MINUTES

CEDAR SPRINGS PUBLIC LIBRARY
REGULAR BOARD MEETING

MONDAY
APRIL 24, 2023

7:00 PM MEETING

CEDAR SPRINGS PUBLIC LIBRARY
107 N Main Street, Cedar Springs, MI 49319

Cedar Springs Public Library
Mission Statement

The mission of the Cedar Springs Public Library is to provide quality materials and services to educate, inform, teach, and partner with our diverse community in an atmosphere that is welcoming and promotes lifelong learning.

I. CALL TO ORDER

Meeting called to order by Chair at 7:00 pm
Present: AJ Anielski, Tony Owen, Maryevelyn Vu, John Lehmoine, Tim Smith, Mark Dykstra, Heidi Armock
Absent: None
Quorum present

II. PLEDGE OF ALLEGIANCE

Chair led the pledge

III. PUBLIC FORUM

Any citizen who wishes to address the Library Board on a topic shall be recognized by the Chair and limit their comments to two minutes unless the chairperson deems otherwise. The Board will not respond to, or discuss, public comments unless the Chair approves.
Rose Powell - Requested the board to consider installing a second phone line for the library

Earla Alber - I see the Library Director looking into the crowd as if seeking some directions. Those people sitting at the table are your support and have your back. You should be looking to them not someone in the crowd.

Director provided two letters from the mayor of Cedar Springs to the Library Board Chair.

No other written or oral comments were made.

IV. APPROVAL OF THE AGENDA

MOTION: " Approve the agenda " made by Owen, second by Vu

During discussion

Motion: "approve following amendments to the agenda" made by Owen, second By Lehmoine,
Add to under New Business
Item F: Approve the hiring of an AUP auditor to audit the Library Fund and accounts for years 2019 through 2023
Item G: Approve payment for the audit up to $4,000.00 dollars
Item H: Welcome of new Trustee
Item I: Approve $4,000.00 for attorney fees
Motion carried by voice vote Ayes 7, Nays 0

MOTION: "Approve the amended agenda" made by Anielski, second by Dykstra, Owen and Vu concur
Motion carried by voice vote Ayes 7, Nays 0.

V. CONSENT AGENDA

A. Approval and affirming of March 27, 2023, Meeting minutes
B. Approval of March 2023 Financial report

MOTION: "Approve the consent agenda" made by Owen, second by Smith
Motion carried by voice vote Ayes 7, Nays 0.

VI DIRECTOR'S REPORT

Director's full report is part of Board packet
Handed out a flyer for the Friends. Asked if there were any questions concerning the data in the report.

VII. UNFINISHED BUSINESS

A. Appointment of Executive Committee members Vice Chair and Treasurer for terms ending 6/30/23

MOTION "Approve Tim Smith as Vice Chair until 6/30/23" made by Anielski, second by Vu
Motion carried by voice vote Ayes 7, Nays 0.

Chair appointed Heidi Armock as Treasurer until 6/30/23.

VIII NEW BUSINESS

A. Board orientation
Secretary Owen conducted an orientation of the Board.

B. Personnel Committee report on status of Director evaluation process
The personnel committee reported they were still working on putting evaluation together and asked for everyone to turn in their evaluations.

C. Director Evaluation

MOTION: " Approve tabling the director review until next meeting May 22, 2023" made by Anielski, second by Owen
Motion carried by voice vote Ayes 7, Nays 0.

D. Board resolution
Chair and Board discussed response to City Council concerning treatment of Board members. The chair passed a letter around that will be sent to the City Council.

MOTION: "Approve letter from Library Board to Cedar Springs City Council" made by Anielski, second by Lehmoine
Motion carried by voice vote Ayes 7, Nays 0.

E. Review of Lawyers opinion
Chair discussed the importance of the Board first reviewing the lawyers' opinions provided it by the Boards attorney before release to public. There may be questions or concerns the Board wishes to address before issuing it.

