

## **Northland Library Cooperative Plan of Service**

**Article I.** The name of the cooperative library shall be the **Northland Library Cooperative**.

**Article II.** The Northland Library Cooperative is established under the authority and provisions of Michigan Public Act 89 of 1977.

### **Article III. Membership**

**Membership** in the Northland Library Cooperative shall be available to any public library that meets the qualifications set forth in Public Act 89 of 1977, whose local Board of Trustees and/or municipal governing or appropriating body adopts this plan by resolution, requesting that their library become a participating members; and whose membership is approved by the Governing Board of the Northland Library Cooperative. The Governing Board shall accept or show reason for denial of the request for membership within 60 days after filing.

#### **Requirements as defined by P.A.89 of 1977.**

Public library members must maintain a minimum local support of 3/10 of a mill on the taxable value, as taxable value is calculated under section 27a of the General Property Tax Act, 1893 P.A. 206, MCL 211.27a. in the fiscal year before October 1 of the year before distribution.

Participate in the development of cooperative library plans.

Loan materials to other libraries participating in the Cooperative through ILL and/or reciprocal borrowing agreements.

Member libraries will maintain an open door policy to other residents of the State, as provided by Section 9 of Article 8 of the Michigan State Constitution of 1963.

### **Article IV. Resolution**

The board of a public library shall adopt a resolution requesting that the library become a member of the cooperative. Duplicate copies of the resolution, certified by the clerk of the library board, shall be filed with the Governing Board. The Governing Board shall accept or show reason for denial of the request for membership within sixty (60) days after filing. When the Governing Board has accepted the resolution, the resolution and acceptance shall be endorsed by the President and Secretary and a copy filed with the Library of Michigan.

The Cooperative Board may waive the requirements for cooperative membership if the local library can show that failure to meet the requirements is only a temporary condition and that the library has filed for a waiver with the Library of Michigan. The library will then be placed on probation and so notified by the Cooperative Board. The library will be billed for the amount of state aid that the cooperative would lose if the Library of Michigan does not grant a waiver. If the

library does not meet the requirements for membership by February 1 of the next fiscal year, the library will be eligible for associate membership for one fiscal year and renewed on an annual basis by the Cooperative Board.

#### **Article V: Associate library members**

- A. **Non qualifying public library membership:** Any public library that does not qualify temporarily for full membership provided:
1. The library submits a written request, approved by the governing authority, for associate membership in the Cooperative; and
  2. The Cooperative Board annually approves the request for membership;
  3. Pays a membership fee equal to the amount of indirect state aid the cooperative would lose by its not qualifying for state aid and any other fees assessed to the members;
  4. Participates in the development of the Cooperative plans;
  5. Loans materials, copies to other libraries in the cooperative through ILL and/or reciprocal borrowing agreements.

Satisfying the above requirements a library will then enjoy full membership benefits in and from the cooperative.

#### **B. Non-Public Library Membership**

Academic institution libraries, tribal libraries, school libraries, media centers and special and corporate libraries shall be eligible for Associate membership in the Cooperative under conditions established by the Governing Board. A library interested in such membership should send a letter of interest to the Director or Chair of the Cooperative. Action will be taken by the Advisory Council and Governing Board at a future meeting. Associate members shall assume all duties, obligations and privileges with the exception of representation on the Governing Board.

Associate members are encouraged to attend and participate in Advisory Council meetings. Privileges of Associate Members are defined as non-voting participation in the Advisory Council and on Council committees, receipt of all Northland communications and participation in services. Due to the restrictions of Public Act 89 of 1977 services paid for from state aid can only be rendered on a cost recovery basis. A membership fee of \$150 will be assessed annually.

#### **Article VI. Withdrawal**

1. Membership in the Cooperative may be terminated by a resolution of a constituent library board. A letter of intent to terminate must be received by the cooperative 3 months prior to the intended termination, but not later than June 30.
2. The Northland Library Cooperative Governing Board may give notice of intent to terminate a library membership 3 months prior to the termination if the library does not meet eligibility requirements as noted in Membership section of this Plan and does not meet its state aid equivalent financial obligation.

3. At the end of the above 3 month period, the local library or the Cooperative may terminate its agreement provided that all fiscal obligations to the local library/libraries or the Cooperative have been satisfactorily fulfilled. Fees are due and payable for the year in which termination takes place and will not be returned.

