

# PORTAGE DISTRICT LIBRARY BOARD

Regular Board Meeting  
December 16, 2024

300 LIBRARY LANE, PORTAGE, MICHIGAN 49002



# NOTICE OF REGULAR MEETING

## PORTAGE DISTRICT LIBRARY BOARD

Regular Board Meeting, Monday, December 16, 2024 | 6:00 PM

The Library Board of the Portage District Library will hold a regular meeting on Monday, December 16, 2024 at 6:00 p.m. This meeting will be held at 300 Library Lane. The purpose of this meeting is for the discussion of library business. The Library gives notice of the following:

### 1. Meeting Attendance

The public hearing and regular meeting is being held in person. However, the public may attend electronically. The Library wants to ensure access for the public if the public cannot be physically present.

### 2. Procedures

The public may participate in the meeting in person and may make public comment through spoken or written methods. Each speaker has a time limit of three minutes. Please refer to the Policy for Public Comments at Meetings in its entirety on the library's website [www.portagelibrary.info](http://www.portagelibrary.info).

### 3. Contact Information

For those people who desire to contact members of the Library Board to provide input or ask questions on any business that will come before the public body at the meeting, please contact Quyen Edwards at [qedwards@portagelibrary.info](mailto:qedwards@portagelibrary.info) prior to the start of the meeting.

### 4. Persons with Disabilities

Persons with disabilities may participate in the meeting through the methods set forth in paragraph 2. Individuals with disabilities requiring auxiliary aids or services in order to attend electronically should notify Quyen Edwards at [qedwards@portagelibrary.info](mailto:qedwards@portagelibrary.info) within a reasonable time in advance of the meeting.

To watch the meeting online via Zoom, please click the link below at the time of the meeting:

<https://us02web.zoom.us/j/82956065538>

Dated: Dec. 12, 2024    **Quyen Edwards**  
*Library Board Secretary*  
Portage District Library  
300 Library Lane  
Portage, MI 49002

# AGENDA

December 16, 2024

## I. Start of Meeting

## II. Roll Call

## III. Comments or Requests from the Public, Board Members, or Library Staff

The Board Chair will recognize one person to speak at a time, and each speaker must provide their name and address. Each speaker is entitled to one (1) three-minute time during this Public Comment period. Please refer to the Policy for Public Comments at Meetings in its entirety at (<https://qrco.de/bdiESq>) or the printed documents at the entrance to the meeting room on the evening of the Library Board Meeting.

## IV. Adoption of the Agenda for the Regular Meeting of December 16, 2024 (1 minute) (Vote)

## V. Consent Agenda (5 minutes) (Vote)

- A. Minutes of the regular meeting held on October 28, 2024 (Info) Pg.5-9
- B. October and November 2024 Narrative (Info) Pg.10-15
- C. Budget Amendment - Friends of the Library Donation (Info) Pg.16-17
- D. Financial Condition for October and November 2024 (Info) Pg. 18-21
- E. Statistical Report for October and November 2024 (Info) Pg. 22-25
- F. January 2025 Program Calendar (Info) Pg.26
- G. MLA Advocacy (Info) Pg.27-29
- H. Review Bulletin Board Policy. (Info) Pg.30
- I. Review Public Comment Policy. (Info) Pg.31
- J. Review FOIA Policy. (Info) Pg.32-59

## VI. Guest - Spotlight on the Makerspace (15 minutes)

- A. Presentation by STEAM Librarian Jane Fleming

## VII. Governance (20 minutes)

- A. Adoption of Schedule of Library Board Meetings for 2025. (Vote) Pg.60
- B. Appointment of Nominating Committee Chair to survey trustees' interest in Board offices in 2025. (Info) Pg. 62
- C. Friends of the Library Update. (Info) Pg.63

## VIII. Library Director's Reports (20 minutes)

- A. Final remarks by Library Director for the December 16, 2024 Library Board Meeting

# AGENDA

## IX. Library Personnel (20 minutes)

- A. Personnel Committee's recommendation for Library Director's compensation in 2025 and Renewal of Library Director 5 Year Contract. **(Vote) Pg.63**

## X. Process Evaluation (5 minutes total)

- A. Suggestions for Agenda Items to be included on the January 2025 Board Meeting
  1. Minutes of the Regular Meeting of December 16, 2024.
  2. Review of Community Meeting Room Policy.
  3. Review of Library Privacy & Search Warrant Policy.
  4. Approval of Budget Amendment Request to Increase Expense Lines in the FY 2025 Budget to Offset Unpaid Encumbrances.
  5. Approval of Budget Amendment Request to Adjust Reserve Accounts as Required.
  6. Election of Library Board Officers for 2025 & Appointment of Library Board Personnel Committee, Board Liaison to the Friends of the Library, and Library Board Secretary for 2025.
  7. Annual signing of "Conflict of Interest" Statements by trustees.
  8. Discussion about guests to be invited to Library Board meetings in 2025.
  9. Endorsement of Library Director's Personal Goals for 2025.
  10. 4th Quarter Financial Report for Fiscal Year 2024 & Comments on Year-End Results.
  11. 4th Quarter Strategic Plan Statistics
  12. Monitoring Report on Executive Limitation: Global Executive Constraint.
  13. Discussion About Continuation of Hybrid Board Meetings
- B. Miscellaneous

## XI. Adjournment

# MINUTES

From the October 28, 2024  
Regular Board Meeting

## I. Start of Meeting

## II. Roll Call

**Board Members Present:** Ken Baker, Michele Behr, Cara Terry, Tom Vance, and Linda Whitlock

**Board Members Absent:** Jeanne Friedman (excused) and Donna VanderVries (excused)

**Library Staff Present:** Library Director Christy Klien, Ben Chee, Quyen Edwards, Rob Foti Lawrence Kapture, Abby Pylar, Colin Whitehurst, and Laura Wright

**Library Staff Absent:** Rolfe Behrje and Steve Rossio

**Guests Present:** Senator Sean McCann

## III. Comments or Requests from the Public, Board Members, or Library Staff

Library Board Chair Tom Vance welcomed everyone to the October 28, 2024 Library Board Meeting. He asked if anyone present had any comments and there were none.

## IV. Guest - Senator Sean McCann

Library Board Chair Vance welcomed Senator Sean McCann to the Board Meeting. Senator McCann thanked trustees and staff for the invitation following Representative Christine Morse who came to a Board meeting in the Spring. Senator McCann said that the last time he spoke at a Library Board Meeting was pre-renovation.

Senator McCann said he is halfway through his second term so he has 2 years left, and then he is term limited out. His committee assignments include serving as the Chair of the Energy and Environment Committee and Vice Chair of the Appropriations Committee. He helped to secure funding for tornado relief for the City of Portage, the Zhang Senior Center, and the future 131 Business Loop project.

With the election 8 days away, Senator McCann reflected on what that might mean for the Lame Duck session. He reminded trustees that they work on a two year legislative cycle, so anything that doesn't get done this year will have to start over in January 2025.

Senator McCann also discussed the fact that libraries have been in the spotlight more. He remains a strong advocate of free speech and library services for all. He said, "My family and I are library patrons and support the good work that you do."

Trustee Behr asked Senator McCann about pending legislation in the House affecting libraries specifically one that recommends "a restricted viewing area for obscene, pornographic material in libraries". McCann responded that the Michigan Library Association has strong library advocates. He also encouraged sending signed letters or emails to him voicing opinions in support for or against any specific bills to give him feedback.

## V. Adoption of the Agenda for the Regular Meeting of October 28, 2024

Library Board Chair Vance asked if there were any changes to the agenda before its adoption and there were none. Vance asked for a motion to adopt the agenda.

**MOTION:** It was moved by Trustee Terry and supported by Trustee Baker that the Library Board adopt the agenda for the regular meeting of October 28, 2024. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

# MINUTES

## VI. Consent Agenda

Library Board Chair Vance asked if there were any changes needed to the consent agenda for the October 28, 2024 board meeting before its adoption and none were requested.

- A. Minutes of the Regular Board Meeting of September 23, 2024.
- B. Review of Donation Policy.
- C. Budget Amendment – Friends of the Library and Designated Donations.
- D. Monitoring Report – Communication & Support to the Library Board.
- E. Monitoring Report – Ends Focus of Grants/Contracts.
- F. Narrative Report for September 2024.
- G. Report on Financial Condition for September 2024.
- H. Statistical Report for September 2024.
- I. MLA Advocacy News for October 2024.
- J. PDL Events Calendar for November 2024.

**MOTION:** It was moved by Trustee Whitlock and supported by Trustee Terry that the Library Board approve the consent agenda for the regular meeting of October 28, 2024. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

## VII. Governance

### A. Approval of Circulation Policy

Library Director Klien said there are a few small changes in the Circulation Policy this year to include the Library of Things. Patrons are limited to borrowing two (2) pieces of equipment at a time. Klien said that the library has a limited quantity of equipment and this means that limiting the amount that can be borrowed at one time spreads our resources to as many people as possible. Klien said that in the future the library would consider grouping items if we get requests.

**MOTION:** It was moved by Trustee Behr and supported by Trustee Whitlock that the Library Board approve the Circulation Policy as amended. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

### B. Approval of Resident/Non-Resident Policy and Non-Resident Fee Amount for 2025.

Library Director Klien said that the recalculated non-resident fee has gone up again as property taxes have increased. The recommended amount for 2025 is \$221 (compared to 2024 amount of \$205). This means that a non-resident would be paying the same amount as an average taxpayer within the library service area.

**MOTION:** It was moved by Trustee Whitlock and supported by Trustee Baker that the Library Board approve the recalculated Non-Resident Fee for 2025 to \$221. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

**MOTION:** It was moved by Trustee Terry and supported by Trustee Behr that the Library Board approve the Resident/Non-Resident Policy as presented. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

# MINUTES

## C. Approval of Holiday Schedule for Library Hours of Operation in 2025.

Library Director Klien referred to the proposed holiday schedule as presented in the packet. The schedule does not include Staff Development Day for 2025 as it is still to be determined. Klien said that request would be made to the board at a future meeting.

**MOTION:** It was moved by Trustee Behr and supported by Trustee Terry that the Library Board approve the Holiday Schedule for 2025 as presented. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

## D. Review of Investment Policy and Library Investment Listing

Library Director Klien said the Investment Policy remains the same as last year and that the current Investment listing is provided in the packet on page 43. The library is mandated to follow Public Act 20 and that is what we do. She asked if there were any questions and there were none.

**DISPOSITION:** The Library Board received the information about the Investment Policy and the Library's Investment listings.

## E. Friends of the Library Update

Trustees Baker and Terry gave the Friends update. The Friends have been seeing consistent sales of over \$4,000 per book sale weekend. They currently have 135 members, a 12 person Board, and lots of volunteers who come on Tuesdays and Fridays to help with donation sorting. The Friends continue discussing the use of credit cards and other electronic payment methods for their book sales.

**DISPOSITION:** The Library Board received the information about the Friends of the Portage District Library.

## F. Request to Approve Contract

The library has some brick work that needs to be done. Facilities Manager Ben Chee has reached out to numerous vendors for quotes and has found it a challenge as detailed in the memo in the Board Packet. Chee is requesting moving forward with Mulders Waterproofing and Sealants, Inc. as they have performed excellent work for the library in the past and this type of work is their speciality.

**MOTION:** It was moved by Trustee Baker and supported by Trustee Terry that the Library Board approve the contract with Mulders as presented. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.

## VIII. Ends Development

### A. Library Director's Accomplishment of Personal Goals for Fiscal Year 2024

Klien said that her update was provided in the packet. She said it has been another good year. Goal 1 included work on implementation of the library's Strategic Plan. Goal 2 included updates on the staff compensation survey and review of benefits, the addition of a Health Advocate to help work through issues in addition to the services that Rose Street Advisors provides, including Pet Insurance through the library. She and Business Manager Foti are still looking at hiring out some HR responsibilities. They have talked to 5 different groups to figure out what will work best for the library staff. In 2025, we are planning a Staff Satisfaction survey to get more information about what else we can address to assist the staff.

# MINUTES

Goal 3 -included engagement activities the director participated in this year.

Klien asked if there were questions or concerns and there were none.

**DISPOSITION:** The Library Board received the information about the Library Director's Accomplishment of Personal Goals for Fiscal Year 2024 .

## **B. Library Director's 2024 Evaluation Process**

Board Chair Vance said the Personnel Committee will be meeting to review Library Director Evaluation forms and reporting back to the Board at the December meeting. Trustees set a date for completed evaluations to be received to the Board Chair - Monday, December 2nd. Library Board Secretary Edwards will send out the complied evaluation forms tomorrow.

**DISPOSITION:** The Library Board received the information about the Library Director's Evaluation Process.

## **C. Third Quarter 2023 Strategic Planning Updates**

Klien said staff provided updates regarding activities completed in July, August, and September 2024 towards strategic planning goals. Klien said that some activities do not have updates or no significant progress to report at this time.

Board Chair Vance said the updates validate the process. Trustees were pleased with the progress and outreach is to be commended.

**DISPOSITION:** The Library Board received the Third Quarter Strategic Planning Updates.

## **D. Third Quarter 2024 Financial Report.**

Klien said the report is as presented by Business Manager Foti. Foti said that the good news is as follows: Taxes came in on budget. State Aid and Penal Fines came in a little above budget. Investment income is up. The library recieved another building insurance refund this year.