F. Approve the hiring of an AUP auditor to audit the Library Fund and accounts for years 2019 through 2023

MOTION: "Approve the hire of an auditor to conduct an AUP audit of the Library Fund and accounts for years 2019 through 2023 " made by Owen, second by Lehmoine
Motion carried by voice vote Ayes 4, Nays 2, Abstain 1.

G. Approve payment for the audit up to $4,000.00 dollars

MOTION: "Approve increase in line 801.000 Professional Service Expense by $4,000.00 dollars for AUP audit to be paid from Fund Balance line 390.000 Restricted – Library Operations not to exceed $4,000.00 dollars. Board will supply any documentation or previous audit material to reduce cost of audit" made by Owen, second by Lehmoine
Motion carried by roll call vote Ayes 5 Owen, Lehmoine, Anielski, VU, Dykstra Nays 2 Armock, Smith.

H. Welcome of new Trustee
Chair welcomed new Trustee from Solon Township to the Board John Lehmoine.

I. Approve $4,000.00 for attorney fees

MOTION: "Approve increase in line 801.000 Professional Service Expense by $4,000.00 dollars from Fund Balance line 390.000 Restricted – Library Operations not to exceed $4,000.00 dollars for attorney fees." made by Armock, second by Smith
Motion carried by roll call vote Ayes 7, Nays 0.

IX. COMMITTEE REPORTS

A. Personnel Committee – None
B. Policy Committee – None
C. Bylaw Committee – recommendations awaiting attorney opinion
D. Technology Committee – None
E. Finance Committee – None

X AGENDA ITEMS FOR MONDAY MAY 22, 2023, MEETING

A. Discussion of Directors report figures
B. Discussion of Zoom access and adding another phone line.

XI. BOARD COMMENT

Discussion concerning legal advice
Attorney is working on the bylaws

Discussion of possible live streaming of Board meeting
Board agreed based on uncertain future cost should be deferred to 2023/2024 budget

Smith, we need to commit to the Board and make it work. We as a Board need to commit to the very things we are asking other Municipalities' to commit to.

Lehmoine do not be fearful of what we are doing. Do not let this wonderful program die.

Owen we as a board are new and I can see us starting to connect. I also see each of us willing to offer their opinion and not take offense of others comments. This makes us work better as a board and thank you to the public for their support. Thank you for giving me a chance to provide an orientation. If anyone has a question about it contact me.

XII ADJOURNMENT

MOTION: "Adjourn meeting" made by Armock, second by Owen
Motion carried by voice vote Ayes 7, Nays 0.
Meeting adjourned at 9:28 pm
Next regular meeting scheduled for Monday, May 22, 2023, 7:00 pm at the library.
Submitted by Secretary Owen
Approved by Board on 5/22/23

Attachments: Letter from Board to City Council
Flyer from Friends
Board Orientation outline
Opinion from attorney
2 Letters from City to Solon and Library

Board Orientation 4/24/23

A) Structure of Board

a. 7 members

The current board is made up of 4 members appointed by the City for 5 year terms and 3 members appointed by the Township for 3 year terms

B) Officers within the Board

Officers of the Board are elected at the meeting in July of each year and serve for 1 year. Their duties are outlined in the Bylaws. They serve as presiding officers during meetings

a. Chair

b. Vice Chair

c. Treasurer

d. Secretary

C) Structure of Committees

Committees are made of 3 members who are to advise and make recommendations to the Chair or the Board. Their respective duties are described in the bylaws except b.

a. Agenda

Made up of the Chair, Secretary, and Director who make up the draft agenda for each meeting.

b. Executive

Made up of the Vice Chair, Treasurer, and Secretary. This committee is to advise the Chair of situations that arise,(bad weather to cancel meeting) recommend actions for Chair to take, and other tasks Chair may assign them. They fill in as the presiding officer when the Chair is not present at the meeting.

c. Personnel

Made up of 3 trustees who recommend personnel issues and pay to the Board. They also conduct the yearly Director review.

d. Bylaws

Made up of 3 members who recommend changes to the bylaws in cases where current lawsor court cases changesto be made.