#### **Article VII. Grievance Procedure:**

**Northland Library Cooperative** is committed to resolving disputes at the local level. The following procedures will be followed:

1. The Director of the public library concerned shall meet with the Director of the Cooperative and attempt in good faith to resolve any problems.
2. If a resolution of the problem is still not possible, the board of each library concerned, following a review of the issue by said library, shall petition the Cooperative Director and Board in writing for redress of the matters in dispute specifying the remedies sought.
3. Governing Board (within 90 days), along with his/her recommendations. The Cooperative Director shall report the conclusions of the 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 State Librarian by the Governing Board of the Cooperative or by the Board of the complaining library, with copies of all documentation.
5. The State Librarian shall extend the good offices of the Library of Michigan in an effort to mediate and to resolve the dispute.
6. If mediation fails to resolve the issue, the State Librarian will refer the matter to the Library of Michigan Board for review, together with a recommendation and the documentation on the matters in dispute.

#### **Article VIII. Governing Board.**

1, The Governing Board of the Northland Library Cooperative will consist of nine members. Board members will be appointed by their local library boards and individuals serving as representatives to the Board may be library directors, library trustees or lay individuals from the local library's community. Members on the board will serve a three year term and will rotate on the basis of class size: Class I and II will have two members, Class III will have three members, and Class IV and V will have three members, Class VI will have 1 member.

1. If a library forfeits its representation on the Governing Board because of failure to adhere to the requirements for Cooperative membership or unavailability of a representative to fill its seat during its rotation term, the next library representing that size library shall fill the seat for the remainder of the term.
2. If a library member is unable to provide a representative to their seat on the Board by September 1, the next library in the rotation will fill the position.

3. If a board member misses two consecutive meetings or misses three meetings annually, unless excused prior to the meeting, the Northland Cooperative Governing Board may declare the seat vacant and request the constituent library appoint a replacement within 30 days and notify the Governing Board of its choice. If the constituent library is unable to provide a replacement, the seat will revert to the next library in the rotation.

#### **Article IX. Board Meetings.**

1. The Governing Board will schedule a minimum of four meetings annually as established at the October annual meeting of the Board or at the call of the Chair. If there are no agenda items requiring Board action, the Director and Board Chair may cancel the meeting. The annual meeting is held in October. The board meetings will be scheduled to follow the Advisory Council meetings so that formal action can be taken on Advisory Council recommendations. Virtual meetings are permissible although virtual participation does not constitute a quorum (per Open Meetings Act)
2. The October meeting is the first meeting of each fiscal year and business will include adopting the annual budget, approval of the annual program, appointment of new Board members and selection of officers.
3. The Governing Board meetings will be held at member libraries as established by the Board at its annual meeting and revised as needed.

#### **Article X. Duties and Powers**

**The Northland Library Cooperative Governing Board has no jurisdiction over the property or management of local libraries.**

The Cooperative Governing Board shall:

1. Have powers which relate to the function of the Cooperative Library and the management and control of the Cooperative Library's funds and property.
2. Elect officers of the Governing board: Chair, Vice Chair, Treasurer and Secretary. The Treasurer may be elected at the September meeting of the Board. The Chair and Treasurer shall serve with the Director as fiscal signatories.
3. Contract a Director to administer the Cooperative Library, provide a written job description, fix the Director's compensation, and delegate those powers to the Director as are in the best interest of the Cooperative's services.
4. Enter into contracts to receive service from and to give service to libraries in Michigan, including public, school, academic, or special libraries, other Cooperative libraries and political subdivisions of the State. Contracts for library service shall be reviewed annually and approved by the Board.
5. Adopt the annual budget, approve expenditures.
6. Accept gifts and donations for the benefit of the Cooperative Library.

7. Adopt by-laws and rules consistent with P.A. 89 of 1977 for its own governance and do those things necessary to carry out the purposes of this Act.