Foti said the bad news is that we are seeing a 12-15% increases in health insurance premiums. The library is currently on a 12/1 renewal schedule and we are moving to a 1/1 renewal in the future.

**DISPOSITION:** The Library Board received the Third Quarter 2024 Financial Report.

## **E. Request for Library Board Approval for Restricted Use of Trustees Signatures and Library Patron Data Base for Direct Mail Initiatives**

Library Director Klien shared a draft of a letter with trustees. She said that we would like to send this out to our library patron database that includes updates about what happened at the library in 2024 and invite them to support the library if they are interested. Klien said she needs permission to use the patron database for the mailing and include trustees signatures on the letter. Marketing Manager said that with Board approval today, he expected the letters to arrive in mailboxes by Thansgiving.

**MOTION:** It was moved by Trustee Whitlock and supported by Trustee Terry to approve a one time use of the library patron database for a direct mailing at the end of the year and approve use of trustees signatures. Vote 5-Yes, 0-No, 2-Absent (Friedman, VanderVries). Motion carried.



# MINUTES

## IX. Library Director's Reports

### A. Final remarks by Library Director for the October 28, 2024 Library Board Meeting

The 2024 Board Retreat was scheduled for Tuesday, November 12, from 6-8PM and will include snacks. Library services that will be covered include Makerspace, Library of Things Adult/Youth, eMaterials, Seed Library and PDL Monarch Waystation.

Klien said she went to the Michigan Library Association Annual conference for beneficial presentations, AI information, and sessions on accessibility and inclusion. This conference had the highest attendance of any MLA Conference. Closing session talked about banned books.

## X. Process Evaluation

### A. Suggestions for Agenda Items to be included on the December 16, 2024 Board Meeting

1. Minutes of the Regular Meeting held on October 28, 2024.
2. Review of FOIA Policy
3. Approval of Annual Calendar of Library Board Activities for FY 2025
4. Adoption of Schedule of Library Board Meetings for 2025
5. Report on Financial Condition for October & November 2024
6. Narrative Report for October & November 2024
7. Statistical Report for October & November 2024
8. MLA Advocacy News for November & December 2024
9. Personnel Committee's Recommendation for Library Director's Compensation in 2025
10. End-of-Year Report on Accomplishment of all Ends in 2024

### B. Miscellaneous

First Teen Advisory Group meeting for the school year!

First Community High visit - Youth Librarian Andrea Smalley has built a relationship with the staff at Community high and is planning regular visits to the library, once a month to check out books.

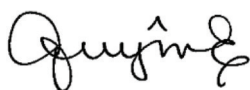
Head of Youth Services Laura Wright - "If you are here tomorrow at 9:30 AM we will be having our annual baby and toddler Halloween parade! You could also come Monday night from 4-8pm for Vote the Chip - a FUN voting activity with the Book Buddies and a programs for all ages. There will be some traditional and some unusual chip flavors available."

## XI. Adjournment

Library Board Chair Vance said if there was no further business to be considered, that he would adjourn the regular board meeting of October 28, 2024.

**DISPOSITION:** The regular board meeting of October 28, 2024 was adjourned at 7:10 PM.

Recorded and Transcribed by,



Quyên Edwards

Library Board Secretary

# Director's Report

## December 2024

### Adult Services

October 8th, [Ruth Cowles](#) hosted Artist Natalie Budnick for class to teach people about drawing fantasy characters. 12 people attended. Natalie asked the participants to draw along with her as well for their input on what the character looks like and what accessories it should have. She explained things like tangent lines and why a background to the character is so important. One attendee was so excited she asked when we could have Natalie back and if we could do a series of classes.

Every month we try to highlight different equipment in the Makerspace to share with the public the different types of projects possible. For the month of October, STEM Librarian [Jane Fleming](#) highlighted the Cricut machine on three separate occasions: October 9, October 15, and October 21. A total of 22 people attended these programs. Patrons made Halloween-themed towels. Pre-cut shapes were provided, but patrons were also able to personalize them with their own designs. A number of patrons were new to using the Cricut, so they learned the basic skill of how to create a design and go through the process of getting them to the correct size, cutting them, and weeding them. I was pleased to see an Adult Care worker join us with one of her residents. We were able to help him through the process and he was very pleased with his project when he was finished!

On October 12th the Portage District Library again participated in Geek Fest with the Kalamazoo District, Paw Paw, Vicksburg, and Richland public libraries. We drew 815 Attendees, a 6% decrease from Geek Fest in 2022. 111 attendees were from Portage, about 13.7%, which was a 37% decrease, down from 175 and 20% in 2024. I feel that these participation numbers are still substantial. I was not as aggressive with promotion as in past years and will increase those efforts for 2025.

Guests and events for Geek Fest this year included:

Two new cosplay guests, Pink Opal and Sigrun, and local favorite Sew Excited with examples of her entries to the 2024 International Cosplay League competition in Madrid.

This year, we had long lines to meet Actor Tim Downie who voiced Gale Dekarios in Baldur's Gate 3. Baldur's Gate 3 won 32 awards last year including, BAFTA Game of the Year, Game Developers Choice Awards, Golden Joystick Awards, PC Gamer and more. This was a unique opportunity for our local fans, as illustrated by at least one attendee who flew in from out of state to meet Tim.

Many of our popular regular features included: Local design superstar and graphic novelist Paul Sizer, a Super Smash Brothers Tournament, local game store Fanfare, and a large game room which 192 guests played or painted in.

Six PDL staff participated, including [Ruth Cowles](#), who oversaw volunteers, [Steve Rossio](#), who ran our

volunteer refreshments, [Daci Tufano](#) and [Megan Gansser](#) from the circulation department and [KayLee Davis](#) and [Lawrence Kapture](#) from the Adult Department. [Jane Fleming](#) made magnets with Makerspace equipment. Christina Doane, a former staff member, again ran the gaming room as a volunteer.

On Tuesday, October 22nd, Outreach Librarian [Sara Weyenberg](#) hosted SKYWARN® training in conjunction with the National Weather Service. SKYWARN® training prepared community members to be “weather ready” and how to identify and report weather occurrences such as funnel clouds, tornadoes, and different types of precipitation. There were 30 attendees who were all very invested in learning more about how to support their community and report weather events in the aftermath of the tornado in May.

On October 30th, Program Librarian [Rachael Wiegman](#) hosted Anthony Cox of Rust Belt Ramen gave a cooking demonstration on the Charlie Cart. He showed the participants how to make gourmet ramen. He gave a presentation on the different types of sauces and noodles used as well as the origins and history of ramen. All of the attendees received a bowl of ramen made with pork belly or vegetarian. We hope to have Chef Anthony back again soon!

On November 13th, Program Librarian [Rachael Wiegman](#) hosted the James Beard semi-finalist chef, Abra Berens. This program had 80 participants registered and had a waiting list. A woman commented that she loved this program and tells everyone about the events that we have for adults. Chef Abra cooked what she calls “Melted Snow Soup” from her book, Pulp. In addition to this, she made cranberry and apple crisp. The participants were able to sample both dishes.

November was a very busy month of programming in the Makerspace, with multiple programs for Youth and Adult. The program STEM Librarian [Jane Fleming](#) would like to highlight this month is the Sublimation Sock program. This program was offered two times in November, on Thursday, November 7 and Monday, November 25. It will also be offered once in December. A total of 16 patrons attended the first two programs. Patrons were able to make personalized socks for Christmas gifts or stocking stuffers in this program. Part of the program involved learning how to use the website Canva, which is a very easy graphic design website available for free on the internet. Patrons made an account and then transferred their personal photos and images to their Canva account. At the program they learned how to make a design in the shape of the sock, manipulate their images to get their sock looking the way they wanted, and add additional text and color. Then they were able to print off their design and use the heat press to transfer their image to their sock. Everyone’s finished products looked great!



November saw the beginning of donations of hand-knit warm weather clothing from the members of the monthly Purl for Portage group, run by Outreach Librarian [Sara Weyenberg](#). Because members continued

to donate items throughout the summer months even though they weren't officially meeting, the Library started the cold weather season with an abundance of items to donate. As of the start of December, over 200 items have been distributed. This year, the Library has made connections with local organizations such as the Kalamazoo Refugee Resource Collaborative and volunteers who work with the Portage Community Center to donate items to community members in Portage who may not visit the Library on their own. These items are sent out with tags that indicate where the items have come from.

The Favorite Authors program received a much-needed refresh in November. Librarian [Ruth Cowles](#) removed ten authors from the list of selected authors due to either not writing within the last two years or a lack of interest from our community. Ten new authors were added. Some included are Jack Carr, Ruth Ware, Jennifer Armentrout, and Rebecca Yarros. 28 patrons were contacted directly by email because one or more of their selected authors were removed from the program. The email gave patrons a chance to update their lists.

## Youth Services

Based on feedback from patrons, Youth Staff hosted a Hot Wheels drop-in event for school-age children during the Thanksgiving break and added building activities for younger attendees as well.

Youth Staff visited classrooms and hosted activities at Woodland Elementary and Central Elementary this month. In addition, Staff ran an activity at Haverhill Elementary's Family Night.

Outreach Librarian [Andrea Smalley](#) hosted a field trip for Portage Community High, the first of several monthly library visits of this group.

In an effort to expand upon a previous Kindergarten Readiness program and provide support over the course of the entire year, a 4- and 5-year-old Book Club was started this September. 5 children and 3 parents attended the first session, this increased in October to 6 children, 5 parents, and 3 younger siblings.

Additional Highlights: Youth Staff hosted 5 Halloween teen, baby/toddler, and family events over the course of October, which a total of 533 people attended.

Competition was fierce at the 3rd annual Teen Charcuterie Competition, hosted by Youth staff members [Karina Gluys](#) and [Olivia Pennebaker](#), with a major assist from celebrity guest judge (and Youth Staff Member) [Kristin McNeal](#).

Youth Staff, with the special musical contribution of [Jenna McQuade](#) from the Circulation Department, participated in this year's Great Grownup Spelling Bee. We tied for 3rd for spelling and won the Spirit Award. It was deeply embarrassing (and also fun).



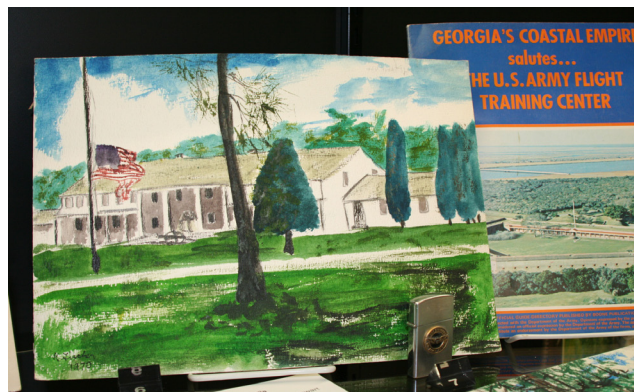
## Heritage Room

Programs: The Heritage Room continued its partnership with the Kalamazoo Valley Genealogical Society and the Kalamazoo County Historical Society with four programs being presented over the two-month period. The monthly programs by the Genealogical Society dealt with Genealogical related issues while the Historical Society presented a well-attended program on the Green Book and its relation to southwest Michigan as well as a program on the World War I Polar Bears who served from this area.

Along with these programs the Heritage Room worked with the Kalamazoo Valley Genealogical Society to provide a monthly workshop where the public can drop in and receive help with their genealogical research directly from members of the society. The two-hour event is held monthly in the Heritage Room (with the exception of December).

Displays: The Heritage Room saw three unique displays during the months of October and November. In October, the military uniform featured was a rare, World War I, United States Navy Chief Petty Officer uniform provided by a local individual. The main display case paid homage to family movies of the 1960's and featured a variety of film equipment (cameras, projector, movie reels, advertising) from the period all of which was loaned to the library by a long-time Portage resident.

As November 11th is Veterans Day, November was focused on Veterans with the cases holding items related to the Vietnam War. The uniform case was devoted to Duane Triemstra who was the long-time Kalamazoo County Attorney. The large display case was focused on Ken Fischer who was the library's chief cataloger for forty years while the flat case was devoted to Portage resident and long-time library patron Bert Murphy. All three of these gentlemen served "In Country" during the Vietnam War and it was a pleasure to be able to honor their sacrifice.



Donations: During October and November, the Heritage Room received several donations including a substantial donation of material relating to a family that resided on the border of Portage and Schoolcraft as well as Three Rivers.

## Circulation & Technical Services

During the month of October, we had 747 Portage students utilize their PASS cards. We also sent out 1671 text messages for bills, holds, overdues, and membership renewals.

During the month of November, we had 668 Portage students utilize their PASS cards. We also sent out 2332 text messages regarding hold notices, bills, overdue materials, and membership renewals.

## Personnel

The Library Director and Business Manager obtained quotes on outsourcing (Fractional HR) some Human Resource duties to professionals well trained in the Human Resource field. The belief is that there are certain situations a professional HR specialist can handle more efficiently and complete within applicable laws. This would provide a benefit to staff, as well as the Business Department. The library talked to five (5) firms that could provide a form of this service. The Library Director and Business Manager will be meeting in the upcoming week to discuss the results and make further inquiries with a few selected firms. The hope is to have this in place in January 2025.

