

1 **PAW PAW DISTRICT LIBRARY**  
2 **BOARD OF TRUSTEES MEETING**  
3 March 17, 2025  
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5 Vice-President Suzanne Miller called the regular monthly meeting of the Paw Paw District  
6 Library Board of Trustees to order at 7:03 PM at the Paw Paw District Library.  
7

8 Board members present: Suzanne Miller, Catey Bolton, Krystal Seibert, Sherry Bennett,  
9 Jeremy Davison, Julie Pioch, Brian Wiersma (arrived at 7:50 PM). Staff Present: Gretchen  
10 Evans  
11

12 **PUBLIC COMMENT**

13 Jim Miller reported that the Friends of the Library's regular meeting will be held March 26,  
14 2025, at 4:00 PM. Susan Anderson has taken over as membership chairperson.  
15

16 **MINUTES**

17 A motion was made by Seibert and seconded to approve the regular meeting minutes of the  
18 February 17, 2025. The motion was adopted.  
19

20 **FINANCIAL REPORT**

21 The monthly financial report included:

- 22 • A custom summary report for February 2025 showing total income of \$159,481.86  
23 and total expenses of \$78,879.53 for a net income of \$80,602.33
- 24 • Profit & Loss Budget vs. Actual income and expenses January 1, 2025, through  
25 February 2025.
- 26 • Balance sheet as of February 28, 2025, showing total liabilities and equity of  
27 \$1,944,658.92.
- 28 • A custom summary report for February 2025 of the PPDL Debt Fund showing net  
29 income of \$17,132.56
- 30 • Balance sheet as of February 28, 2025, of the PPDL Debt Fund showing total  
31 liabilities and equity of \$153,953.66.
- 32 • Report of T-Bill maturity date and yield May 2024 through February 2025.
- 33 • A list of bills to paid for the period of 2/1/2025 to 2/28/2025 with total expenditures  
34 to be paid \$78,879.53. Included in the list were wages of \$37,871.56 and fringe  
35 benefits of \$8,036.98.  
36

37 A motion was made by Seibert and seconded to pay the bills as presented for the period of  
38 2/1/2025 to 2/28/2025 with total expenditures to be paid of \$78,879.53. The motion was  
39 adopted with a roll call vote (Yes: Suzanne Miller, Sherry Bennett, Catey Bolton, Julie Pioch,  
40 Krystal Seibert, Jeremy Davison; No: None).  
41

42 **LIBRARY DIRECTOR REPORT**

43 Director Evans provided a written report of her activities for the month, an update on  
44 library operations and programs, PPDL Statistics for the month of February, 2025.  
45

45 Director Evans obtained more information about the legislative changes to the Earned Sick  
46 Time Act and asked the board to change the effective date of changes to the Employee  
47 Handbook adopted at the January meeting to go into effect immediately. It was moved by  
48 Pioch and seconded to amend the effective date to March 17, 2025. The motion was  
49 adopted with a roll call vote (Yes: Suzanne Miller, Sherry Bennett, Catey Bolton, Julie Pioch,  
50 Krystal Seibert, Jeremy Davison; No: None). The revisions to the Employee Handbook  
51 adopted in January 2025, will go into effect March 17, 2025.

52

53 **COMMITTEE REPORTS**

54

55 **Buildings and Grounds:** The committee met on March 11, 2025. Davison and Miller were in  
56 attendance and reviewed a packet prepared by Director Evans that included bids for library  
57 repairs and discussed roof repairs. Additional information for replacement of the backup  
58 battery system was reviewed at the board meeting. On behalf of the committee, Miller  
59 moved to approve bids as follows: Ancona Controls for Backup battery system for lighting at  
60 \$5966.49; Field Plumbing and Heating for replacement of automatic flush valves at  
61 \$4083.40; WOW 1 Day Painting for painting of conference room walls at \$1543.50 and  
62 Modernistic Carpet Cleaning for the entire library at \$1820. The motion was adopted with a  
63 roll call vote (Yes: Suzanne Miller, Catey Bolton, Julie Pioch, Krystal Seibert, Jeremy Davison;  
64 No: None).