Every 2 years they review the complete bylaws for changes or readoption by board members

e. Technology

Made up of 1 board member, the director, and one person from the IT contractor group. This group presents to the board a tech plan every 3 years for approval and inclusion into the budgets for those years.

f. Finance

Made up of the Treasurer and 2 other board members. Make recommendations to the board on budget matters.

g. Policy

Made up of a Board member, director, and assistant director. They make recommendations to the board on any policy needs and updates.

D) Authorities

The Library Board is governed by the following authorities from top down

a. US Constitution
b. US laws
c. State of Michigan constitution
d. State of Michigan laws
e. State Library of Michigan rules and regulations
f. Any court cases or AG opinions that apply
g. Library Bylaws
h. Custom and traditions of the Board
i. Policy and trustee manual
j. Roberts Rules of Order recent revised edition as a guideline

E) Bylaws

These are the rules and descriptions the Board has organized itself by. These provide a broad outline for how the board conducts its business. They are based on a broad outline provided by Roberts rules of order.

F) Trustee manual

a. Beginning
b. 5 chapters on policy
i. Includes foia, retention, fiscal responsibility, Infectious desiese issues, Challenging of books, Technology Plan, Strategic Plan,
ii. Employee handbook job descriptions, and other material

G) Trustee ethics (from LOM Trustee training 101)

a. Who we are

We are appointed by our respective communities to better the library and achieve the mission and vision of the Library Once someone is appointed the board does not question their appointment but accepts them as members in good standing. Any questions about appointments are to be directed to the appointing authorities.

b. Appointments

We are appointed by our respective governmental agencies and can be removed by them depending on what their criteria is.

c. Responsibilities

To work towards fulfilling the mission of the Library

The mission of the Cedar Springs Public Library is to provide quality materials and services to educate, inform, teach and partner with our diverse community in an atmosphere that is welcoming and promotes lifelong learning.

CEDAR SPRINGS PUBLIC LIBRARY BOARD

107 North Main St.
Cedar Springs, MI 49319

04/24/2023

Cedar Springs City Council

City of Cedar Springs

66 S. Main St.

Cedar Springs, MI 49319

Dear Cedar Springs City Council:

We understand and appreciate the role you play in the support of our community library. That said we also object to the treatment of Ms. Maryevelyn Vu by the council during the March City Council meeting.

Ms. Vu has been a dedicated and effective member of our library board and we are very appreciative of her service. We are especially disappointed as she seems to be targeted for her "offense"of which other library board members are equally "guilty". We do not condone or accept such behavior toward any board member.