The library conducted its annual open enrollment meeting with staff. During open enrollment, staff can review their benefit options and choose the plans that work best for them. Staff and Supervisors have completed their annual performance reviews. All meetings between supervisors and their staff are either complete or are being completed shortly. The library obtained an updated Salary Range survey from ElementOne Consulting. It has been two years since the last updated information. This information will be used for Fiscal Year 2025 salary and pay adjustments.

The library has welcomed several new staff members in the last few months. Haley Labian is a new Maker Space Assistant in the Adult Services Department who began work at the Library on November 13th and Luke Ostrem is a new Library Assistant in the Circulation Department. Luke began working for the library on December 2nd.

## Information Technology

In October/November the Portage District Library IT Department began the administrative training segment of its migration of the library's accounting system (Financial Edge NXT) and document management platform (PaperSave) to Software-as-a-Service (cloud) systems. Administrators are being trained in user management and new interfaces as the Financial Edge continues its evolution to a total web interface.

The IT Department scheduled and completed the following upgrades:

- Core Networking – Meraki Switches
- Core Networking – Meraki Access Points
- Core Networking – Sophos Firewalls
- Patron Services – Remote and Mobile Printing
- Patron Services – Deepfreeze computer management
- Patron Services – MyPC and PaperCut for time/print management
- Patron Services – Upgrades to PCs in the Creation Station

The IT Department is scheduling and planning its upgrade of Symphony (Library Management System) and Web Services for January/February 2025.

## Maintenance & Building Services

- Continued paint and scuff repair on all walls
- Monthly pest control and quarterly pest control complete
- Tuckpointing project with Mulders is scheduled for Spring 2025
- Torres Snow Removal has been keeping the parking lot clear and the sidewalks well salted and safe
- Outlet installed for new Information digital sign
- Lights in Makers space have been adjusted to stay on longer
- 3 LED drivers have been replaced
- All snow removal equipment is ready for the winter season
- VAV 120 had main board replaced

# Memo

## Budget Amendment to adjust the FY 2025 Budget for Friends of the Library \$14,000 Donation

**To:** Portage District Library Board  
**From:** Christy Klien, Library Director  
**Date:** December 11, 2024

### Background

It is my pleasure to announce that at their December Board Meeting, the Friends of the Portage District Library voted to generously support the Library's Summer Reading Program in 2025 with a grant totaling \$14,000. We are most grateful for this grant, enabling us to conduct a summer reading experience for both youth and teens. The Summer Reading Program at PDL has become a cornerstone event for our community. Without the support of our Friends organization, it would be a challenge for the Library to sustain the level of summer programs and activities that we have been able to provide due to the Friends' subsidy.

### Recommendation

I recommend that the Library Board approve a Budget Amendment to the Fiscal Year 2025 Budget to increase the Programming-Summer Reading expenditure lines by \$3,500 for Teens and \$10,500 for Youth. The amendment will enable the funds to be used as requested to purchase prizes for the Library's 2025 Summer Reading Program.





# Financial Condition Report

## October 2024

*Executive Limitation Policy on Financial Condition and Activities:* With respect to the actual, ongoing financial condition and activities, the Director shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditure for board priorities established in Ends Policies. Accordingly, he or she may not:

**Policy: 1. Expend more funds than have been received in the fiscal year to date unless the debt guideline (below) is met.**

*Director's Response:* Revenue \$7,975,631  
Expenditures \$4,763,841

Fund	9/30/2024	Changes	10/31/2024
General Reserve (13%)	\$ 796,325	-	\$ 796,325
Building Reserve	50,000	-	50,000
Benefits Reserve	29,741	-	29,741
Technology Reserve	111,305	-	111,305
Patio Feasibility Reserve	4,700	-	4,700
Bldg. Improvement Reserve	731,419	-	731,419
Personal Property Tax Reserve	805,946	-	805,946
Library Endowments	75,542	-	75,542
Unassigned Fund Balance	7,648,172	-	7,648,172

**Policy: 2. Indebt the organization money in an amount greater than can be repaid by certain, otherwise unencumbered revenues within 60 days.**

*Director's Response:* No new money has been borrowed that cannot be repaid within 60 days.

**Policy: 3. Use any long-term reserves.**

*Director's Response:* No reserves have been used.

**Policy: 4. Conduct inter-category shifting in amounts greater than can be restored to a condition of discrete fund balances by certain, otherwise unencumbered revenues within 30 days.**

*Director's Response:* No Inter-category shifting has taken place.

**Policy: 5. Fail to settle payroll and debts in a timely manner.**

*Director's Response:* Payroll is processed by Paylocity. (Payroll service) bi-weekly. Payables are also Processed monthly or "as needed".

**Policy: 6. Allow tax payments or other government-ordered payments for filings to be overdue or inaccurately filed.**

*Director's Response:* All reports and tax payments are filed according to policy.

**Policy: 7. Make a single purchase or commitment of greater than \$10,000 not already found in the budget. Splitting orders to avoid this limit is not acceptable.**

*Director's Response:* No unbudgeted purchase that exceeds \$10,000 has been made.

**Policy: 8. Acquire, encumber or dispose of real property.**

*Director's Response:* No real property has been acquired, encumbered, or disposed.

**Policy: 9. Fail to aggressively pursue receivables after a reasonable grace period.**

*Director's Response:* All receivables are being pursued according to policy.

**Policy: 10. Fail to provide the Library Board with a one page monthly financial indicator monitoring report and a quarterly background financial monitoring report.**

*Director's Response:* A financial indicator monitoring report is provided each month and a quarterly background financial monitoring report is provided each quarter.

**Policy: 11. Fail to arrange for an external financial audit of the library services.**

*Director's Response:* An external audit of the library is conducted each year and results presented to the library board.

**Policy: 12. Fail to have appropriate authorized signatures on bank documents: Library Director, Library Business Manager and Library Board Chair.**

*Director's Response:* Appropriate authorized signatures are on all bank documents.

**Policy: 12-A. Fail to have a 2nd signature on all checks issued by the Portage District Library in an amount of \$20,000 or more by one of the three designated individuals on the library's bank signature card, which would be one of the following: (1) the Library Board Chair, or (2) the Head of Adult Services, or (3) the Head of Youth Services.**

*Director's Response:* All checks received the appropriate amount of signatures.

**Policy: 13. Fail to consider approved budget when entering into financial agreements or collaborations with other entities.**

*Director's Response:* Approved budgets are considered when entering into financial agreements or collaborations with other entities.

**Policy: 14. Fail to keep the Library Board informed of any grant applications, and obtain board chair signature when required by granting agency.**

*Director's Response:* The Library Board is informed of all grant applications and the board chair's signature is obtained when required.

**Policy: 15. Fail to provide the Board Chair a list of all cash disbursements from the time of the prior Board meeting to the current Board meeting.**

*Director's Response:* A list of all cash disbursements has been provided to the Board Chair for review.

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## November 2024

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**Policy: 1. Expend more funds than have been received in the fiscal year to date unless the debt guideline (below) is met.**

*Director's Response:* Revenue \$8,025,443  
Expenditures \$5,109,025

Fund	10/31/2024	Changes	11/30/2024
General Reserve (13%)	\$ 796,325	-	\$ 796,325
Building Reserve	50,000	-	50,000
Benefits Reserve	29,741	-	29,741
Technology Reserve	111,305	-	111,305
Patio Feasibility Reserve	4,700	-	4,700
Bldg. Improvement Reserve	731,419	-	731,419
Personal Property Tax Reserve	805,946	-	805,946
Library Endowments	75,542	-	75,542
Unassigned Fund Balance	7,648,172	-	7,648,172

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# Statistical Report

October 2024

	Month Statistics			YTD Statistics		
	Oct-24	Oct-23	CHANGE	2024	2023	CHANGE
<b>Circulation/Collections</b>						
<b>Total Library Circulation</b>	<b>76,318</b>	<b>75,002</b>	<b>1.75%</b>	<b>773,757</b>	<b>742,832</b>	<b>4.16%</b>
Adult - Books	16,866	17,280	-2.40%	168,369	169,737	-0.81%
Adult - A/V	2,873	4,144	-30.67%	33,338	38,807	-14.09%
Youth - Books	28,053	28,420	-1.29%	312,305	303,105	3.04%
Youth - A/V	2,324	2,833	-17.97%	29,603	29,486	0.40%
Hot Picks	662	827	-19.95%	6,928	8,889	-22.06%
E-Material	23,797	19,419	22.54%	204,382	172,958	18.17%
ILL - PDL Requests	1,082	1,296	-16.51%	11,808	10,757	9.77%
ILL - Other Lib. Requests	661	783	-15.58%	7,024	9,093	-22.75%
<b>Self-Checkout Percentage</b>	<b>49.93%</b>	<b>48.79%</b>		<b>52.05%</b>	<b>52.55%</b>	
<b>Total Library Collection</b>	<b>179,223</b>	<b>178,243</b>	<b>0.55%</b>			
Adult - Books	72,694	71,803	1.24%			
Adult - A/V	9,963	13,268	-24.91%			
Youth - Books	86,885	82,584	5.21%			
Youth - A/V	7,127	7,875	-9.50%			
Hot Picks	2,554	2,713	-5.86%			
<b>Net Acquisitions</b>	<b>1,042</b>	<b>(747)</b>	<b>239.49%</b>	<b>4,250</b>	<b>128</b>	<b>3220.31%</b>
Purchased - Books	2,342	1,909	22.68%	19,277	16,170	19.21%
Purchased - A/V	155	133	16.54%	1,384	1,564	-11.51%
Donated - Books	0	0	0.00%	2	1	100.00%
Donated - A/V	0	0	0.00%	2	0	100.00%
Material Discarded	(1,455)	(2,789)	47.83%	(16,415)	(17,607)	6.77%
<b>Total In-House Usage*</b>	<b>0</b>	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>n/a</b>
In-House Periodical Usage	n/a	n/a	n/a	0	0	n/a
In-House Book Usage	n/a	n/a	n/a	0	0	n/a
<b>Patrons</b>						
<b>Total Patrons</b>	<b>33,023</b>	<b>33,164</b>	<b>-0.43%</b>			
Adult	16,668	16,024	4.02%			
Youth	2,144	2,789	-23.13%			
Non-Resident	218	190	14.74%			
Reciprocal	3,282	3,009	9.07%			
Internet User	671	478	40.38%			
PASS Users	9,980	10,614	-5.97%			
Professional	60	60	0.00%			
<b>Net Patrons</b>	<b>214</b>	<b>(107)</b>	<b>300.00%</b>	<b>2,686</b>	<b>(3,208)</b>	<b>183.73%</b>
Adult	211	204	3.43%	2,245	2,143	4.76%
Youth	5	11	-54.55%	181	185	-2.16%
Non-Resident	8	5	60.00%	43	27	59.26%
Reciprocal	68	48	41.67%	697	579	20.38%
Internet User	50	31	61.29%	491	365	34.52%
PASS Users	37	11	236.36%	1,188	1,040	14.23%
Professional	0	0	0.00%	5	2	150.00%
<b>Patrons Removed</b>	<b>(165)</b>	<b>(417)</b>	<b>60.43%</b>	<b>(2,164)</b>	<b>(7,549)</b>	<b>71.33%</b>