65

66 **Policy and Bylaws:** The committee met on March 11, 2025. Seibert, Bennett and Pioch were  
67 in attendance and reviewed revisions to the Freedom of Information policy that were  
68 recommended by legal counsel. On behalf of the committee, Seibert moved the adoption  
69 of the revised Freedom of Information Act (FOIA) Procedures and Guidelines and the FOIA  
70 Summary as follows:

71

72 **Paw Paw District Library**

73

74 **FOIA Procedures and Guidelines**

75

76 **Preamble: Statement of Principles**

77 It is the policy of the Paw Paw District Library that all persons, except those incarcerated, consistent  
78 with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information  
79 regarding the affairs of government and the official acts of those who represent them as public officials  
80 and employees. The people shall be informed so that they fully participate in the democratic process.

81

82 The Library's policy with respect to FOIA requests is to comply with State law in all respects and to  
83 respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such  
84 a request.

85

86 The Library acknowledges that it has a legal obligation to disclose all nonexempt public records in its  
87 possession pursuant to a FOIA request. The Library acknowledges that sometimes it is necessary to  
88 invoke the exemptions identified under FOIA in order to ensure the effective operation of government  
89 and to protect the privacy of individuals.

90

91 The Paw Paw District Library will protect the public's interest in disclosure, while balancing the  
92 requirement to withhold or redact portions of certain records. The Library's policy is to disclose public  
93 records consistent with and in compliance with State law.  
94 The Library Board has established the following written procedures and guidelines to implement the  
95 FOIA and will create a written public summary of the specific procedures and guidelines relevant to  
96 the general public regarding how to submit written requests to the public body and explaining how to  
97 understand a public body's written responses, deposit requirements, fee calculations, and avenues for  
98 challenge and appeal. The written public summary will be written in a manner so as to be easily  
99 understood by the general public.

100

## 101 **Section 1: General Policies**

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103 The Library Board, acting pursuant to the authority at MCL 15.236, designates the Library Director as  
104 the FOIA Coordinator. He or she is authorized to designate other Library staff to act on his or her  
105 behalf to accept and process written requests for the Library's public records and approve denials.

106

107 If a request for a public record is received by fax or email, the request is deemed to have been received  
108 on the following business day. If a request is sent by email and delivered to a Library spam or junk-  
109 mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes  
110 aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was  
111 delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the  
112 request.

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114 **The FOIA Coordinator shall review Library spam and junk-mail folders on a regular basis,**  
115 **which shall be no less than once a month. The FOIA Coordinator shall work with Library**  
116 **Information Technology staff to develop administrative rules for handling spam and junk-mail**  
117 **so as to protect Library systems from computer attacks which may be imbedded in an electronic**  
118 **FOIA request.**

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120 The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with  
121 State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA  
122 requests.

123

124 The Library is not obligated to create a new public record or make a compilation or summary of  
125 information which does not already exist. Neither the FOIA Coordinator nor other Library staff are  
126 obligated to provide answers to questions contained in requests for public records or regarding the  
127 content of the records themselves.

128 The FOIA Coordinator shall keep a copy of all written requests for public records received by the  
129 Library on file for a period of at least one year.

130

131 The Library will make this Procedures and Guidelines document and the Written Public Summary  
132 publicly available without charge. If it does not, the Library cannot require deposits or charge fees  
133 otherwise permitted under the FOIA until it is in compliance.

134 A copy of this Procedures and Guidelines document and the Library's Written Public Summary must  
135 be publicly available by providing free copies both in the Library's response to a written request and  
136 upon request by visitors at the Library.

137

138 This Procedures and Guidelines document and the Library's Written Public Summary will be  
139 maintained on the Library's website at: [www.pawpawlib.org](http://www.pawpawlib.org)

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## 141 **Section 2: Requesting a Public Record**

142 No specific form to submit a request for a public record is required. However, the FOIA Coordinator  
143 may make available a FOIA Request Form for use by the public.

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Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Library may be submitted on the Library's FOIA Request Form, in any other form of writing (letter, fax, email, etc.), or by verbal request.

Verbal requests for records may be documented by the Library on the Library's FOIA Request Form.

If a person makes a verbal, non-written request for information believed to be available on the Library's website, where practicable and to the best ability of the employee receiving the request, shall be informed of the pertinent website address.

A written request must sufficiently describe a public record so as to enable Library personnel to identify and find the requested public record.