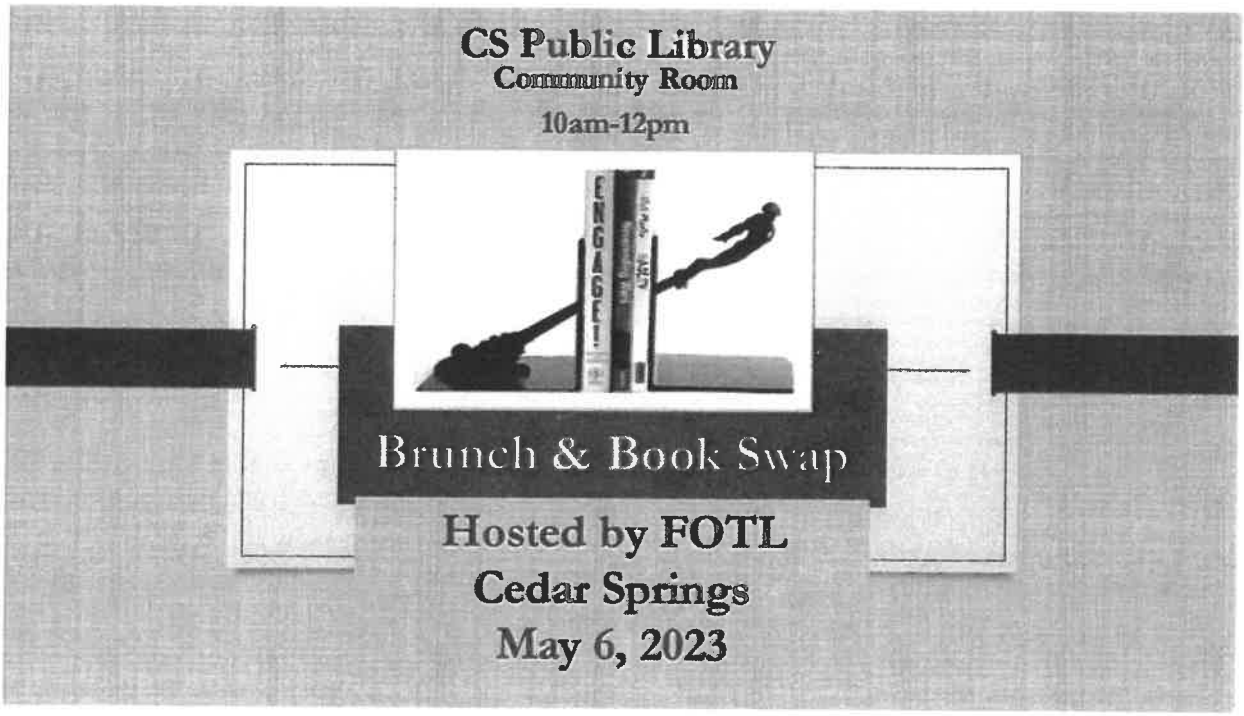
In the spirit of the community library, we ask that you issue a written, public apology to Ms. Vu post haste.

Thank you for your consideration.

Sincerely,

A.J. Anielski - CSPL Chair for the Cedar Springs Public Library Board

Aja



Sign up at the library or call 616-696-1910. Fill out a book review card to promote your book. Bring one or two books you have read and are willing to swap with someone.

Enjoy book discussions with fellow swappers and a light brunch provided by Friends of the Library. Listen to a short presentation about Friends of the Library and how to get involved. Pick/Swap a new book and become a friend of the library.

Free Brunch! **Limit of 15** **Door Prize!**

LAW OFFICES
ADKISON, NEED, ALLEN, & RENTROP
PROFESSIONAL LIMITED LIABILITY COMPANY

KELLY A. ALLEN
JESSICA A. HALLMARK
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OF COUNSEL:
PHILLIP G. ADKISON
KEVIN M. CHUDLER
GARY R. RENTROP
KATHERINE A. TOMASIK

April 12, 2023

VIA ELECTRONIC MAIL

Library Board of Trustees
Cedar Springs Public Library
P.O. Box 280
Cedar Springs, Michigan 48319

Re: Autonomy of Cedar Springs Public Library

Dear Library Board Members:

Our office has been retained on your behalf to (1) review and discuss the level of autonomy of the Cedar Springs Public Library ("Library"); (2) identify the funding of the Library and what happens to that funding if it joins the Kent District Library; and (3) review whether Solon Township properly nominated A.J. Anielski as one of its representatives to the Library Board.

Background

A historical summary of the Library is necessary before beginning a review of the questions raised. In 1936, a petition to establish the Library as a Village library was filed pursuant to the City, Village, and Township Library Act, Public Act 164 of 1877, in the Village of Cedar Springs. Accompanying that petition was a 0.5 millage request for funding in perpetuity. Both measures passed and the Library was created. According to available records, the Library became a City library in 1959 when the Village of Cedar Springs became the City of Cedar Springs. Clarification and confirmation that the Library is a PA 164 library occurred on June 12, 1975, when the City of Cedar Springs passed a motion stating: "BE IT HEREBY RESOLVED: That effective July 1, 1975 the Cedar Springs Public Library be organized under the provisions of Act 164 of the State of Michigan for 1877."[1]

It appears the Library was for the exclusive benefit of the City until December of 1984 when Solon Township ("Township") entered into a Contract for Library Services. The agreement

[1] Minutes of the Regular Meeting of the City Council, June 12, 1975.

property in the city."[7] In summary, the City levies 1.5 mills, subject to Headlee, to fund the Library. Presumably, the penal fines and State aid allocated to the City also contribute to the City's funding of the Library.