# Statistical Report

	Month Statistics			YTD Statistics		
	Oct-24	Oct-23	CHANGE	2024	2023	CHANGE
<b>Library Building Usage</b>						
<b>Total Meeting Room Usage</b>	<b>930</b>	<b>734</b>	<b>26.70%</b>	<b>8,067</b>	<b>6,603</b>	<b>22.17%</b>
Internal/Collaboration	151	164	-7.93%	1,232	997	23.57%
External/Outside Usage	779	570	36.67%	6,835	5,606	21.92%
<b>Total Program Audience</b>	<b>8,900</b>	<b>3,304</b>	<b>169.37%</b>	<b>41,440</b>	<b>27,344</b>	<b>51.55%</b>
Adult	6,388	868	635.94%	13,889	5,771	140.67%
Youth	2,357	2,235	5.46%	26,641	19,683	35.35%
Heritage Room	155	201	-22.89%	910	1,890	-51.85%
<b>Total Number of Programs</b>	<b>114</b>	<b>95</b>	<b>20.00%</b>	<b>934</b>	<b>756</b>	<b>23.54%</b>
Adult	56	34	64.71%	474	349	35.82%
Youth	55	58	-5.17%	388	389	-0.26%
Heritage Room	3	3	0.00%	72	18	300.00%
<b>Total Volunteer Hours</b>	<b>227</b>	<b>152</b>	<b>49.34%</b>	<b>2,053</b>	<b>2,097</b>	<b>-2.10%</b>
Adult	53	37	43.24%	612	550	11.27%
Youth	96	0	100.00%	660	585	12.82%
Technical	15	14	7.14%	108	197	-45.18%
Circulation	31	69	-55.07%	337	389	-13.37%
Administration	32	32	0.00%	333	348	-4.31%
Community Service	0	0	0.00%	3	28	-89.29%
<b>Total Front Door Traffic</b>	<b>19,887</b>	<b>20,878</b>	<b>-4.75%</b>	<b>197,371</b>	<b>198,304</b>	<b>-0.47%</b>
<b>Total Youth Services Traffic</b>	<b>13,237</b>	<b>13,246</b>	<b>-0.07%</b>	<b>143,035</b>	<b>138,525</b>	<b>3.26%</b>
<b>Total Business Center Traffic</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>
<b>Information Access/Reference/Research</b>						
<b>Total Reference Transactions</b>	<b>6,955</b>	<b>6,979</b>	<b>-0.34%</b>	<b>63,742</b>	<b>64,097</b>	<b>-0.55%</b>
Adult Phone	506	350	44.57%	4,617	3,913	17.99%
Adult Ready Reference	1,954	1,714	14.00%	14,124	17,285	-18.29%
Adult Reference	234	202	15.84%	1,947	1,654	17.71%
Youth Phone	91	64	42.19%	745	637	16.95%
Youth Ready Reference	2,583	2,771	-6.78%	28,052	26,112	7.43%
Youth Reference	297	342	-13.16%	5,308	4,392	20.86%
HR Phone	20	6	233.33%	141	91	54.95%
HR Ready Reference	217	231	-6.06%	1,815	2,030	-10.59%
HR Reference	7	6	16.67%	89	102	-12.75%
Circ Phone	467	257	81.71%	3,778	2,751	37.33%
Circ Ready Reference	228	673	-66.12%	1,508	2,778	-45.72%
Circ Reference	351	363	-3.31%	1,618	2,352	-31.21%
<b>Total Edutainment LAN Use</b>	<b>98</b>	<b>81</b>	<b>20.99%</b>	<b>2,278</b>	<b>2,205</b>	<b>3.31%</b>
<b>Total Internet Computer Use</b>	<b>1,679</b>	<b>1,588</b>	<b>5.73%</b>	<b>16,735</b>	<b>14,462</b>	<b>15.72%</b>
Youth Computers	156	145	7.59%	1,821	1,567	16.21%
Adult Computers	1,521	1,441	5.55%	14,883	12,870	15.64%
Laptop Computer Circulated	2	2	0.00%	31	25	24.00%
<b>Total Electronic Transactions</b>	<b>38,692</b>	<b>35,321</b>	<b>9.54%</b>	<b>399,280</b>	<b>628,448</b>	<b>-36.47%</b>
WebSite Pageviews	26,002	24,231	7.31%	284,917	514,212	-44.59%
WebCatalog Sessions	11,581	9,879	17.23%	97,225	94,722	2.64%
Licensed Database Hits	1,109	1,211	-8.42%	17,138	19,514	-12.18%

\* In-house Use Statistics will be done for one week each quarter.

Christy Klien, Library Director

# Statistical Report

November 2024

	Month Statistics			YTD Statistics		
	Nov-24	Nov-23	CHANGE	2024	2023	CHANGE
<b>Circulation/Collections</b>						
<b>Total Library Circulation</b>	<b>75,841</b>	<b>70,199</b>	<b>8.04%</b>	<b>849,598</b>	<b>813,031</b>	<b>4.50%</b>
Adult - Books	15,673	15,547	0.81%	184,042	185,284	-0.67%
Adult - A/V	3,104	3,617	-14.18%	36,442	42,424	-14.10%
Youth - Books	27,877	27,069	2.98%	340,182	330,174	3.03%
Youth - A/V	2,630	2,906	-9.50%	32,233	32,392	-0.49%
Hot Picks	703	920	-23.59%	7,631	9,809	-22.20%
E-Material	24,152	18,349	31.63%	228,534	191,307	19.46%
ILL - PDL Requests	1,083	675	60.44%	12,891	11,432	12.76%
ILL - Other Lib. Requests	619	1,116	-44.53%	7,643	10,209	-25.13%
<b>Self-Checkout Percentage</b>	<b>52.55%</b>	<b>52.17%</b>		<b>52.09%</b>	<b>52.52%</b>	
<b>Total Library Collection</b>	<b>179,330</b>	<b>178,224</b>	<b>0.62%</b>			
Adult - Books	72,535	71,675	1.20%			
Adult - A/V	9,962	13,048	-23.65%			
Youth - Books	87,080	82,839	5.12%			
Youth - A/V	7,149	7,995	-10.58%			
Hot Picks	2,604	2,667	-2.36%			
<b>Net Acquisitions</b>	<b>1,034</b>	<b>101</b>	<b>923.76%</b>	<b>5,284</b>	<b>229</b>	<b>2207.42%</b>
Purchased - Books	2,494	1,450	72.00%	21,771	17,620	23.56%
Purchased - A/V	201	271	-25.83%	1,585	1,835	-13.62%
Donated - Books	3	2	50.00%	5	3	66.67%
Donated - A/V	2	1	100.00%	4	1	300.00%
Material Discarded	(1,666)	(1,623)	-2.65%	(18,081)	(19,230)	5.98%
<b>Total In-House Usage*</b>	<b>0</b>	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>n/a</b>
In-House Periodical Usage	n/a	n/a	n/a	0	0	n/a
In-House Book Usage	n/a	n/a	n/a	0	0	n/a
<b>Patrons</b>						
<b>Total Patrons</b>	<b>33,281</b>	<b>33,671</b>	<b>-1.16%</b>			
Adult	16,876	16,032	5.26%			
Youth	2,124	3,010	-29.44%			
Non-Resident	220	190	15.79%			
Reciprocal	3,330	3,200	4.06%			
Internet User	670	490	36.73%			
PASS Users	10,002	10,689	-6.43%			
Professional	59	60	-1.67%			
<b>Net Patrons</b>	<b>187</b>	<b>(90)</b>	<b>307.78%</b>	<b>2,873</b>	<b>(3,298)</b>	<b>187.11%</b>
Adult	176	182	-3.30%	2,421	2,325	4.13%
Youth	7	9	-22.22%	188	194	-3.09%
Non-Resident	3	1	200.00%	46	28	64.29%
Reciprocal	66	61	8.20%	763	640	19.22%
Internet User	30	38	-21.05%	521	403	29.28%
PASS Users	24	75	-68.00%	1,212	1,115	8.70%
Professional	0	0	0.00%	5	2	150.00%
<b>Patrons Removed</b>	<b>(119)</b>	<b>(456)</b>	<b>73.90%</b>	<b>(2,283)</b>	<b>(8,005)</b>	<b>71.48%</b>



# Statistical Report

	Month Statistics			YTD Statistics		
	Nov-24	Nov-23	CHANGE	2024	2023	CHANGE
<b>Library Building Usage</b>						
<b>Total Meeting Room Usage</b>	<b>805</b>	<b>883</b>	<b>-8.83%</b>	<b>8,872</b>	<b>7,486</b>	<b>18.51%</b>
Internal/Collaboration	156	151	3.31%	1,388	1,148	20.91%
External/Outside Usage	649	732	-11.34%	7,484	6,338	18.08%
<b>Total Program Audience</b>	<b>2,897</b>	<b>2,359</b>	<b>22.81%</b>	<b>44,337</b>	<b>29,703</b>	<b>49.27%</b>
Adult	768	439	74.94%	14,657	6,210	136.02%
Youth	1,978	1,823	8.50%	28,619	21,506	33.07%
Heritage Room	151	97	55.67%	1,061	1,987	-46.60%
<b>Total Number of Programs</b>	<b>109</b>	<b>87</b>	<b>25.29%</b>	<b>1,043</b>	<b>843</b>	<b>23.72%</b>
Adult	57	29	96.55%	531	378	40.48%
Youth	49	53	-7.55%	437	442	-1.13%
Heritage Room	3	5	-40.00%	75	23	226.09%
<b>Total Volunteer Hours</b>	<b>162</b>	<b>196</b>	<b>-17.35%</b>	<b>2,215</b>	<b>2,293</b>	<b>-3.40%</b>
Adult	54	73	-26.03%	666	623	6.90%
Youth	10	50	-80.00%	670	635	5.51%
Technical	58	50	16.00%	166	247	-32.79%
Circulation	31	23	34.78%	368	412	-10.68%
Administration	8	0	100.00%	341	348	-2.01%
Community Service	1	0	100.00%	4	28	-85.71%
<b>Total Front Door Traffic</b>	<b>18,545</b>	<b>18,769</b>	<b>-1.19%</b>	<b>215,916</b>	<b>217,073</b>	<b>-0.53%</b>
<b>Total Youth Services Traffic</b>	<b>10,912</b>	<b>10,998</b>	<b>-0.78%</b>	<b>153,947</b>	<b>149,523</b>	<b>2.96%</b>
<b>Total Business Center Traffic</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>
<b>Information Access/Reference/Research</b>						
<b>Total Reference Transactions</b>	<b>6,782</b>	<b>6,769</b>	<b>0.19%</b>	<b>70,524</b>	<b>70,866</b>	<b>-0.48%</b>
Adult Phone	586	368	59.24%	5,203	4,281	21.54%
Adult Ready Reference	1,613	1,916	-15.81%	15,737	19,201	-18.04%
Adult Reference	170	201	-15.42%	2,117	1,855	14.12%
Youth Phone	63	64	-1.56%	808	701	15.26%
Youth Ready Reference	2,899	2,510	15.50%	30,951	28,622	8.14%
Youth Reference	298	347	-14.12%	5,606	4,739	18.29%
HR Phone	20	9	122.22%	161	100	61.00%
HR Ready Reference	266	232	14.66%	2,081	2,262	-8.00%
HR Reference	19	7	171.43%	108	109	-0.92%
Circ Phone	442	218	102.75%	4,220	2,969	42.14%
Circ Ready Reference	145	436	-66.74%	1,653	3,214	-48.57%
Circ Reference	261	461	-43.38%	1,879	2,813	-33.20%
<b>Total Edutainment LAN Use</b>	<b>128</b>	<b>112</b>	<b>14.29%</b>	<b>2,406</b>	<b>2,317</b>	<b>3.84%</b>
<b>Total Internet Computer Use</b>	<b>1,424</b>	<b>1,380</b>	<b>3.19%</b>	<b>18,159</b>	<b>15,842</b>	<b>14.63%</b>
Youth Computers	134	125	7.20%	1,955	1,692	15.54%
Adult Computers	1,286	1,251	2.80%	16,169	14,121	14.50%
Laptop Computer Circulated	4	4	0.00%	35	29	20.69%
<b>Total Electronic Transactions</b>	<b>36,196</b>	<b>36,413</b>	<b>-0.60%</b>	<b>435,476</b>	<b>664,861</b>	<b>-34.50%</b>
WebSite Hits	25,885	26,211	-1.24%	310,802	540,423	-42.49%
WebCatalog Sessions	8,977	8,878	1.12%	106,202	103,600	2.51%
Licensed Database Hits	1,334	1,324	0.76%	18,472	20,838	-11.35%

\* In-house Use Statistics will be done for one week each quarter.

Christy Klien, Library Director

# PDL Events

Jan 2025

## Muffins and the Market

Thursday, Jan 2 | 9:00am - 10:00am

## High School Exam Care Packages

Monday, Jan 6 -12

## Baby/Toddler Storytime

Monday, Jan 6 | 9:30am & 10:30am

## Knot for Profit

A Fiber Arts Club

Monday, Jan 6 | 3:00pm - 5:00pm

## Family Storytime

Tuesday, Jan 7 | 9:30am & 10:30am

## Chocolate Making

with the Candy Lady

Tuesday, Jan 7 | 6:30pm - 8:00pm

## Baby/Toddler Storytime

Wednesday, Jan 8 | 9:30am & 10:30am

## Middle Grade Book Club

4th-6th Grade

Wednesday, Jan 8 | 6:00pm - 7:00pm

## Cooking Demonstration with Gretchen!

Wednesday, Jan 8 | 6:00pm - 7:00pm

## Bedtime Storytime

Thursday, Jan 9 | 6:30pm - 7:00pm

## International Mystery Book

Discussion

"The Paris Apartment"

Thursday, Jan 9 | 7:00pm - 8:00pm

## Documentary and Donuts

Bad Axe.