A request from a person, other than an individual who qualifies as indigent under MCL 15.234(2)(a), must include the requesting person's complete name, address, and contact information, and, 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:

JANE SMITH  
1500 E MAIN AVE STE 201  
SPRINGFIELD VA 22162-1010

Contact information must include a valid telephone number or electronic mail address.

Written requests for public records may be submitted in person or by mail to the Library, care of the Library Director. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person making a request may stipulate that the public body's response be electronically mailed (email), delivered by facsimile (fax), or delivered by first-class mail, and the Library will comply unless the Library lacks the technological capability to provide an electronically mailed or facsimile response.

A person may request that public records be provided on non-paper physical media, emailed or other otherwise provided to him or her in digital form in lieu of paper copies. The Library will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

### **Section 3: Processing a Request**

Unless otherwise agreed to in writing by the person making the request, the Library will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The Library will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.

- 195       • Issue a notice indicating that due to the nature of the request the Library needs an  
196       additional 10 business days to respond for a total of no more than 15 business days.  
197       Only one such extension is permitted.  
198       • Issue a written notice indicating that the public record requested is available at no  
199       charge on the Library’s website.

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201       ***When a request is granted:***

202       If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in  
203       full for the allowable fees associated with responding to the request before the public record is made  
204       available.

205       The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process  
206       the request to the person making the request.

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208       A copy of these Procedures and Guidelines and the Written Public Summary will be provided to the  
209       requestor free of charge with the response to a written request for public records, provided however,  
210       that because these Procedures and Guidelines, and the Written Public Summary are maintained on the  
211       Library’s website at: [www.pawpawlib.org](http://www.pawpawlib.org), a link to the Procedures and Guidelines and the Written  
212       Public Summary will be provided in lieu of providing paper copies of those documents.

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214       If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due  
215       and where the documents can be obtained.

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217       If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation,  
218       or if the requestor has not paid in full for a previously granted request, the Library will require a good-  
219       faith deposit pursuant to Section 4 of this policy before processing the request.

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221       In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a  
222       detailed itemization of the allowable costs estimated to be incurred by the Library to process the request  
223       and also provide a best efforts estimate of a time frame it will take the Library to provide the records to  
224       the requestor. The best efforts estimate shall be nonbinding on the Library, but will be made in good  
225       faith and will strive to be reasonably accurate, given the nature of the request in the particular instance,  
226       so as to provide the requested records in a manner based on the public policy expressed by Section 1  
227       of the FOIA.

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229       ***When a request is denied or denied in part:***

230       If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which  
231       shall provide in the applicable circumstance:

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- 233       • An explanation as to why a requested public record is exempt from disclosure; or  
234       • A certificate that the requested record does not exist under the name or description provided by  
235       the requestor, or another name reasonably known by the Library; or  
236       • An explanation or description of the public record or information within a public record that is  
237       separated or deleted from the public record; and  
238       • An explanation of the person’s right to submit an appeal of the denial to the Library Board or  
239       seek judicial review in the Van Buren County Circuit Court;  
240       • An explanation of the right to receive attorneys’ fees, costs, and disbursements as well actual  
241       or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit  
242       Court.  
243       • The Notice of Denial shall be signed by the FOIA Coordinator.

244

245       If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing  
246       a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request

247 by the person making the request. Any clarification or amendment will be considered a new request  
248 subject to the timelines described in this Section.

249

250 ***Requests to inspect public records:***

251 The Library shall provide reasonable facilities and opportunities for persons to examine and inspect  
252 public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules  
253 regulating the manner in which records may be viewed so as to protect Library records from loss,  
254 alteration, mutilation or destruction and to prevent excessive interference with normal Library  
255 operations.

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257 Upon receiving a written or verbal request to inspect Library records, the Library shall furnish the  
258 requesting person with a reasonable opportunity and reasonable facilities for inspection and  
259 examination of its public records.

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261 A person shall be allowed to inspect public records during usual business hours, not less than four hours  
262 per day. The public does not have unlimited access to Library offices or facilities, and a person may be  
263 required to inspect records at a specified counter or table, and in view of Library personnel.