At the same time the City and Township entered into the 2017 Agreement, the City also bought the Library building "and all associated improvements and fixtures" from the Community Building Development Team and the Cedar Springs Public Library pursuant to a Real Estate Conveyance Agreement dated August 30, 2017 ("Conveyance Agreement"). The Conveyance Agreement stated that upon delivery of a quit claim deed to the City, the parties would agree to lease the Library building to the Library. The most recent version of said lease is dated January 25, 2021 ("Lease") and provides that it will continue indefinitely but that each party may terminate the Lease "at any time in that party's sole discretion with six months prior written notice provided to the non-terminating party." The Lease states it supersedes and extends the lease agreement originally entered into between the parties in 2017. The Lease is between the Cedar Springs Public Library as tenant and the City of Cedar Springs as landlord.

The Library Board adopted Bylaws governing its operations beginning May 4, 2004. The most recent version was readopted December 19, 2022. Like the 2017 Agreement, it provides that the City can appoint four (4) Library Board Members and the Township can appoint three (3) Library Board Members.

DISCUSSION

1. To what extent is the Library independent from the City and Township?

Legally, the Library is independent from the City and Township and the Library Board exclusively directs the expenditure of Library funds. However, this independence is mitigated to the extent the City and Township may appoint and remove their representatives to the Library Board and, presumably, will nominate those persons who share the views of the City Council or Township Board, respectively. Additionally, the City may terminate the Lease (and also the 2017 Agreement) for any reason upon six (6) months' written notice. This level of control over the Library's future seemingly gives the City enhanced influence over Library operations.

As a PA 164 library, the Library is statutorily independent from the City and Township. Section 5 of PA 164 states:

> The governing board of a library shall, immediately after appointment, meet and organize, by the election of 1 member as president, and by the election of other officers as necessary. The governing board shall make and adopt bylaws, rules, and regulations for its own guidance and for the government of the library and reading room, consistent with this act. The governing board has

[7] MCL 397.201.

provide that libraries established pursuant to it were to be independent of the politics of local government.

The autonomy of PA 164 libraries was further solidified by the Michigan Court of Appeals in *Benton Harbor Library v. City of Benton Harbor*.[13] In that case, the library board for the Benton Harbor Library, a PA 164 library, sued challenging the City of Benton Harbor's ordinance which mandated a residency requirement upon members and employees of the library board. The Court of Appeals found that both Section 5 of the PA 164 and the City of Benton Harbor's charter "envision an independent library board."[14] The Court of Appeals then went on to quote *Bostedor* favorably finding that "both the statute and the city charter envision an independent library board and in our opinion the statute and charter take precedence over the ordinance."[15] The court ruled that the PA 164 library was independent from the city's ordinances.

The Michigan Attorney General has also opined upon the autonomy of PA 164 libraries. In a 1996 opinion, the Attorney General found that library board members have the authority to determine the final annual budget of a city library established under the Act. The language of Section 5 of PA 164 "makes it abundantly clear that it is the library board, and not the city council, that determines the amount of money to be raised for library purposes within the library tax rate approved by the voter."[16] The Attorney General opinion makes clear the language of Section 5 of PA 164 that states that the PA 164 library board has exclusive control over how money collected for the library is spent.

Based upon the language of Section 5 of PA 164 and the interpretation of that language by the courts and the Attorney General, it is my conclusion that the Cedar Springs Public Library and its Library Board, are financially independent from the City and Township and not subject to their direct governance.