Friday, Jan 10 | 10:00am - 12:00pm

## Coffee: Bean to Cup!

Presented by Gary Marquardt

Saturday, Jan 11 | 10:00am - 11:30am

## Teen Exam Late Night

Sunday, Jan 12 | 5:00pm - 9:00pm

## Baby/Toddler Storytime

Monday, Jan 13 | 9:30am & 10:30am

## Make It @ The Library:

Sublimation Mugs

Monday, Jan 13 | 10:30am - 12:00pm

## Baby/Toddler Storytime

Monday, Jan 13 | 10:30am - 11:00am

## 4- and 5-Year-Old Book Club

Monday, Jan 13 | 2:00pm - 2:45pm

## Just Move Storytime

Tuesday, Jan 14 | 9:30am & 10:30am

## Introduction to Watercolors

with Sarah Nott

Tuesday, Jan 14 | 6:00pm - 7:30pm

## Musical Baby Toddler Storytime

Wed, Jan 15 | 9:30am & 10:30am

## Muffins and the Market

Thursday, Jan 16 | 9:00am - 10:00am

## Make It @ The Library:

Sublimation Mugs

Thursday, Jan 16 | 2:30pm - 4:00pm

## Bedtime Storytime

Thursday, Jan 16 | 6:30pm - 7:00pm

## Fort Builder Drop-in

Children and their families welcome

Friday, Jan 17 | 12:00am - 11:59pm

## Introduction to Tai Chi

Friday, Jan 17 | 2:00pm - 3:00pm

## Fort Builder Drop-in

Children and their families welcome

Saturday, Jan 18-19

## Baby/Toddler Storytime

Monday, Jan 20 | 9:30am & 10:30am

## Kalamazoo Valley Genealogical Society

Monday, Jan 20 | 7:00pm - 8:30pm

## Family Storytime

Tuesday, Jan 21 | 9:30am & 10:30am

## Plots and Pages

A Local Writers' Group

Tuesday, Jan 21 | 6:00pm - 8:00pm

## Michael Delaware

Victorian Southwest Michigan True Crime

Tuesday, Jan 21 | 6:30pm - 7:30pm

## Make It @ The Library:

Sublimation Mugs

Tuesday, Jan 21 | 6:30pm - 8:00pm

## Baby/Toddler Storytime

Wed, Jan 22 | 9:30am & 10:30am

## Immaculate Snacks & Gaming

Wednesday, Jan 22 | 3:30pm - 4:30pm

## Human Trafficking Awareness

Thursday, Jan 23 | 5:30pm - 6:30pm

## Bedtime Storytime

Thursday, Jan 23 | 6:30pm - 7:00pm

## Watercolor Arctic Fox

Thursday, Jan 23 | 6:30pm - 8:00pm

## Sense-sational hands-on fun

Sensory Activities for children 1yr - 4yrs

Friday, Jan 24 | 10:00am - 11:00am

## Saturday Sound Immersion

Saturday, Jan 25 | 10:00am - 11:00am

## Baby/Toddler Storytime

Monday, Jan 27 | 9:30am & 10:30am

## Light Lunch and Literature

"Daisy Miller," by Henry James

Monday, Jan 27 | 12:00pm - 1:00pm

## Family Storytime

Tuesday, Jan 28 | 9:30am & 10:30am

## Purl for Portage

A Yarn Arts Club

Tuesday, Jan 28 | 6:00pm - 8:00pm

## Teen LGBTQ+ Meet-Up

Tuesday, Jan 28 | 6:30pm - 8:00pm

## Toddler Playtime

Wednesday, Jan 29 | 9:30am & 10:30am

## Preschool STEM Event

Wednesday, Jan 29 | 4:30pm - 6:00pm

## Creating for Every-body

for Adults | Paint Pouring

Thursday, Jan 30 | 2:30pm - 4:00pm

## Bedtime Storytime

Thursday, Jan 30 | 6:30pm - 7:00pm

## Friends of the Library

Members Only Book Sale

Friday, Jan 31 | 4:00pm - 5:30pm

# MLA ADVOCACY NEWS

November 2024

## November 5 Election Millage Results

We are excited to share the good news that several libraries around Michigan passed millage proposals during the November election! Library millages are the primary source of funding for most Michigan public libraries and at the ballot box, Michigan residents made it clear that they love, support, and VOTE YES to fund their local libraries. It is a great reminder that regardless of where patrons land on the political spectrum, libraries are for everyone!

We are proud of the library boards, staff, and supporters for their work on these campaigns and their dedication to supporting their libraries! The Library of Michigan provides a listing of Public Library Millage Election Results from 2010 to the present. Check out the roundup of the November 5, 2024 election results for millage questions on ballots around the state.

View the results (pdf) via the link below.

[https://www.milibraries.org/index.php?option=com\\_content&view=article&id=1711:november-5-election-millage-results---news---michigan-library-association&catid=44:news-advocacy&Itemid=311](https://www.milibraries.org/index.php?option=com_content&view=article&id=1711:november-5-election-millage-results---news---michigan-library-association&catid=44:news-advocacy&Itemid=311)

## Freedom to Read Legislation Introduced in House

On Thursday, November 7, new legislation to safeguard library materials from censorship and protect the right to read was introduced in the Michigan House of Representatives. The Freedom to Read Act legislation, tie-barred House Bills 6034 and 6035, was introduced by Michigan State Representatives Veronica Paiz (D-Harper Woods) and Carol Glanville (D-Walker) and referred to the Committee on Government Operations.

Along with the MLA Board, staff, workgroup leadership, and the MI Right to Read Coalition, we are proud to endorse and share this newly introduced legislation.

These bills will help to secure the right to read in Michigan's public libraries and create a uniform set of rules dictating when and how library materials can be challenged and removed from shelves. (The bills are identical except that one is directed toward district libraries and the other is directed toward libraries established as county libraries or as city, township, or village libraries.)

Since 2021, Michigan's public libraries have contended with the spread of misinformation about library collections and policies that have resulted in coordinated and increased attempts to challenge and remove books and materials. However, poll data shows that the majority of Michiganders support the work of our public libraries and want to see various perspectives portrayed in the materials available to them at their library. By requiring that both the principles of the First Amendment and the rights afforded and upheld in civil rights protections are incorporated into existing library policy, this legislation protects Michigan's public libraries against undemocratic and bad-faith censorship attempts.

In a statewide poll commissioned in March 2023 and updated in November 2023 by the Michigan Library Association (MLA), 86% of all respondents supported state legislation that would protect the right of the public to read what they wish to read in local public libraries and not have books banned.

# MLA ADVOCACY NEWS

The Freedom to Read Act legislation enshrines various protections that are rooted in transparency, including:

A library must have a board-approved policy in effect that complies with the act setting forth standards for the selection and removal of materials.

Public library directors will have the final say in selecting and removing materials in a library's collection.

The individual requesting the removal of material must certify that they live in the library service area and that they have actually read, listened to or viewed that material themselves.

The reason or basis for a request for reconsideration cannot be made based on religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, or marital status of the author or subject matter, OR unless the material has been adjudicated to be obscene or otherwise unprotected by the First Amendment of the United States Constitution.

The Michigan Attorney General may compel the public library to adopt a policy and the attorney general, a resident of the public library's legal service area, or the public library's contracted service area may commence a civil action to prevent the public library from unlawful removal of material.

Watch for our call to action and be ready to contact your legislators and ask them to support this legislation. We hope our members, coalition supporters and library advocates will step up when the time comes and make your voices heard in support of this proactive legislation that protects the right to read for all Michiganders.

Dillon Geshel, MLA President

Jenny Marr, Chair, MLA Legislative Committee

Kate Pohjola Andrade, Chair, MLA Intellectual Freedom

## Note from Debbie

The voters have spoken and Michigan will again see a change in House leadership when the 103rd Legislature takes over on January 1, 2025. The short-lived, two-year trifecta of democratic control will come to an end, and while our Governor is a Democrat and the Senate continues to have a democratic majority, the House now has a solid 58-52 Republican majority.

With that in mind, it is even more critical that we do all that we can before the year's end to pass the Freedom to Read legislation (House Bills 6034 and 6035) that MLA has been supporting for the past two years.

Two weeks ago, Rep. Glanville (D-Walker) and Rep. Paiz (D-Harper Woods) introduced tie-barred legislation that simply requires libraries to adopt collection development policies that incorporate both the principles of the First Amendment and the rights afforded and upheld in civil rights protections. By incorporating both principles into standard library policy, libraries can 1) protect citizen's rights to receive and express diverse ideas without censorship, and 2) put to rest baseless challenges targeting authors or the subject matter, content, or viewpoint of material based on protected class.

# MLA ADVOCACY NEWS

This legislation for our public libraries to safeguard books and materials from censorship and protect the right to read for all Michiganders was introduced in the House and referred to the Committee on Government Operations. These bills create a uniform set of rules dictating when and how library materials can be challenged and removed from shelves.

The Freedom to Read Act legislation enshrines various protections that are rooted in transparency, including:

A library must have a board-approved policy in effect that complies with the act setting forth standards for the selection and removal of materials.

Public library directors will have the final say in selecting and removing materials in a library's collection.

The individual requesting the removal of material must certify that they live in the library service area and that they have actually read, listened to, or viewed that material themselves.

The reason or basis for a request for reconsideration cannot be made based on religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, or marital status of the author or subject matter, OR unless the material has been adjudicated to be obscene or otherwise unprotected by the First Amendment of the United States Constitution.

The Michigan Attorney General may compel the public library to adopt a policy and the attorney general, a resident of the public library's legal service area, or the public library's contracted service area may commence a civil action to prevent the public library from unlawful removal of material.

We feel confident that if these bills reach the Governor's desk before the end of this legislative session they will be signed into law.

BE READY...As we await the final date and time for the Committee on Government Operations to schedule their hearing (currently scheduled for Dec. 4 but could change up to 24 hours prior), we will be putting our talking points together for you and sending them out immediately after the Thanksgiving holiday. We hope you will be ready when we CALL YOU TO ACTION to call, email, or visit your House member and show your support for this legislation.

# Bulletin Board Policy

The Portage District Library ("Library") provides space for exhibits, displays and postings of a civic, charitable, educational, cultural, governmental, or recreational nature. Bulletin Boards may also be used for Library purposes such as to publicize Library services, collections, or activities. Thus, this Bulletin Board Policy ("Policy") does not apply to the Library's use or co-sponsored use and the Library's use and co-sponsored use has first priority. When not used for Library sponsored or co-sponsored events, space designated by the Library for public use may be used for exhibits, displays and postings pursuant to this Policy.

## I. Bulletin Board Space:

- A.** Bulletin Boards. Bulletin Board space is also limited to the following areas ("Bulletin Boards"):
  - 1. Front Entrance
  - 2. Other areas as designated by Library Director.
- B.** Accessible to All Patrons. All pre-approved Bulletin Boards within the Library are open to adults and children of all ages and sensibilities.
- C.** Availability. Bulletin Boards are available on an equitable basis regardless of the beliefs or affiliations of individuals or groups requesting their use.

## II. Bulletin Board Space.

- A.** Approval. All notices for the Bulletin Board are to be given to the Adult Information Desk for the Library Director or their designee's approval and posting pursuant to this Policy.
- B.** Time Limit. Materials shall be posted for no more than two (2) weeks after receipt. Time sensitive material shall also be removed the day following the announced event or final date listed on the document. Postings that are not time sensitive, ie, happen throughout the year, may be delayed until there is room on the board as time sensitive postings are removed.
- C.** Nature of Materials. Materials posted are limited to postings that are educational, cultural, intellectual, charitable, or recreational in nature. Commercial notices or personal notices, including anything for sale, will not be posted.
- D.** Limit on Notices. There is a limit of one posting per sponsor at a time in any Bulletin Board. On the Bulletin Board, items must contain the name of the sponsor of that item and may not be larger than 11 x 17. Items may be reduced in size by library staff to fit available space. Further, multiple copies may not be posted. The Library does not permit petitioning, solicitation or distribution of literature, leaflets or similar types of appeals in the Bulletin Board.
- E.** No Violations of Law. Any postings that violate Michigan law or would cause the Library to violate Michigan law are not permitted.
- F.** No Endorsement. All postings must clearly identify the name of the person or organization that posted the material. The Library does not endorse content nor imply agreement or disagreement with beliefs or viewpoints expressed in the postings.

## III. Right of Appeal

Any person or organization aggrieved by the Director or designee's decision regarding the use of the Bulletin Board or Display Spaces may appeal that decision to the Portage District Library Board ("Library Board"). Such appeal shall be made within 10 business days of the decision. The appeal letter must indicate it is an appeal and be sent to the Library Director. The person or organization must include the reasons for the appeal. The decision of the Library Board is final.

# Policy For Public Comments At Meetings

## I. Purpose

The Portage District Library welcomes and encourages comments from members of the public who attend Library Board meetings. Pursuant to the requirements of the Open Meetings Act, a person is permitted to make a public comment during a meeting under rules established and recorded by the Library Board.

## II. Public Comment Period; Meeting Agendas

- A.** If an agenda is available, the Library Board will have copies of the agenda available for the public who attend the meeting. The agenda will indicate the designated time(s) for the public to provide comments. The Library Board will include at least one public comment period during each meeting. These rules apply to the public comment period in any regular or special meeting or in any committee meeting that is open to the public (“Public Comment”).
- B.** Members of the public have no right to address the Library Board or make comments outside of the Public Comment. At any time, the Library Board, at its discretion, may accept comments from the public. However, outside of the Public Comment time, the Library Board is under no obligation to hear comments from the public during a meeting.
- C.** The Library Board has sole discretion to determine the content of each meeting agenda and is not obligated to add any item to the agenda.

## III. Rules of Public Comment

The Library Board adopts the following procedures to receive Public Comments:

- A.** When the Library Board meeting reaches a designated time for Public Comments, the Chair will invite attendees to make Public Comments. If the Chair is absent, the acting chair of the meeting will perform the Chair’s duties under this policy.
- B.** The Chair will ask persons wishing to speak to raise their hands to be recognized by the Chair. The Chair will recognize one person to speak at a time, and each speaker must provide his or her name and address. No person in attendance may make a comment without being recognized.
- C.** Public Comments must be addressed to the Library Board, not to other members of the audience.
- D.** Each speaker is only entitled to one (1) three-minute time during each Public Comment period and may not split the time or “give” the time to another speaker.
- E.** In lieu of speaking, a person may submit any written comments to the Library Board Secretary. Written materials submitted to the Library Board are considered public documents.