#### **Article XI: Advisory Council.**

1. The Advisory Council will be composed of library directors or their designee from each of the member libraries. Each library on the Advisory Council shall be entitled to one vote. The purpose of the Advisory Council shall be advisory only with responsibility to recommend to the Cooperative's Governing Board the programs and services need by the membership. The Chair of the Advisory Council and the Cooperative Director shall call additional meetings as necessary. The Advisory Council shall meet at least 4 times a year in conjunction with the NLC Governing Board meetings.
2. Meetings shall be governed by the Advisory Council By-Laws. Advisory Council members shall be reimbursed by the Cooperative for mileage to Council and Board meetings.
3. The Advisory Council Chair (or alternate) may be designated as a non-voting representative to the Governing Board on matters of importance to its members and will present reports and provide recommendations for the Advisory Council to the Board.
4. There may be Ad Hoc committees appointed by the Advisory Council Chair to represent the members and suggest service priorities, plan programs, share expertise, and uncover common needs or problems. The Cooperative Director will serve as an ex-officio member of all committees.

#### **Article XII: Funding**

1. The fiscal year of the cooperative shall be October 1 to September 30.
2. Cooperative State Aid
  - a. State-aid to public libraries, granted by the State of Michigan for cooperative libraries as authorized by Public Act 89 of 1977, Section 13 and paid to the Cooperative will be used for any library purpose approved by the NLC Governing Board.
3. Member libraries may contract with the Cooperative for services.
4. Cooperative library service charges and charges for contracted services may be paid from funds coming to the member library from State aid as authorized by Public Act 89 of 1977, Section 16 (4) ( Indirect State Aid/Swing Aid. Any portion of the State Aid grant remaining after charges have been paid, may be applied by the member library to local services.
5. Additional fees:
  - a. When the state aid grant is insufficient to provide all services, the member libraries may be required to pay for services.

- b. Non-member libraries and affiliates receiving services from the Cooperative will pay charges to be determined on an individual basis by the Governing Board.
6. The Cooperative shall apply before February 1 of each year for State Aid.
7. The Cooperative library services charges are to be determined on a yearly basis. All payments shall be made to the Cooperative.
8. All funds received by the Cooperative will be deposited in a separate fund and will be used only for expenses authorized by the Governing Board.
9. Regular financial statements shall be made available to the Board and the Advisory Council.
10. The Cooperative books will comply with the Federal and State regulations, GASB accounting principles, and organized under the guidelines of the “Uniform Chart of Accounts”.
11. There shall be an annual independent CPA audit of the Cooperative with a formal report to the Board for acceptance. A copy of the annual audit will be filed with the Library of Michigan and the Michigan Department of Treasury, Local Audit Division.

**Article XIII: Budget Approval Process:**

The Cooperative Director will draft a budget for the next fiscal year and present it to the Advisory Council and Governing Board prior to the September meeting. Adoption of a budget will occur at the September meeting.

**Article XIV: Services and Fees:**

1. Beginning at the April meeting, the Advisory Council shall review and develop a list of Core Services of benefit to all libraries, and a list of Value Added Services, in preparation for approval by the Governing Board at the August budget meeting. The Director will use this in drafting the budget for the next fiscal year.
2. The Cooperative will provide services based on the funding that is available. Libraries will be billed for their 16 (4) (indirect state aid/swing aid) to assist the cooperative in providing the approved services to the membership.
3. **Services beyond the core services:**  
At a time when funds become available the cooperative director in conjunction with the Board and the Advisory Council will determine what additional services may be added to the core services. These services may be paid for with additional cooperative funds, grants or funds derived from the members. Additional categories of service in addition to those listed as “core” services may be added based on the needs of the membership and upon approval of the NLC Board.
4. **Third Party Contracts:** NLC and individual libraries may enter into third party or library to library contracts..

**Article XV: Plan approval**

1. The Governing Board shall provide sixty (60) days written notice to all participating library member institutions about the exact nature of the proposed changes. Copies of the proposed Plan of Service (as determined by the Cooperative's membership) and revisions will be mailed to all member libraries.
2. The proposed changes shall be adopted by a majority of member libraries (local board action not necessary for passage) and the Governing Board of the Cooperative.
3. The Governing Board shall submit to the Library of Michigan the original Plan of Service and any substantial modifications of the Plan within 60 days of its approval by the membership.

**Article XV: Adoption**

Reviewed and approved by the Board of Trustees of the Northland Library  
Cooperative September 16, 2022