263

264 Library officials, appointees, staff or consultants/contractors assisting with inspection of public records  
265 shall inform any person inspecting records that only pencils, and no pens or ink, may be used to take  
266 notes.

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267 In coordination with the official responsible for the records, the FOIA Coordinator shall determine on  
268 a case-by-case basis when the Library will provide copies of original records, to allow for blacking  
269 out/redaction of exempt information, to protect old or delicate original records, or because the original  
270 record is a digital file or database not available for public inspection.

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271 The FOIA Coordinator is responsible for identifying if records or information requested by the public  
272 is stored in digital files or e-mail, even if the public does not specifically request a digital file or e-mail.

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273 A person cannot remove books, records or files from the place the Library has provided for the  
274 inspection.

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275 No documents shall be removed from the office of the custodian of those documents without permission  
276 of that custodian, except by court order, subpoena or for audit purposes. The official shall be given a  
277 receipt listing the records being removed. Documents may be removed from the office of the custodian  
278 of those documents with permission of that custodian to accommodate public inspection of those  
279 documents.

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280 In coordination with the official responsible for the records, the FOIA coordinator will determine on a  
281 case-by-case basis when the Library will provide copies of original records, to allow for blacking  
282 out/redaction of exempt information, to protect old or delicate original records, or because the original  
283 record is a digital file or database not available for public inspection.

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284 A fee may be charged for copies made to enable public inspection of records, according to the Library's  
285 FOIA policy.

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286 ***Requests for certified copies:***  
287 The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no  
288 additional cost to the person requesting the public record.

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289 **Section 4: Fee Deposits**

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291 If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be  
292 asked to provide a deposit not exceeding one-half of the total estimated fee.

293

294 If a request for public records is from a person who has not paid the Library in full for copies of public  
295 records made in fulfillment of a previously granted written request, the FOIA Coordinator will require

295 a deposit of 100% of the estimated processing fee before beginning to search for a public record for  
296 any subsequent written request by that person when all of the following conditions exist:

- 297
- 298 • The final fee for the prior written request is not more than 105% of the estimated fee;
- 299 • The public records made available contained the information sought in the prior written request
- 300 and remain in the Library's possession;
- 301 • The public records were made available to the individual, subject to payment, within the time
- 302 frame estimated by the Library to provide the records;
- 303 • Ninety (90) days have passed since the FOIA Coordinator notified the individual in writing
- 304 that the public records were available for pickup or mailing;
- 305 • The individual is unable to show proof of prior payment to the Library; and
- 306 • The FOIA Coordinator has calculated a detailed itemization that is the basis for the current
- 307 written request's increased estimated fee deposit.
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309 The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

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- 311 • The person making the request is able to show proof of prior payment in full to the Library;
- 312 • The Library is subsequently paid in full for the applicable prior written request; or
- 313 • Three hundred sixty five (365) days have passed since the person made the request for which
- 314 full payment was not remitted to the Library.
- 315

316 If a deposit is not received by the Library within 48 days from the date that the notice of deposit  
317 requirement is sent, and if the requesting person has not filed an appeal of the deposit amount, the  
318 request shall be considered abandoned by the requesting person and the Library is no longer required  
319 to fulfill the request. Notice of a deposit requirement must include notice of the date by which the  
320 deposit must be received, which date is 48 days after the date the notice is sent.

### 322 **Section 5: Calculation of Fees**

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324 A fee may be charged for the labor cost of copying/duplication.

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326 A fee will *not* be charged for the labor cost of search, examination, review and the deletion and  
327 separation of exempt from nonexempt information *unless* failure to charge a fee would result in  
328 unreasonably high costs to the Library because of the nature of the request in the particular instance,  
329 and the Library specifically identifies the nature of the unreasonably high costs.

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331 Costs for the search, examination review, and deletion and separation of exempt from non-exempt  
332 information are "unreasonably high" when they are excessive and beyond the normal or usual amount  
333 for those services (Attorney General Opinion 7083 of 2001) compared to the costs of the Library's  
334 usual FOIA requests, not compared to the Library's operating budget. (*Bloch v. Davison Community*  
335 *Schools*, Michigan Court of Appeals, Unpublished, April 26, 2011)

336

337 The following factors shall be used to determine an unreasonably high cost to the Library:

- 338
- 339 • Volume of the public record requested
- 340 • Amount of time spent to search for, examine, review and separate exempt from non-exempt
- 341 information in the record requested.
- 342 • Whether the public records are from more than one Library department or whether various
- 343 Library offices are necessary to respond to the request.
- 344 • The available staffing to respond to the request.
- 345 • Any other similar factors identified by the FOIA Coordinator in responding to the particular
- 346 request.