# **Exhibit A**

## **FOIA – Procedures and Guidelines**



**PORTAGE DISTRICT LIBRARY**  
**FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES**

**I. PURPOSE.**

The Portage District Library (“Library”) adopts the public policy set forth in the Michigan Freedom of Information Act, 1976 PA 442 (“FOIA”), that all persons, except those persons incarcerated in state, county or federal correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with the FOIA. Access to information is important so that people may fully participate in the democratic process. These Procedures and Guidelines are enacted in compliance with the requirements set forth in Section 4(4) of the FOIA.

**II. FOIA COORDINATOR.**

The Library Director shall be the FOIA Coordinator. The FOIA Coordinator will respond to requests in accordance with the FOIA. An employee of the Library who receives a request for a public record must promptly forward that request to the FOIA Coordinator. The FOIA Coordinator is responsible for accepting, processing and approving a denial of a request and signing the written notice of denial. The FOIA Coordinator may designate another individual to act on his or her behalf in accepting and processing requests for the Library’s public records, and in approving a denial.

**III. REQUEST REQUIRED.**

A. *Requestor; Public Record.* An individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity, except those persons incarcerated in state, county or federal correctional facilities, may request public records from the Library. “Public Record” has the meaning as defined in Section 2(e) of the FOIA.

B. *Verbal Requests.* The Library may, but is not required to, provide public records in response to a verbal request, unless such verbal request is for information that the Library believes is available on its website. In such case, an employee, where practicable and to the best of his or her knowledge, shall inform the requestor about the pertinent website where the information is available.

C. *Written Requests.* Except as provided in Section III.B above, a person desiring to inspect, copy or receive a copy of a public record shall make a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission.

1. Where to Send the Request. Whenever possible, requests for public records should be directed to the following recipients so that the information can reach the FOIA Coordinator:

- a. By mail or in person:

Portage District Library  
Attn: FOIA Coordinator  
300 Library Lane  
Portage, MI 49002

- b. By e-mail: [foia@portagelibrary.info](mailto:foia@portagelibrary.info)

- c. By fax: (269) 324-9222

2. **Sufficient Description.** Requests in writing must identify the public record sufficiently to allow the Library to find the requested record. If not, the request may be denied on that basis.

3. **Requester Contact Information Required.** A request from a person must include the following (unless the request is from an individual who qualifies as indigent under Section 4(2)(a) of the FOIA):

- a. the requesting person's complete name, address, and contact information, and
- b. if the request is made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual.

An address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address.

4. **Electronic Transmissions.** For requests sent by electronic transmission, the following shall apply:

- a. **Electronic Transmissions.** A written request made by facsimile, electronic mail, or other electronic transmission is not received by the Library's FOIA coordinator until 1 business day after the electronic transmission is made.
- b. **Spam or Junk Mail Folder.** If a written request is sent by electronic mail and delivered to the Library's spam or junk mail folder, the request is not received until 1 day after the Library first becomes aware of the written request. The Library shall note in its records both the time a written request is delivered to its spam or junk mail folder and the time the Library first becomes aware of that request. The FOIA Coordinator shall

be responsible for routinely monitoring the spam and junk mail folders in order to determine whether they contain any FOIA requests.

5. Specify Format. The requestor may specify whether he or she would like to inspect, receive paper copies, or receive the public records on nonpaper physical media. The Library is only required to comply with the request for specified nonpaper physical media if it has the technological capability necessary to provide the public records on the requested nonpaper physical media in the particular instance.

6. Subscription. A person has a right to subscribe to future issuances of public records that are created, issued, or disseminated on a regular basis. A subscription shall be valid for up to 6 months, at the request of the subscriber, and shall be renewable.

#### **IV. PROCEDURES FOR RESPONDING TO WRITTEN FOIA REQUESTS.**

A. *Response.* Unless otherwise agreed to in writing by the person making the request, the Library shall respond to a request within 5 business days after it receives the request by:

1. Granting the request (which would include notifying the requestor that all or a portion of the public records requested are available on the website, if applicable);
2. Issuing a written notice to the requesting person denying the request;
3. Granting the request in part and issuing a written notice to the requesting person denying the request in part (which would include notifying the requestor that all or a portion of the public records requested are available on the website if applicable); or
4. Issuing a notice extending for not more than 10 business days the period during which the Library shall respond to the request.

The Library's written response shall be considered the final determination regarding the FOIA request.

B. *Understanding the Library's Response.* The Library has an obligation to respond as required under the FOIA. If the Library grants a written request in full, the requestor will receive a notice indicating that it has been granted. However, if the request is denied or denied in part, the Library shall provide the following information:

- 1 Pursuant to Section 13 of the FOIA, the Library may exempt certain documents from disclosure. The FOIA Coordinator will review the request to determine if any exemptions apply. The FOIA Coordinator may request

assistance from the Library's Attorney regarding the application of exemptions. If exempt, the Library shall provide an explanation of the basis under this act or other statute for the determination that the public record, or portion of that public record, is exempt from disclosure, if that is the reason for denying all or a portion of the request.

2. A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library, if that is the reason for denying the request or a portion of the request. The denial letter may indicate that the letter serves as the certificate as required by the FOIA.

3. A description of a public record or information on a public record that is separated or deleted pursuant to Section 14 of the FOIA, if a separation or deletion is made.

4. A full explanation of the requesting person's right to do either of the following:

a. Submit to the Library Board a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the disclosure denial; or

b. Seek judicial review of the denial under Section 10 of the FOIA.

5. Notice of the right to receive attorneys' fees and damages as provided in Section 10 of the FOIA, MCL 15.240, if, after judicial review, the court determines that the Library has not complied and orders disclosure of all or a portion of a public record.

C. *No Obligation to Create Records.* The FOIA does not require the Library to make a compilation, summary, or report of information. Further, the Library is not required to create a new public record in order to respond to a request.

D. *Documents Available on Website.* If the FOIA Coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the Library shall notify the requestor in its written response. The written response, to the degree practicable in the specific instance, shall include a specific webpage address where the requested information is available.

If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format. On the detailed itemization, the Library shall separate the requested public records that are available on its website from those that are not available on the website and shall inform the requestor of the additional charge to receive copies of the public records that are available on its website.

## V. FEES.

The Library may charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record because it has established, made publicly available, and follows these Procedures and Guidelines and the FOIA. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor; the cost of search, examination and review; and the deletion and separation of exempt information from non-exempt information as set forth more fully in these Procedures and Guidelines. The FOIA Coordinator shall provide a detailed itemization of costs on a standard form, as required under Section 4(4) of the FOIA (“Detailed Itemization”). The total fee shall not exceed the sum of the following components:

### A. *Labor Costs:*

#### 1. Searching for, Locating and Examining.

a. The Library may charge for searching for, locating and examining public records in conjunction with receiving and fulfilling a granted written request.

b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in the particular instance regardless of whether that person is available or who actually performs the labor.

c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

#### 2. Separating and Deleting Exempt from Non-Exempt:

a. For services performed by an employee of the Library, the Library shall not charge more than the hourly wage of its lowest-paid employee capable of separating and deleting exempt information from non-exempt information in the particular instance, regardless of whether that person is available or who actually performs the labor. All references in these Procedures and Guidelines to separating and deleting exempt information from non-exempt information shall refer to the separation and deletion requirements set forth in Section 14 of the FOIA, MCL 15.244.

b. If the Library does not employ a person capable of separating and deleting exempt information from non-exempt information in the particular instance, it may treat necessary contracted labor costs used for the separating and deleting of exempt information from non-exempt information in the same manner as employee labor costs when calculating charges under this subdivision if all of the following occur:

1) The Library's FOIA Coordinator determines on a case-by-case basis that the Library does not employ a person capable of separating and deleting exempt information from non-exempt information.

2) The Library clearly notes the name of the contracted person or firm on the Detailed Itemization.

3) Total labor costs calculated for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate.

c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

d. The Library shall not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the Library's possession.

f. If the Library directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from this labor charge.

3. Duplication or Publication Labor Charges.

a. The Library may charge labor costs for duplication and publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on nonpaper physical media or through the internet or other electronic means as stipulated by the requestor.

b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of necessary duplication or publication in the particular instance, regardless of whether that person is available or who actually performs the labor.

c. Labor costs shall be estimated and charged in increments of one (1) minute, with all partial time increments rounded down.

4. Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits in the Detailed Itemization. Subject to the 50% limitation, the Library shall not

charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits.

If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than the 50% limitation, not to exceed the actual costs of providing the information in the specified format.

5. Overtime Wages. Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the Detailed Itemization.

6. Itemization. All labor fee components shall be itemized using both the hourly wage and the number of hours charged on the Detailed Itemization.

7. Unreasonably High Costs. The labor fee shall not be charged for (1) searching for, locating and examining of public records, or (2) the cost of the deletion and separation of exempt information from non-exempt information, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs. The FOIA Coordinator has authority to determine when the costs are unreasonably high in a particular instance, including, but not limited to, instances when the costs would be excessive and beyond the normal or usual amounts for responding to a request. In doing so, the FOIA Coordinator may take into account considerations such as the volume and complexity of the FOIA request as well as the Library's particular fiscal condition at the time of the request or any other conditions authorized by law.

B. *Other Costs.*

1. Nonpaper Physical Media. Costs for providing records on nonpaper physical media.

a. The requestor may stipulate that the public records be provided on nonpaper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. The Library is not required to provide the documents on nonpaper physical media if it lacks the technological capability necessary to provide records on the requested particular nonpaper physical media.

b. For public records provided to the requestor on nonpaper physical media, the Library may charge the actual and most reasonably economical cost of the computer discs, computer tapes, or other digital or similar

media. The Library may use (but is not required to) a computer disc, thumb drive or other nonphysical media provided by the requestor but only if it is provided in its original packaging. Because the safety and security of the Library's computers and network is of important public interest, the Library may take that security interest into account when determining the means of providing the documents on nonpaper physical media.

2. Costs for Providing Paper Copies.

a. For paper copies of public records provided to the requestor, the Library may charge the actual total incremental cost of necessary duplication or publication, not including labor.

b. The cost of paper copies shall be calculated as a total cost per sheet of paper and shall be itemized and noted in a manner that expresses both the cost per sheet and the number of sheets provided.

c. The fee shall not exceed 10 cents per sheet of paper for copies of public records made on 8½ by 11 inch paper or 8½ by 14 inch paper. For all other paper sizes, the Library may charge the actual total incremental cost of duplication or publication, not including labor.

d. The Library shall utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

3. Mailing Costs.

a. The Library shall charge the actual cost of mailing, if any, for sending the public records in a reasonably economical and justifiable manner.

b. The Library shall not charge more for expedited shipping or insurance unless specifically stipulated by the requestor, but may otherwise charge for the least expensive form of postal delivery confirmation when mailing public records.

C. *Statutory Fees.* The fees set forth in this Section V do not apply to public records prepared under an act or statute specifically authorizing the sale of those public records to the public, or if the amount of the fee for providing a copy of the public record is otherwise specifically provided by an act or statute.



- D. *Fees Paid Before Providing Documents.* The Library shall require that all fees be paid in full before providing records in response to granted or granted in part written requests.

## VI. DEPOSIT.

A. *Deposit.* In either the Library's initial response or subsequent response as described under Section 5(2)(d), the Library may require a good-faith deposit before providing the public records to the requestor if the entire fee estimate or charge authorized the FOIA exceeds \$50.00, based on a good-faith calculation of the total. The deposit shall not exceed ½ of the total estimated fee, and the Library's request for a deposit shall be included in the Detailed Itemization. The response shall also contain a best efforts estimate by the Library regarding the time frame it will take the Library to comply with the law in providing the public records to the requestor. The time frame estimate is nonbinding upon the Library, but the Library shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this state's public policy under Section 1 and the nature of the request in the particular instance. If the Library does not respond in a timely manner as required by the FOIA, it is not relieved from its requirements to provide proper fee calculations and time frame estimates in any tardy responses. Providing an estimated time frame does not relieve the Library from any of the other requirements of this act.

B. *Increased Deposit For Prior Unpaid Requests.* After the Library has granted and fulfilled a written request from an individual under this act, if the Library has not been paid in full the total amount for the copies of public records that the Library made available to the individual as a result of that written request, the Library may require a deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual if all of the following apply:

1. The final fee for the prior written request was not more than 105% of the estimated fee.
2. The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
3. The public records were made available to the individual, subject to payment, within the time frame estimate described Section 4(7) of the FOIA.
4. Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
5. The individual is unable to show proof of prior payment to the Library.
6. The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

The Library shall no longer require an increased estimated fee deposit from an individual described above if any of the following apply:

1. The individual is able to show proof of prior payment in full to the Library;
2. The Library is subsequently paid in full for the applicable prior written request; or
3. Three hundred sixty-five days have passed since the individual made the written request for which full payment was not remitted to the Library.

C. *Payment of Deposit; Abandonment of Request.* If a deposit that is required under Subsection 4(8) or 4(11) of the FOIA (as described in Subsections VI.A and B above) is not received by the Library within 45 days from receipt by the requesting person of the notice that a deposit is required, and if the requesting person has not filed an appeal of the deposit amount, the request shall be considered abandoned by the requesting person and the public body is no longer required to fulfill the request. This notice of a deposit requirement is considered received 3 days after it is sent, regardless of the means of transmission. Notice of a deposit requirement will include notice of the date by which the deposit must be received, which date is 48 days after the date the notice is sent.

