

## **A G R E E M E N T**

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."

### **W I T N E S S E T H**

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.
- c) Referral or routing of reference and interlibrary loan requests from libraries within the system to libraries within and outside the system.
- d) In-service training for and professional consultation with participating public library personnel and trustees.
- e) Electronic delivery of information and physical delivery of library materials to participating libraries.
- f) Service agreements with all adjacent library systems.
- g) Professional consultant services to participating public libraries.
- h) 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.
- i) Promotion and facilitation of library service to users with special needs.
- j) 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.
- k) 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.
- l) 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 2020 and each subsequent year for the plan's life 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 that all of the public libraries in Winnebago County should be compensated for serving Winnebago County residents living outside municipalities that maintain libraries. Accordingly, the Winnebago County Library Advisory Committee, composed of the Directors of the libraries in Winnebago County, shall present an annual funding request based on this formula:
  - 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.
  - 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.
  - v. 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 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 (both operational and facility funding) for nonresident County use based on the method outlined in 3 above.
    - ii. In the event of less than full funding, each public library shall first receive its proportional share of the total operational fund request (3.i-3.ii, above). Each library requesting facility funding (3.iii.,above) shall then receive its proportional share of the remainder of the County appropriation, if any
  5. 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.
  6. The County designates the UW Education, Extension & Agriculture Committee and the Winnebago County Librarian Advisory Committee as the Winnebago County Library Planning Committee.
  7. 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.
  8. 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 the 2023 funding request. This section cannot violate provisions of sec. 43.30, Wis. Stats., Public Library Records which relates to the confidentiality of library records.

9. The parties further agree to work cooperatively to improve public library service to county residents.
10. Winnefox agrees to provide such financial or operational reports of its activities as the County deems appropriate and desirable.
11. 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.
12. The term of this Agreement shall be (5) years effective 1/1/2020. This Agreement may be amended by mutual agreement of both parties.

**APPENDIX A: Long-Range Plan of Library Service - Winnebago County 2020 - 2024**

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")

\_\_\_\_\_  
Jerry Letcher, Winnefox System Board President

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Jeff Gilderson-Duwe, Winnefox System Director

\_\_\_\_\_  
Date:

**Winnebago County  
Long Range Plan of Library Service 2020 – 2024**

**Statements of Principle:**

1. The people of Winnebago County should have convenient access to all library services being provided by all county municipal libraries within the county on the same terms as local municipal residents supporting such libraries. The people should be free to use any or all libraries at their discretion.
2. Nothing in the county plan of service or the formula for reimbursement should inhibit the ability of the libraries to aggressively promote the use of libraries by all county residents.
3. The participating libraries recognize a responsibility to provide library services in the most cost effective manner. Each library will initiate or continue a planning process, including shared automation projects and cooperative access, in order to provide the most needed services in the most cost-effective way.
4. The participating libraries recognize that they have a responsibility and an important role to play in providing programs which foster early childhood learning and family literacy.
5. Residents of those municipalities with libraries should be assured access to the other libraries in Winnebago County.
6. Residents of Winnebago County should have access to the resources of other libraries within the Winnefox Library System. It is the responsibility of the County to reimburse libraries in adjacent counties for that service. (Wis. Stat. 43.12).
7. Residents of the Winnefox Library System should have access to the resources of other libraries outside of the Winnefox Library System. It the responsibility of the County to reimburse libraries in adjacent counties for that service. (Wis. Stat. 43.12).

**Library Service Priorities 2020 through 2024:**

Residents of Winnebago County enjoy the opportunity of receiving service from five unique libraries located within the county. The priorities and activities listed below are examples of priorities found in individual plans and policies and will be undertaken by one or more libraries.

- I. Winnebago Libraries will play a lead role in providing access to information technology to all citizens of the county and promoting information literacy.

**Activities:**

- a. Continue to make information available online as well as in libraries

- II. Libraries in Winnebago County will continue to consider services to children and families to be of primary importance.

**Activities:**

- a. Promote shared resources of the county and system to schools and students to support teaching and homework needs and education.
- b. Promoting family literacy by designing programs for children to take part in with their families.
- c. Increase the number of programs and incorporate learning activities into program
- d. Expand library hours to accommodate needs of teens after school especially those at risk.
- e. Plan joint activities with other organizations working with youth and children.

- III. Libraries in Winnebago County will be a center of community life for all citizens of Winnebago County.

**Activities:**

- a. Promote employment resources, such as the State Job Search, in the library. Assist people in using the services.
- b. Keep information resources up to date.
- c. Promote diverse activities for a variety of age groups such as educational games for young, information about the community for businesses, etc.
- d. Provide space for groups to meet.

- IV. County libraries will take a lead role in literacy in the county including to those for whom English is a second language.

**Activities:**

- a. Work with groups representing new immigrants, headstart, family first, etc., to support mutual efforts to assist new arrivals in learning English.
- b. Work with literacy organizations to provide learning material for adult new readers in the county.
- c. County libraries will provide alternative information formats, such as audiobooks and adult easy readers for those with low reading/literacy skills.



- V. Winnebago libraries will work closely with local schools and families that home school their children as partners in the educational process.

**Activities:**

- a. Provide access to online resources
- b. Provide links from library web pages to resources addressing home schooling needs.
- c. Provide interlibrary loan of learning materials.

- VI. County libraries will be proactive in meeting changing needs within the county.

**Activities:**

- a. County library directors (Library Advisory Committee or LAC) will continue to meet as a group on a regular basis to discuss common needs and services.
- b. The Winnebago LAC will meet with the Winnebago County University of Wisconsin Education, Extension, & Agriculture Committee to discuss library issues and solicit the views of the Committee.
- c. The Winnebago LAC will provide representation to Winnefox Library System working on developing specific services such as electronic information, special needs, or services to children.
- d. Look for opportunities for cooperation with other county agencies and community groups.

- VII. Libraries within Winnebago County will facilitate lifelong learning for all residents of the county.

**Activities:**

- a. Provide resources for life skills for those wanting to improve or refresh basic education provided in school.
- b. Provide ready reference and other resources to satisfy immediate information needs.
- c. Support curriculum needs of distance education learners by connecting the customer to information and services provided by other libraries.
- d. Library staff will serve as proctors for exams as necessary.

**Evaluation**

Each year, prior to annual funding requests, County Libraries will present a report to the Winnebago County UW Education, Extension & Agriculture Committee and County Board detailing progress on service priorities listed above. The committee will be provided with appropriate statistics, and other information, to assess the effectiveness of county libraries.