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The Michigan FOIA statute permits the Library to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the Library.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the Library.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the Library's website if the requester asks for the Library to make copies.
- The actual and most reasonably economical cost of non-paper physical media when the requester asks for records in any form of non-paper physical media. This may include the cost for copies of records already on the Library's website if the requester asks for the Library to make copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid Library employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- The Library may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Any form of non-paper physical media (for example, USB drives, computer disks, computer tapes or other digital or similar media) will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the Library has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The Library will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the Library's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:



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- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The Library will provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The Library may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the Library must:

- Reduce the labor costs by 5% for each day the Library exceeds the time permitted under FOIA up to a 50% maximum reduction, if *any* of the following applies:
  - The Library’s late response was willful and intentional,
  - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
  - The written request included the words, characters, or abbreviations for “freedom of information,” “information,” “FOIA,” “copy” or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

**Section 6: Waiver of Fees**

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The Library board may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

**Section 7: Discounted Fees**

***Indigence***

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the Library twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

451 ***Nonprofit organization advocating for developmentally disabled or mentally ill individuals***  
452 The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:  
453

454 • A nonprofit organization formally designated by the state to carry out activities under subtitle  
455 C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law  
456 106-402, and the protection and advocacy for individuals with mental illness act, Public Law  
457 99-319, or their successors, if  
458 the request meets all of the following requirements:  
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- 460 ○ Is made directly on behalf of the organization or its clients.
- 461 ○ Is made for a reason wholly consistent with the mission and provisions of those laws  
462 under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- 463 ○ Is accompanied by documentation of its designation by the state, if requested by the  
464 public body.  
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#### 466 **Section 8: Appeal of a Denial of a Public Record**

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468 When a requestor believes that all or a portion of a public record has not been disclosed or has been  
469 improperly exempted from disclosure, he or she may appeal to the Library Board by filing an appeal of  
470 the denial with the office of the Library Director.  
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472 The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons  
473 the requestor is seeking a reversal of the denial. The Library FOIA Appeal Form (To Appeal a Denial  
474 of Records), may be used.  
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476 The Library Board is not considered to have received a written appeal until the first regularly scheduled  
477 Library Board meeting following submission of the written appeal.  
478

479 Within 10 business days of receiving the appeal the Library Board will respond in writing by:  
480

- 481 • Reversing the disclosure denial;
- 482 • Upholding the disclosure denial; or
- 483 • Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- 484 • Under unusual circumstances, issue a notice extending for not more than 10 business days the  
485 period during which the Library Board shall respond to the written appeal. The Library Board  
486 shall not issue more than 1 notice of extension for a particular written appeal.  
487

488 If the Library Board fails to respond to a written appeal, or if the Library Board upholds all or a portion  
489 of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial  
490 review of the nondisclosure by commencing a civil action in Circuit Court.  
491

492 Whether or not a requestor submitted an appeal of a denial to the Library Board, he or she may file a  
493 civil action in Van Buren County Circuit Court within 180 days after the Library's final determination  
494 to deny the request.

495 If a court that determines a public record is not exempt from disclosure, it shall order the Library to  
496 cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of  
497 the location of the public record. Failure to comply with an order of the court may be punished as  
498 contempt of court.

499 If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record  
500 prevails in such an action, the court shall award reasonable attorneys' fees, costs, and disbursements.

501 If the person or Library prevails in part, the court may, in its discretion, award all or an appropriate  
502 portion of reasonable attorneys' fees, costs, and disbursements.

503 If the court determines that the Library has arbitrarily and capriciously violated this act by refusal or  
504 delay in disclosing or providing copies of a public record, the court shall order the Library to pay a civil  
505 fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall  
506 award, in addition to any actual or compensatory damages, punitive damages in the amount of  
507 \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages  
508 shall not be assessed against an individual, but shall be assessed against the next succeeding public  
509 body that is not an individual and that kept or maintained the public record as part of its public function.

