogram and how it fits into the long-range plan.
Include the following areas:

- Purpose of the subprogram
- Activities planned to carry out the subprogram
- Procedures to be used in evaluating the subprogram

The purpose of this subprogram is to reimburse local public libraries for the cost of providing countywide library service. Its accomplishment will meet County statutory mandates [Wisconsin Statutes Sections 43.15 (2)(4)(b) and 43.12].

It is estimated that Winnefox will expend \$5,000 to administer this subprogram. In 2007, Winnebago County renewed a contract with the Winnefox Library System that provides for the reimbursement of local libraries of their costs of providing services to residents living outside of municipalities with libraries. The full cost of this subprogram will be \$2,055,381, which will be reallocated by Winnefox to 5 participating libraries (Menasha, Neenah, Omro, Oshkosh and Winneconne). A share of the cost of expansion and renovation of the library buildings in Menasha, Neenah, Oshkosh, Omro and Winneconne of \$265,095 is also requested and included in the preceding figure.

Activities of the subprogram will include:

1. Requesting 2008 budget and circulation figures.
2. Submitting budget requests to the County by July of 2008.
3. Carry out an audit of registration records of all libraries in 2008.

The subprogram will be considered successful if Winnebago County adopts the Plan, the revised Contract with Winnefox and funds the reimbursement request in their 2008 County budget at 100%.

[EVALUATION] The Winnebago County Board provided 100% of the required operational funding and 100% of the requested Major Facility funding. The Plan and revised Contract with Winnefox were executed. All 2007 objectives for this Planning component were accomplished.

WINNEFOX LIBRARY SYSTEM

LONG-RANGE GOALS - WINNEBAGO COUNTY

1. Goal Statement

Ensure all citizens of Winnebago County rapid and convenient access to library materials and resources.

2. Which subprograms will be involved?

Administration, County Aid to System Libraries, Outreach Services, Automation Services (WALS), Library Development.

3. What are the objectives of the goal for each of the years?

Ongoing

Identify in cooperation with Winnebago County libraries, those library development needs attributable to outreach services that warrant additional funding and explore possible funding sources.

Continue to evaluate the incorporation of newer information products into the WALS Computer consortium including on-line full text information access, local information resources, etc.

All the Winnebago County public libraries will continue to provide improved access to electronic information through the following: the state funded BadgerLink which includes full text access to periodicals and newspapers; Winnefox and locally funded full text information resources and downloadable audio books; and high speed connections through FoxNet, the County fiberoptic consortium.

2008 – 2010

Oshkosh Public Library (OPL) will evaluate its ability to provide outreach services in light of current funding conditions and service needs. Its outreach activities now include provision of deposit collections to nursing facilities.

The libraries will cooperate to identify special needs of our increasingly diverse populations in both urban and rural communities that may be served by the libraries.

ATTACHMENT A

TO: Mark Harris, Winnebago County Executive
Agriculture and Extension Education Committee

FROM: Jeff Gilderson-Duwe, Winnefox Library System

DATE: July 30, 2007

RE: 2008 Winnebago County Library Services Levy Request

PART I: COUNTY LIBRARY LEVY OPERATIONAL REQUEST

The Winnefox Library System, under terms and conditions set forth in the Agreement and Long Range Plan with Winnebago County, submits the following request for library services funds for 2008 based upon the formula agreed upon in last year's Agreement.

	2007 Net Library Budget	Percent of County Usage	2008 Library Request/ Allocation
Menasha	\$ 1,303,207	26.75%	\$ 348,608
Neenah	\$ 1,829,154	33.01%	\$ 603,804
Omro	\$ 151,429	38.49%	\$ 58,285
Oshkosh	\$ 3,180,061	21.11%	\$ 671,311
Winneconne	\$ 183,664	55.96%	\$ 102,778
TOTAL	\$ 6,647,515		\$ 1,784,786

PART II: 2007/2008 COMPARISON

	2007 County Library Levy Request	2008 Library Request/ Allocation	Percent (%) Difference
Menasha	\$ 342,157	\$ 348,608	1.89%
Neenah	\$ 555,157	\$ 603,804	8.76%
Omro	\$ 61,866	\$ 58,285	(5.79%)
Oshkosh	\$ 690,106	\$ 671,311	(2.72%)
Winneconne	\$ 99,664	\$ 102,778	3.12%
TOTAL	\$ 1,748,950	\$ 1,784,786	2.05%

ATTACHMENT A (Page 2)**PART III: MAJOR FACILITY REQUESTS**

In accordance with changes agreed to by the Winnebago County Agriculture, Education and Extension Committee and the Winnefox Library System (and all five Winnebago County Public Libraries), costs for major facility projects are identified and presented separately from the library operating requests.

	2007 Major Facility Budget	Percent of County Usage	2008 County Major Facility Request
Menasha	\$ 224,400	26.75%	\$ 60,027
Neenah	\$ 286,304	33.01%	\$ 94,509
Omro	\$ 0	38.49%	\$ 0
Oshkosh	\$ 433,031	21.11%	\$ 91,413
Winneconne	\$ 34,214	55.96%	\$ 19,146
TOTAL	\$ 977,949		\$ 265,095

The costs for the Oshkosh Public Library building project were determined as follows:

Major Facility Budget (1994)	\$14,007,504 (includes interest)
Exempt Income (Private, Grants, etc.)	5,346,889
Net Facility Budget	8,660,615
Amortization over 20 years	433,031

The costs for the Winneconne Public Library building project are determined as follows:

Library Share of Construction Cost (1999)	\$432,025
Amortization over 20 years	34,214

The costs for the Neenah Public Library building project are determined as follows:

Major Facility Improvement Budget (2000)	\$7,576,075 (includes interest)
Exempt Income (Private, Grants, etc.)	1,850,000
Net Facility Budget	5,726,075
Amortization over 20 years	286,304

The costs for the Menasha Public Library building project are determined as follows:

Major Facility Improvement Budget (2004)	\$4,488,000
Exempt Income (Private, Grants, etc.)	0
Net Facility Budget	4,488,000
Amortization over 20 years	224,400

ATTACHMENT A (Page 3)**PART IV: SPECIAL PROJECT GRANT(S)**

Agreements beginning in 2002 provide for an audit of borrower registration records to be done at least every 5 years beginning in 2003 and that the funding for it be included in the county funding request. An audit is due once again in 2008. We estimate a cost of \$5,500 for that audit.

PART V: TOTAL REQUEST COMPARISON 2006 - 2008

	2006 Appropriation	2007 Request	2007 Appropriation	2008 Request	% Difference 2007 Appropriation to 2008 Request
Part I – Operational Request	\$ 1,677,481	\$1,748,950	\$1,748,950	\$1,784,786	2.05%
Part III – Major Facilities Request	\$223,400	\$268,964	\$268,964	\$265,095	(1.44%)
Part IV – Special Project Fund(s)	\$0	\$0	\$0	\$5,500	
TOTAL County Request =	\$1,900,884	\$2,017,914	\$2,017,914	\$2,055,381	1.86%

Total Library Service Request for 2008 = \$ 2,055,381 [+1.86% over 2007]