## VII. WAIVER OR REDUCTION OF FEES.

A. *Waiver of Fees of First \$20.00.* A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request by either of the following:

1. Indigency. An individual who is entitled to information under this act and who submits an affidavit stating that the individual is indigent and receiving specific public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigency.

- a. If the requestor is eligible for a requested discount, the Library shall fully note the discount on the Detailed Itemization.

- b. If a requestor is ineligible for the discount, the Library shall inform the requestor specifically of the reason for ineligibility in the Library's written response. An individual is ineligible for this fee reduction if any of the following apply:

- 1) The individual has previously received discounted copies of public records from the Library twice during that calendar year.

- 2) The individual requests the information in conjunction with outside parties who are offering or providing payment or

other remuneration to the individual to make the request, as verified by an affidavit executed by the requestor.

2. Certain Non-Profit Organizations. A non-profit organization formally designated by the state to carry out activities under subtitle C of the developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:

- a. Is made directly on behalf of the organization or its clients.
- b. Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- c. Is accompanied by documentation of its designation by the state, if requested by the Library.

B. *Public Interest Reduction or Waiver.* The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator 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.

C. *Reduction for Late Responses.* If the Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall do the following:

1. Reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if either of the following applies:
  - a. The late response was willful and intentional.
  - b. The written request:
    - (i) included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or
    - (ii) specifically included the words, characters, or abbreviations for “freedom of information”, “information”, “FOIA”, “copy”, or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.

2. If a charge reduction is required, the Library shall fully note the charge reduction on the Detailed Itemization.

## **IX. INSPECTION.**

Upon request, the Library must furnish a requesting person a reasonable opportunity for inspection and examination of its public records, and must furnish reasonable facilities for making memoranda or abstracts from its public records during the usual business hours. Pursuant to Section 4(1) of the FOIA, the Library may charge a fee for the public record search, for the necessary copying of a public record for inspection or for providing a copy of the public record after inspection.

The FOIA permits the Library to make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions. The Library must protect public records from loss, unauthorized alteration, mutilation, or destruction. As such, the Library authorizes the FOIA Coordinator to determine whether in a particular circumstance an employee or agent of the Library must be present at any inspection of documents to protect the public records, and in such cases may assess charges as appropriate under law.

## **X. CERTIFIED COPIES.**

The Library must, upon written request, furnish a requesting person a certified copy of the public record disclosed in whole or in part by the Library.

## **XI. APPEALS.**

### **A. *Appeal of a Final Determination to Deny All or a Portion of the Request.***

1. **Submit an Appeal.** If a requestor desires to appeal all or part of a final determination to deny a request, the requestor must submit to the Portage District Library Board ("Library Board") a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.
2. **Receipt of Appeal.** The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal.
3. **Response to Appeal.** Within 10 business days after receiving a written appeal, the Library Board shall do 1 of the following:
  - a. Reverse the disclosure denial.
  - b. Issue a written notice to the requesting person upholding the disclosure denial.

c. Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

d. Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Library Board shall respond to the written appeal. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

B. *Appeals of Fees (Including Deposits).*

1. Submit an Appeal. If the Library requires a fee that exceeds the amount permitted under these Procedures and Guidelines or Section 4 of the FOIA, the requesting person may submit to the Library Board a written appeal for a fee reduction that specifically states the word “appeal” and identifies how the required fee exceeds the amount permitted under these Procedures and Guidelines or Section 4 of the FOIA.

2. Receipt of Appeal. The Library Board is not considered to have received a written appeal under until the first regularly scheduled meeting of the Library Board following submission of the written appeal.

3. Response of Appeal. Within 10 business days after receiving a written appeal, the Library Board shall do 1 of the following:

a. Waive the fee.

b. Reduce the fee and issue a written determination to the requesting person indicating the specific basis under Section 4 of the FOIA that supports the remaining fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available Procedures and Guidelines and Section 4 of the FOIA.

c. Uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA.

d. Issue a notice extending for not more than 10 business days the period during which the Library Board must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

## **XII. CIVIL ACTION.**

### **A. *Civil Action for Non-Disclosure or Denial of Public Records.***

1. **Civil Action After Appeal:** If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action within 180 days after the Library's final determination to deny a request.
2. **Civil Action Directly After Denial.** A requestor may also commence a civil action in the circuit court to compel the Library's disclosure of the public records within 180 days after the Library's final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.
3. **Remedies; Fines.** If the court determines a public record is not exempt from disclosure, it shall order the Library to cease withholding or to produce all or a portion of a public record wrongfully withheld. If the person prevails, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or Library prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines that the Library has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the Library to pay a civil fine of \$1,000.00 and shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00.

### **B. *Civil Action Regarding Fees.***

1. **Civil Action After Appeal.** A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) made a determination on a written appeal. A requestor must submit an appeal to the Library Board for a fee reduction before commencing a civil action. If a civil action is commenced against the Library, the Library is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. This action must be filed within 45 days after receiving notice of the determination of an appeal to the Library Board.
2. **Remedies; Fines.** If the requesting person prevails by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines the Library has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the Library to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or

compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction.

**XIII. FOIA RECORD RETENTION.**

The FOIA Coordinator must keep a copy of all written requests and documents sent in response to the request for public records on file for no less than 1 year, unless a longer retention time has been specified in a record retention policy applicable to the Library.

**XIV. PUBLICATION AND NOTIFICATION OF PROCEDURE AND GUIDELINES.**

Because the Library maintains a website, these Procedures and Guidelines and the summary shall be posted and maintained on the website. The Library shall make these Procedures and Guidelines and summary publicly available by providing free copies both in the response to a written request and upon request by visitors at the Library. However, the Library may include the website link instead of providing paper copies in its response to a written request.

**XV. SEVERABILITY; ENFORCEABILITY.**

If any clause, provision or section of these Procedures and Guidelines shall be ruled invalid or unenforceable by any court of competent jurisdiction, the invalidity or unenforceability of such clause, provision or section shall not affect any of the remaining clauses, provisions or sections. If any of the Procedures and Guidelines is determined by the FOIA Coordinator to be in conflict with the FOIA or other law after adoption, the FOIA Coordinator has the authority to process FOIA requests in conformance with the FOIA and shall seek to amend these Procedures and Guidelines as soon as possible.

**XVI. EFFECTIVE DATE.**

These Procedures and Guidelines shall become effective upon approval.

# **Exhibit B**

## **FOIA – Written Public Summary**



## **PORTAGE DISTRICT LIBRARY**

### **WRITTEN PUBLIC SUMMARY OF THE FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES**

The Portage District Library (“Library”) adopts this written public summary pursuant to the requirements of Section 4(4) of the Michigan Freedom of Information Act, 1976 PA 442 (“FOIA”) so that the public will understand the Library’s Procedures and Guidelines for processing FOIA requests. This is a summary of the Procedures and Guidelines. A complete copy of the Procedures and Guidelines is available at the Library located at 300 Library Lane, Portage, Michigan 49002 or on the website at [http://www.portagelibrary.info/about/policies\\_guidelines/](http://www.portagelibrary.info/about/policies_guidelines/).

#### **A. How Can I Request a Public Record?**

- A person (except those persons incarcerated in state, county or federal correctional facilities), may request public records.
- The requestor must send a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission. The requests should be directed to the FOIA Coordinator. The contact information is as follows: Portage District Library, Attn: FOIA Coordinator, 300 Library Lane, Portage, Michigan 49002; E-mail – [foia@portagelibrary.info](mailto:foia@portagelibrary.info); Fax – (269) 324-9222..
- A request from a person must include (unless the request is from an individual who qualifies as indigent) the person’s complete name, address (in compliance with United State Postal Service standards), and contact information, and if made by a person other than an individual, the complete name, address, and contact information of the person’s agent who is an individual. Contact information must include a valid telephone number or electronic mail address.
- The requestor will not be required to use a specific form or format, but requests must identify the public record sufficiently to allow the Library to find the requested record.
- The Library may, but is not required to, respond to a verbal request. However, if the Library believes the information is available on its website, the Library will inform the requestor of the website location where practicable and to the best of his or her knowledge.

#### **B. When Can I Expect a Response?**

- Unless otherwise agreed to in writing, the Library will respond or seek a deposit within 5 business days after it receives the request. However, the Library may extend that time period by 10 business days.
- Please keep in mind that a request sent by e-mail or other electronic means is not considered received until 1 business day after it is transmitted. If the request is sent to a spam or junk mail folder, it is not considered received until 1 day after it is discovered.

**C. How Can I Understand the Response?**

- If the Library grants a written request in full, the requestor will receive a notice indicating that it has been granted.
- However, if the request is denied or denied in part, the Library shall provide any or all the following information, depending upon the reason for the denial:
  - An explanation of the basis that the public record, or portion of that public record, is exempt from disclosure, including a description of the information that is separated or deleted.
  - A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library.
  - A full explanation of the requesting person's right to (1) submit to the Library Board a written appeal; or (2) seek judicial review of the denial under Section 10 of the FOIA. (See below for more details).
  - Notice of the right to receive attorneys' fees and damages if a court determines that the Library has not complied and orders disclosure of all or a portion of a public record.
- If a request is granted in part or granted in full, the Library will require payment before providing documents.

**D. What if I Request Documents Available on the Website?**

- If documents are available on the website, to the degree practicable, the response will include a specific webpage address where the requested information is available.
- The Library will inform the requestor of the additional charge to receive copies of the public records that are available on its website.

**E. What Fees Will the Library Charge?**

- The FOIA Coordinator will provide a detailed itemization of costs.
- For labor costs, the fee shall not exceed the sum of the following components:
  - Hourly Wage. The Library will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records; separating and deleting exempt information from non-exempt information; and for duplication and publication regardless of whether that person is available or who actually performs the labor, except if the Library does not employ a person capable of separating and deleting exempt information from non-exempt information, it may treat necessary contracted labor costs for that purpose in the same manner as employee labor costs but may not exceed 6 times the State minimum hourly wage.
  - Time Increments: The fee will be charged in fifteen (15) minute increments, with all partial time rounded down, except the labor fee for duplication and publication, which shall be charged in one (1) minute increments.

- Determination of Unreasonably High Labor Costs. The fee for searching for, locating and examining public records and separating exempt information from non-exempt information (including redacting) will not be charged, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs.
  - Overtime. Overtime wages shall not be included unless agreed to by the requestor.
  - Description of Charge. The detailed itemization will include both the hourly wage and the number of hours charged.
  - Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount (but may not exceed actual costs) to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits, unless a requestor wants records that are available on the website. In which case, the fringe benefit multiplier can be greater than the 50% limitation.
- For public records provided to the requestor on nonpaper physical media (discs, flash drives, e-mails), the Library may charge the actual and most reasonably economical cost of the media.
  - For paper copies, the Library may charge the actual total incremental cost of necessary duplication or publication not to exceed \$.10 per page (single or double sided) for 8½ by 11 inch paper or 8½ by 14 inch paper. The Library will charge the actual cost of copies made on paper of a different size. The Library will use double-sided printing, if cost saving and available.
  - The Library may charge the actual cost of mailing and the least expensive form of postal delivery confirmation.

**F. Will a Deposit be Required? When do I have to Pay the Deposit?**

- The Library may require a good-faith deposit of ½ of the estimated fee if the entire fee estimate or charge authorized under the FOIA exceeds \$50.00, based on a good-faith calculation of the total estimated fee.
- The Library will also provide a best efforts, nonbinding estimate of the time frame it will take the Library to provide the public records to the requestor.
- If the Library has granted a prior request but has not been paid in full, the Library may require a deposit of up to 100% of the estimated fee if all of the following apply:
  - The final fee for the prior written request was not more than 105% of the estimated fee.
  - The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
  - The public records were made available to the individual, subject to payment, within the time frame estimate described Section 4(7) of the FOIA.
  - Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
  - The individual is unable to show proof of prior payment to the Library.

- The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

The Library shall no longer require an increased estimated fee deposit if **any** of the following apply:

- The individual is able to show proof of prior payment in full to the Library;
  - The Library is subsequently paid in full for the applicable prior written request; or
  - Three hundred sixty-five days have passed since the individual made the written request for which full payment was not remitted to the Library.
- If a deposit is not received within 45 days from receipt of the deposit notice letter (it is considered received 3 days after it is sent), and no appeal of the deposit amount is filed, the request is abandoned. The notice of a deposit will include the date by which the deposit must be received (48 days after notice is sent).

**G. Am I Entitled to a Waiver or Reduction of Fees?**

- A reduction of the fee by \$20.00 is available to certain individuals who submit an affidavit stating they are indigent and receiving public assistance, or if not receiving public assistance, stating facts showing inability to pay because of indigency. For this reduction to apply, the individual may not have received discounted fees twice during that calendar year and the person may not be requesting on behalf of parties who are paying to make the request.
- A reduction of the fee by \$20.00 is also available to certain non-profit organizations formally carrying out activities under subtitle C of the developmental disabilities assistance and bill of rights act of 2000, and the protection and advocacy for individuals with mental illness act, provided that the request is made on behalf of the organization or its clients, is made for a reason consistent with the laws under Section 931 of the mental health code and is accompanied by documentation of its designation by the state.
- The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator 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.
- If the Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if the late response was willful and intentional or the written request included specific language as set forth more fully in the Procedures and Guidelines.