### 510 **Section 9: Appeal of an Excessive FOIA Processing Fee**

511 "Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA,  
512 including any deposit.

513 If a requestor believes that the fee charged by the Library to process a FOIA request exceeds the amount  
514 permitted by state law or under this policy, he or she must first appeal to the Library Board by  
515 submitting a written appeal for a fee reduction to the office of the Library Director.

516  
517 The appeal must be in writing, specifically state the word "appeal" and identify how the required fee  
518 exceeds the amount permitted. The Library FOIA Appeal Form (To Appeal an Excess Fee) may be  
519 used.

520  
521 The Library Board is not considered to have received a written appeal until the first regularly scheduled  
522 Library Board meeting following submission of the written appeal.

523  
524 Within 10 business days after receiving the appeal, the Library Board will respond in writing by:

- 525
- 526 • Waiving the fee;
  - 527 • Reducing the fee and issuing a written determination indicating the specific basis that supports  
528 the remaining fee;
  - 529 • Upholding the fee and issuing a written determination indicating the specific basis that supports  
530 the required fee; or
  - 531 • Issuing a notice detailing the reason or reasons for extending for not more than 10 business  
532 days the period during which the Library Board will respond to the written appeal. The Library  
533 Board shall not issue more than 1 notice of extension for a particular written appeal.

534 Where the Library Board reduces or upholds the fee, the determination must include a certification  
535 from the Library Board that the statements in the determination are accurate and that the reduced fee  
536 amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA.

537 Within 45 days after receiving notice of the Library Board's determination of an appeal, the requesting  
538 person may commence a civil action in Van Buren County Circuit Court for a fee reduction.

539  
540 If a civil action is commenced against the Library for an excess fee, the Library is not obligated to  
541 complete the processing of the written request for the public record at issue until the court resolves the  
542 fee dispute.

543 An action shall not be filed in circuit court unless *one* of the following applies:

- 544
- The Library does not provide for appeals of fees,

- 545       • The Library Board failed to respond to a written appeal as required, or  
546       • The Library Board issued a determination to a written appeal.

547       If a court determines that the Library required a fee that exceeds the amount permitted under its publicly  
548       available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a  
549       permissible amount. Failure to comply with an order of the court may be punished as contempt of court.

550       If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the  
551       court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and  
552       disbursements. The award shall be assessed against the public body liable for damages.

553       If the court determines that the Library has arbitrarily and capriciously violated the FOIA by charging  
554       an excessive fee, the court shall order the Library to pay a civil fine of \$500.00, which shall be deposited  
555       in the general fund of the state treasury. The court may also award, in addition to any actual or  
556       compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee  
557       reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed  
558       against the next succeeding public body that is not an individual and that kept or maintained the public  
559       record as part of its public function.

560       **Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date**

561       To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated  
562       by Library Board or the Library Administration these Procedures and Guidelines are controlling. To  
563       the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption  
564       of this resolution is found to be in conflict with any previous policy promulgated by the Library Board  
565       or the Library Administration, the administrative rule promulgated by the FOIA Coordinator is  
566       controlling.

567  
568       To the extent that any provision of these Procedures and Guidelines or any administrative rule  
569       promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in  
570       conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized  
571       to modify this policy and all previous policies adopted by the Library Board or the Library  
572       Administration, and to adopt such administrative rules as he or she may deem necessary, to facilitate  
573       the legal review and processing of requests for public records made pursuant to Michigan's FOIA  
574       statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator  
575       shall inform the Library Board of any change these Policies and Guidelines.

576  
577       These FOIA Policies and Guidelines become effective \_\_\_\_\_, 20\_\_.