Despite this autonomy, the Township and, particularly the City, have influence over the direction of the Library. First, the 2017 Agreement and the Library Bylaws, required by Section 5 of PA 164, state that the Library Board shall consist of 7 members, 4 appointed by the City and 3 appointed by the Township.[17] Since the City Council and Township Board appoint their respective members, they can select individuals who they feel will represent their interests to the Library Board. Further, if they feel an appointee is not representing their interests, then the municipal body can remove that director. This means that while the Library Board is an independent body that can make its own decisions, the City and Township can influence those decisions by appointing directors who will represent their interests and remove those directors who do not.

Second, the ability of the City and Township to terminate the 2017 Agreement upon six months' written notice means that either party could threaten to withdraw from the Library which

[13] *Benton Harbor Library v. City of Benton Harbor*, 99 Mich. App. 62 (1980).
[14] *Id.* at 64.
[15] *Id.* at 65.
[16] Op. Atty. Gen 1996, No. 6924, page 2.
[17] Bylaws of the Cedar Springs Public Library Board of Trustees, Readopted December 19, 2022, Art. II(A).

authorization of the 0.5 mill prohibited such allocation. The voter approved KDL millage would make up the difference. The 1.0 mill levied by the City will terminate once the KDL millage is approved since the 1.0 mill was not voter approved but authorized by the City pursuant to PA 164 and the Library would change its status from a PA 164 library to a district library.

The proposed Agreement with KDL does not contemplate the Library or the Township as parties, so it is unclear what would happen to the money collected by the Township. If it joins KDL, its penal fines and State aid will go to KDL. Presumably, it would have a similar relationship as the City such that it would contribute an additional amount until the KDL millage is approved by the voters in the Township after which its 0.4 mill voter approved millage may be used to contribute to its obligations under the district library agreement. If the Township does not join KDL, then it would have to identify another recipient for its penal fines and State aid, as well as its 0.4 millage if it chooses to continue to collect it.

Once the City and/or Township approve the KDL millage by a majority vote of the electors in the municipality, then any changes in the KDL millage need only be approved by a majority of voters in the entire district, not a majority of the municipality. The revised district millage applies to all members of the district.

3. Has Solon Township properly appointed A.J. Anielski to the Library Board?

The Library Board is not responsible for determining if Solon Township properly appointed A.J. Anielski as its representative to the Library Board. This is the responsibility of the Township. Notwithstanding this conclusion, I agree with the conclusions reached by attorney James Scales in his March 22, 2023 letter that the Township properly appointed Mr. Anielski as one of its Library Board representatives.

Reviewing whether the City or Township properly selects an individual for the Library Board is not part of the Library Board's duties. The 2017 Agreement and the Library Board Bylaws only state that the City may appoint four Board members and the Township may appoint three Board members. The 2017 Agreement states that the mayor of the City and the supervisor of the Township select the proposed member which is to be approved by the City Council and Township Board, respectively. Similarly, the Library Bylaws require four directors from the City and three from the Township and that each board member be a qualified elector and resident of the service district. The Library Board does not have a say as to whom the City and Township appoint or by what means the person is appointed. The appointee need only receive the approval of the City Council or Township Board. Mr. Anielski received the approval of the Township Board and therefore is the Township's director. There is no specific authority under the Library documents or PA 164 for the Library Board to challenge the appointment.

Even if the Library Board did challenge the process by which Mr. Anielski was appointed, it appears from the information provided that the Township Board properly followed its requirements for appointing Mr. Anielski to the Library Board. It is my understanding that there is concern that the Township Board did not list "Public Comment" on its Agenda for its Solon Township Staff Meeting on March 8, 2023 at which Mr. Anielski was appointed and that failure

rescheduled meeting and that the notice be posted at least 18 hours in advance of the meeting.[24] Solon Township's rescheduled meeting Public Notice posted February 28, 2023, satisfied these requirements.

Based upon the information available regarding the Township Board Staff Meeting of March 8, 2023 and the language of the OMA, it does not appear that the Township Board's decision to appoint Mr. Anielski to the Library Board would be invalidated by a court of competent jurisdiction.