**H. How Can I Appeal a Decision to Deny All or Part of My Request?**

- If a requestor desires to appeal all or part of a decision to deny a request, the requestor must submit to the Portage District Library Board ("Library Board") a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by reversing the disclosure denial, upholding the denial, revising in part and upholding in part the denial or issuing a 10 business day extension.

**I. How Can I Appeal a Determination of the Fee or Deposit Amount?**

- The requestor may submit to the Library Board a written appeal for a fee reduction that specifically states the word “appeal” and identifies how the required fee exceeds the amount permitted under the Procedures and Guidelines or Section 4 of the FOIA.
- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by waiving the fee, reducing the fee and explaining the basis for the remaining fee, upholding the fee or issuing a 10 business day extension.

**J. Can I File a Lawsuit Regarding the Denial of a FOIA Request?**

- If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requestor may seek judicial review of the nondisclosure by commencing a civil action within 180 days after the Library’s final determination to deny a request. A requestor may also commence a civil action in the circuit court to compel the Library’s disclosure of the public records within 180 days after the Library’s final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.
- If a person prevails in an action regarding the denial of a request, the court shall award reasonable attorneys fees, costs and disbursements. If the person prevails in part, the court may award all or a portion of the attorneys’ fees, costs and disbursements. If the court determines the FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$1,000.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

**K Can I File a Lawsuit Regarding the Fee Charged For a FOIA Request?**

- A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) issued a determination of a written appeal. This action must be filed within 45 days after receiving notice of the determination of an appeal to the Library Board. The requestor must file an appeal for a fee reduction before commencing a circuit court action.
- If a person prevails in an action by receiving a reduction of 50% or more of the total fee, the court may award all or a portion of the reasonable attorneys’ fees. If the court determines FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$500.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

# **Exhibit C**

## **FOIA – Detailed Itemization Sheet**

**PORTAGE DISTRICT LIBRARY DETAILED ITEMIZATION**

<b>LABOR CHARGES</b>	
<p><b>A. Cost for Searching for, Locating and Examining of Public Records in Conjunction with Receiving and Fulfilling a <u>Granted Written Request</u>.</b></p> <p>1. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$_____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier=\$_____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$_____ per hour.</p> <p>2. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours; for 45 minutes use .75 hours). _____hours.</p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to Library because of the nature of the request in the particular instance because of the following reasons: _____ _____</p>	<p>Hourly wage: \$_____</p> <p>Total time: _____hours</p> <p><b>A. Total Fee (hourly wage x total time):</b> \$_____</p>
<p><b>B. Cost for Separating Exempt Information from Non-Exempt, including Redaction of Documents.</b></p> <p>1. For <u>Employee Labor Costs</u>:</p> <p>a. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$_____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier = \$_____)</p> <p><input type="checkbox"/> This fee is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$_____ per hour.</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours). _____hours.</p>	<p>1.a Hourly wage for employees: \$_____</p> <p>1.b Total time for employees: _____hours</p> <p><b>1.c Total Employee labor charge (hourly wage x hours):</b> \$_____</p>

<p><b>2. For Contracted Labor Costs:</b></p> <p><input type="checkbox"/> The FOIA Coordinator has determined that the Library does not employ a person capable of deleting exempt information from non-exempt information in the particular instance and the work is being performed by the following person or firm:</p> <p>_____</p> <p><b>a. Determination of the Hourly wage:</b></p> <p>The hourly wage of the contracted labor (not to exceed 6 times the State of Michigan minimum hourly wage): \$ _____</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p><b>b. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours; 45 minutes use .75 hours). _____ hours.</b></p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons:</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p><b>2.a Contracted labor hourly wage:</b> \$ _____</p> <p><b>2.b Contracted labor hours:</b> _____ hours</p> <p><b>2.c Total Fee for contracted labor (hourly wage x hours):</b> \$ _____</p>
<p><b>C. Cost for Duplication and Publication.</b></p> <p><b>1. Determination of the Hourly wage:</b></p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier = \$ _____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p><b>2. Determination of total time using increments of one (1) minute with partial time rounded down. _____ hours.</b></p>	<p><b>Hourly wage:</b> \$ _____</p> <p><b>Total time:</b> _____ hours</p> <p><b>C. Total Fee (hourly wage x hours)</b> \$ _____</p>



<b>Other Actual Costs</b>	
<p><b>D. Costs for Paper Copies.</b>                  The actual total incremental cost of necessary duplication and publication using the most economical means available:</p> <p>1. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper:                  \$ _____ per sheet x _____ number of sheets = \$ _____.</p> <p>2. Other paper sizes:                  \$ _____ per sheet x _____ number of sheets = \$ _____.</p>	<p><b>D. Total Fee (add totals for all sizes of paper):</b>                  \$ _____</p>
<p><b>E. Costs for Nonpaper Physical Media.</b>                  The actual and most reasonably economical cost of the computer disc, flash drives, computer tape or other similar media:                  \$ _____ per item x _____ number of items .</p>	<p><b>E. Total Fee:</b>                  \$ _____</p>
<p><b>F. Cost of Mailing:</b></p> <p>1. The actual cost of mailing: \$ _____</p> <p>2. Fee for the least expensive postal delivery confirmation: \$ _____</p> <p>3. Costs for the envelope or box for mailing \$ _____.</p> <p><input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.</p>	<p><b>F. Total Fee: (add all 3 costs):</b>                  \$ _____</p>
<b>Costs for Providing Documents Available on the Website</b>	
<p><b>G.</b> <input type="checkbox"/> The Library has notified the requestor in its written response that all or a portion of the requested information is available on its website. The following is a detailed itemization of cost of the information that is available on the website:</p> <p>1. <b>Labor Costs – Searching for, locating and examining:</b></p> <p>a. Determination of Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor.                  \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a multiplier of _____% (hourly wage x percentage multiplier = \$ _____)</p> <p><input type="checkbox"/> This fee is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down _____ hours.</p>	<p><b>1. Total fee (hourly wage x hours):</b>                  \$ _____</p>

<p>2. <i>Labor Costs: Copying or Duplication:</i></p> <p>a. Determination of Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a multiplier of _____% (hourly wage x percentage multiplier = \$ _____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>b. Determination of total time using increments of ___ minutes with partial time rounded down. _____ hours.</p> <p>3. The actual total incremental cost of necessary duplication and publication:</p> <p>a. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper: \$ _____ per sheet x _____ number of sheets = \$ _____.</p> <p>b. Other paper sizes: \$ _____ per sheet x _____ number of sheets = _____.</p> <p>4. Costs for Nonpaper Physical Media \$ _____ per item x _____ number of items.</p> <p>5. Cost of Mailing:</p> <p>a. The actual cost of mailing in a reasonably commercial and justifiable manner: \$ _____</p> <p>b. The charge for the least expensive postal delivery confirmation: \$ _____</p> <p>c. Costs for the envelope or box for mailing. \$ _____</p> <p><input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.</p>	<p>2. Total fee (hourly wage x hours): \$ _____</p> <p>3. Total cost for paper copies: \$ _____</p> <p>4. Total cost for nonpaper physical media: \$ _____</p> <p>5. Total cost of Mailing: \$ _____</p> <p><b>G. Total Cost for Providing Documents:</b> \$ _____</p>
<p><b>1. Subtotal Charges: Add Items A – F Above:</b></p> <p><b>2. Subtotal with Website Document Charges from G above if applicable</b></p>	<p><b>Total Fee:</b> \$ _____</p> <p><b>Total Fee with website records included if applicable</b> \$ _____.</p>

<b>Waivers or Reductions</b>		
<p><b>Public Interest Reduction or Waiver.</b>                  The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator 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. <input type="checkbox"/> Fee waiver granted or granted in part for a reduction of \$ _____</p>		Subtract \$ _____
<p><b>Waiver of Fees of First \$20.00.</b>                  A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request by either of the following:                  1. <u>Indigency</u>: Certain individuals who submit an affidavit stating that the individual is indigent or receiving public assistance as stated more fully in the FOIA and the Library's Procedures and Guidelines. <input type="checkbox"/> FOIA Coordinator Approves the Waiver.                  2. <u>Certain Non-Profit Organizations</u>. A non-profit organization formally designated by the state to carry out activities under subtitle C of the developmental disabilities assistance and bill of rights act of 2000, and the protection and advocacy for individuals with mental illness act as stated more fully in FOIA and the Library's Procedures and Guidelines. <input type="checkbox"/> FOIA Coordinator Approves the Waiver.</p>		Subtract Waiver of Fee: \$ _____
<p><b>Reduction for Late Response:</b> If the Library does not respond to a written request in a timely manner, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction. However, this reduction only applies (1) if the late response was willful and intentional or (2) or the request contained the language required by the FOIA for such reduction (See Procedures and Guidelines). _____ number of days x 5% of labor costs = \$ _____</p>		Subtract \$ _____ of labor charges (up to 50% of labor costs).
<b>Final Total After Any Applicable Reductions or Waivers:</b>		\$ _____
<p><b>Deposit:</b></p> <p><input type="checkbox"/> The Library requires a deposit of \$ _____ (1/2 of the estimated fee) and this total estimated fee exceeds \$50.00.</p> <p><input type="checkbox"/> The Library requires a deposit of \$ _____ (100% of the estimated fee) because this request meets the statutory requirements for failing to pay for prior requests under Section 4(11) of the FOIA.</p> <p>The deposit must be received on or before _____. If the deposit is not received by this date, the request will be considered abandoned.</p>		Deposit Amount: \$ _____ <input type="checkbox"/> Deposit Paid on _____
<p><b>Total Fee</b> \$ _____</p> <p>- <b>Deposit Amount</b> \$ _____</p> <p>= <b>Remaining Fee Due of</b> \$ _____</p> <p><input type="checkbox"/> <b>Fee Paid on</b> _____</p>		Total Fee Due: \$ _____

# Memo

## Proposed Schedule for 2025 Library Board Meetings

**To:** Portage District Library Board  
**From:** Christy Klien, Library Director  
**Date:** December 10, 2024

The following is the proposed schedule of Portage District Library Board meetings from January through December 2025. Please note that the regular day and time for all library board meetings will be the 4th Monday\* of each month at 6:00 p.m. Additional meetings may be called or changes in meeting dates may be made by the Library Board Chair if needed. The location and/or attendance instructions for library board meetings are indicated on the meeting notice which is posted three days prior to a regular meeting. Rescheduled regular meetings or special meeting notices are posted a minimum of 18 hours prior to their start.

January 27, 2025	Monday	Regular Meeting
February 24, 2025	Monday	Regular Meeting
March 24, 2025	Monday	Regular Meeting
April 28, 2025	Monday	Regular Meeting
*May 19, 2025	Monday	Regular Meeting
June 23, 2025	Monday	Regular Meeting
July 28, 2025	Monday	Regular Meeting
August 25, 2025	Monday	Regular Meeting & Public Budget Hearing
September 22, 2025	Monday	Regular Meeting
October 2025	Library Board Retreat	To be determined
October 27, 2025	Monday	Regular Meeting
November 2025	No Library Board Meeting Planned	
*December 15, 2025	Monday	Regular Meeting

*\* NOTES: PDL Staff are proposing holding the May 2025 board meeting one week earlier due to Memorial Day, and the December 2025 board meeting one week earlier due to winter holidays.*

# Memo

## Appointment of Nominating Committee Chair for 2025 Library Board Officers

**To:** Portage District Library Board  
**From:** Christy Klien, Library Director  
**Date:** December 10, 2024

The Library Board bylaws that were last reviewed and approved on February 26, 2024, include a provision for election of officers as follows:

### ARTICLE III Officers

Officers of the Portage District Library Board shall be a Chairperson, and a Vice-Chairperson, who shall be elected at the January meeting, for a term of one year, commencing at the first board meeting in January.

For this reason, the "Library Board Officers for 2025" has been placed as an item under Governance on the agenda for discussion at the December 16, 2024 board meeting. At that time, Board Chair Vance will appoint a Nominating Committee Chair to survey trustees' interest in serving as a Board Officer in 2025. The election of officers will occur at the January 27, 2025 meeting.

# Memo

## Report from Library Board Liaisons to the Friends of the Portage District Library

**To:** Portage District Library Board  
**From:** Christy Klien, Library Director  
**Date:** December 12, 2024

Portage District Library Board Members Cara Terry and Ken Baker are the Board Co-Liaisons to the Friends of the Library in 2024, and as such, at least one of them will attend Friends' board meetings and share information about Friends' activities.

There will be an item on the agenda for any Library Board meeting that immediately follows a Friends book sale or board meeting. Since the Friends had a book Sale on December 5th-6th and a board meeting on December 9th, there will be an item on the agenda for the December 16, 2024 Library Board meeting so that one of them can give a report.

# Memo

## Library Personnel Committee

**To:** Portage District Library Board  
**From:** Tom Vance, Library Board Chair  
**Date:** December 12, 2024

The Library Board Personnel Committee met on Thursday, December 12, 2024. Following that meeting, Board Chair Vance requested the following items to be included on the agenda of the December 16, 2024 Library Board Meeting:

1. Library Personnel Committee Recommendation for Library Director's Compensation in 2025
2. Renewal of Library Director's 5-year contract