CONCLUSION

Based upon the forgoing analysis, it is my conclusion that the Library Board is an independent body delegated the exclusive authority to spend funds collected for the benefit of the Library, but that such independence is subject to the practical limitations of the City and Township's ability to appoint and remove Library Board members, the ability of the City and Township to terminate the 2017 Agreement, and the ability of the City to terminate the Library's Lease. It is my further conclusion that voter approved millages collected by the City and Township on the Library's behalf would be used to help fulfill their respective financial obligations under the KDL district library agreement but the 1 mill City approved millage would terminate. Finally, I am aware of no evidence to suggest that the decision of the Township to appoint Mr. Anielski to the Library Board may be invalidated based upon a violation of the OMA.

If you have any questions or need any further information, please do not hesitate to contact my office.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC

G. Hans Rentrop

GHR/mjl

m:\cedar springs public library\corres\2023-04-12 to library board re autonomy opinion.docx

[24] MCL 15.265(4).

Cherishing our Heritage
Embracing our Future

CEDAR SPRINGS
EST. 1871

Office of the Mayor

Cedar Springs City Hall
66 S. Main St. PO Box 310
Cedar Springs, MI 49319

April 13th, 2023

Mr. A.J. Anielski
Chairperson
Cedar Springs Public Library Board
107 N. Main Street
Cedar Springs, Michigan 49319

Re: Termination of Agreement for Library Services with Solon Township

Dear Mr. Anielski:

The City of Cedar Springs established the Cedar Springs Public Library under its authority to establish a public library and reading room under Public Act No. 164 of 1877, MCL 397.201 et seq., as amended ("PA 164"). Under PA 164, the Cedar Springs Public Library is governed by the Cedar Springs Public Library Board (the "Library Board") subject to the duties, obligations, and limitations on the authorities of the Library Board as outlined in PA 164.

Pursuant to Sections 13 of PA 164, the City of Cedar Springs has entered into an agreement to provide library services to the residents of Solon Township dated June 29, 2017 (the "Library Services Agreement").[1] I have attached a copy of the Library Services Agreement to this letter for your reference. The Library Services Agreement, in accordance with Section 15 of PA 164, modified the Library Board to create the current Library Board comprised of directors appointed by Solon Township and the City of Cedar Springs.

In keeping with Section 11 of the Library Services Agreement, which grants either party the right to terminate the Library Services Agreement effective upon six months' written notice, the City of Cedar Springs has invoked its right to terminate the Library Services Agreement and has informed Solon Township accordingly. The termination of the Library Services Agreement is effective on October 13, 2023.

The purpose of this letter is to inform the Library Board of the termination of the Library Services Agreement and advise the Library Board on the impact of the termination on the affairs of the Library Board and the legal duties of the Library Board during the intervening period of time between the date of this letter and the effective date of the termination.

Note, the termination of the Library Services Agreement, once effective, does not terminate the Cedar Springs Public Library or the Library Board, but it will change the composition of the Library Board. In accordance with Section 5 of the Library Services Agreement, consistent with the provisions of PA 164, on the effective date of the termination of the Library Services Agreement the current "joint" Library Board comprised of members appointed by both Solon Township and the City of Cedar Springs will be abolished. The term of office for all Library Board members will end. After the effective date of the termination, the Library Board will proceed under the provisions PA 164 as a non-joint board. Accordingly, the City will, pursuant to Section 2 of PA 164, appoint, or re-appoint, directors of the Library Board to take office beginning on the effective date of the termination.

[1] Note, consistent with Section 13 of PA 164, the parties to the Library Services Agreement are Solon Township and the City of Cedar Springs, not the Library Board.

During the period from the date of this letter to the effective date of the termination of the Library Services Agreement, the Library Board is still subject to the Library Services Agreement and PA 164 regarding its authority, duties, and obligations. The Library Board is cautioned not to take any action that violates the Library Services Agreement, is not authorized by PA 164, or violates the fiduciary obligations owed by a member of the current Library Board to the Cedar Springs Public Library.

Specifically, the current Library Board should avoid entering into any new library services agreements. The current Library Board, as a Section 13 joint library board, is not authorized by PA 164 to enter into library services agreements. Any such agreement, in addition to being unauthorized under PA 164, may violate the Library Services Agreement and have a long-lasting negative impact on the Cedar Springs Public Library after the transition of the current Library Board. The City will pursue all legal remedies at its disposal to prevent the creation of any new library services agreements, or any other actions not in the best interests of the Cedar Springs Public Library, between the date of this letter and the effective date of the termination of the Library Services Agreement.

Please note, after the effective date of the termination of the Library Services Agreement, the City would be supportive of the extension of library services to the residents of Solon Township under a new arrangement to be discussed between the City and Solon Township and approved by the newly constituted Library Board.

Please feel free to contact me should you have any questions. It is the City's intention to minimize any disruption of the day-to-day activities at the Library during this period of transition for both patrons and employees.

Sincerely,

Pamela Conley, Mayor
City of Cedar Springs

Enclosure

cc:
Ms. Kamey Krum-Howe, Director, Cedar Springs Public Library
Mr. Robert Ellick, Solon Township Supervisor
Mr. Ross Leisman, Solon Township Attorney
Mr. Jeff Sluggett, Cedar Springs City Attorney

Cherishing our Heritage
Embracing our Future

CEDAR SPRINGS
EST. 1871

Office of the Mayor

Cedar Springs City Hall
66 S. Main St. PO Box 310
Cedar Springs, MI 49319

April 13th, 2023

Mr. Robert Ellick
Supervisor
Solon Township
15185 Algoma Avenue
Cedar Springs, Michigan 49319

Re: Termination of Agreement for Library Services – Effective October 13, 2023

Dear Mr. Ellick:

The City of Cedar Springs established the Cedar Springs Public Library under its authority to establish a public library and reading room under Public Act No. 164 of 1877, MCL 397.201 et seq., as amended ("PA 164").

Pursuant to Sections 13 of PA 164, the City of Cedar Springs has entered into an agreement to provide library services to the residents of Solon Township dated June 29, 2017 (the "Library Services Agreement"). I have attached a copy of the Library Services Agreement to this letter for your reference. The Library Services Agreement, in accordance with Section 15 of PA 164, modified the Library Board to create the current Library Board comprised of directors appointed by both Solon Township and the City of Cedar Springs.

Pursuant to Section 11 of the Library Services Agreement, which grants either party the right to terminate the Library Services Agreement effective upon six months' written notice, the City hereby gives formal notice of its intent to terminate the Library Services Agreement effective six months from the date of this letter or October 13, 2023. As of October 13, 2023, the Library Services Agreement will be terminated and of no further force or effect.

During the six-month period from the date of this letter until the effective date of termination, the Library Services Agreement, and all of the rights and duties of the parties under it and PA 164, will remain in effect.

In accordance with Section 5 of the Library Services Agreement, consistent with the provisions of PA 164, on the effective date of the termination of the Library Services Agreement, the current "joint" Library Board comprised of members appointed by both Solon Township and the City of Cedar Springs will be abolished. The term of office for all Library Board members will end. After the effective date of the termination, the Library Board will proceed under the provisions PA 164 as a non-joint board. Accordingly, the City will, pursuant to Section 2 of PA 164, appoint, or re-appoint, directors of the Library Board to take office beginning on the effective date of the termination.

Please note, after the effective date of the termination of the Library Services Agreement, the City would be supportive of the extension of library services to the residents of Solon Township under a new arrangement to be discussed between the City and Solon Township and approved by the newly constituted Library Board.

Please feel free to contact me should you have any questions. It is the City's intention to minimize any disruption of the day-to-day activities at the Library during this period of transition for both patrons and employees.

Sincerely,

Pamela Conley, Mayor
City of Cedar Springs

Enclosure

cc:
Mr. Ross Leisman, Solon Township Attorney
Mr. Jeff Sluggett, Cedar Springs City Attorney