578  
579       **Section 11: Appendix of Paw Paw District Library FOIA Forms**

- 580  
581       • Request for Public Records Form  
582       • Notice to Extend Response Time Form  
583       • Notice of Denial Form  
584       • Detailed Cost Itemization Form  
585       • Appeal of Denial of Records Form  
586       • Appeal of Excess Fee Form  
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**Paw Paw District Library  
Public Summary of FOIA Procedures and Guidelines**

592 **It is the public policy of this state that all persons**  
593 **(except those persons incarcerated in state or local correctional facilities)**  
594 **are entitled to full and complete information regarding the affairs of government and**  
595 **the official acts of those who represent them as public officials and public employees.**  
596

597 **The people shall be informed so that they may fully participate in the democratic process.**  
598

599 Consistent with the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, the  
600 following is the Written Public Summary of the Paw Paw District Library's FOIA Procedures and  
601 Guidelines relevant to the general public.  
602

603 This is only a summary of the Library FOIA Procedures and Guidelines. For more details and  
604 information, copies of the Library FOIA Procedures and Guidelines are available at no charge at the  
605 Library (609 W. Michigan Avenue) and on the Library's website: [www.pawpawlib.org](http://www.pawpawlib.org)  
606

### 607 **1. How do I submit a FOIA request to the Library?** 608

- 609 • A request must sufficiently describe a public record so as to enable the Library to find it.  
610
- 611 • A request from a person, other than an individual who qualifies as indigent under MCL  
612 15.234(2)(a), must include the requesting person's complete name, address, and contact  
613 information, and, if the request is made by a person other than an individual, the complete  
614 name, address, and contact information of the person's agent who is an individual. An address  
615 must be written in compliance with United States Postal  
616 Service addressing standards:  
617  
618 JANE SMITH  
619 1500 E MAIN AVE STE 201  
620 SPRINGFIELD VA 22162-1010  
621
- 622 • Contact information must include a valid telephone number or electronic mail address.  
623
- 624 • Please include the words "FOIA" or "FOIA Request" in the request to assist the Library in  
625 providing a  
626 prompt response.  
627
- 628 • Requests to inspect or obtain copies of public records prepared, owned, used, possessed or  
629 retained by the Library may be submitted on the Library's FOIA Request Form, in any other  
630 form of writing (letter, fax, email, etc.), or by verbal request.  
631
  - 632 ○ Any verbal request will be documented by the Library on the Library's FOIA Request  
633 Form.
  - 634
  - 635 ○ No specific form to submit a written request is required. However a FOIA Request  
636 Form and other FOIA-related forms are available for your use and convenience on the  
637 Library's website at [www.pawpawlib.org](http://www.pawpawlib.org), and at the Library itself (609 W. Michigan  
638 Avenue).  
639
- 640 • Written requests may be delivered to the Library Director in person or by mail: 609 W.  
641 Michigan Ave., Paw Paw, MI 49079.  
642
- 643 • Requests may also be made by facsimile to the Library Director at the following fax number:  
644 269-657-2603.

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- Requests may be emailed to the Library Director at: [gevans@pawpawlib.org](mailto:gevans@pawpawlib.org). To ensure a prompt response, email requests should contain the term “FOIA” or “FOIA Request” in the subject line.

649 **2. What kind of response can I expect to my request?**

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- Within 5 business days after receiving a FOIA request the Library will issue a response. If a request is received by email, the request is deemed to have been received on the following business day. The Library will respond to your request in one of the following ways:
    - - Grant the request,
      - Issue a written notice denying the request,
      - Grant the request in part and issue a written notice denying in part the request,
      - Issue a notice indicating that due to the nature of the request the Library needs an additional 10 business days to respond, or
      - Issue a written notice indicating that the public record requested is available at no charge on the Library’s website
  - If the request is granted, or granted in part, the Library will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.
  - If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the Library will require a deposit before processing the request.

669 **3. What are the Library’s deposit requirements?**

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- If the Library has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the Library will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Library requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.
  - If the Library receives a request from a person who has not paid the Library for copies of public records made in fulfillment of a previously granted written request, the Library will require a deposit of 100% of the estimated processing fee before it begins to search for the public record for any subsequent written request when **all** of the following conditions exist:
    - The final fee for the prior written request is not more than 105% of the estimated fee;
    - The public records made available contained the information sought in the prior written request and remain in the Library’s possession;
    - The public records were made available to the individual, subject to payment, within the best effort time frame estimated by the Library to provide the records;
    - Ninety (90) days have passed since the Library notified the individual in writing that the public records were available for pickup or mailing;
    - The individual is unable to show proof of prior payment to the Library; and
    - The Library has calculated an estimated detailed itemization that is the basis for the current written request’s increased fee deposit.
  - The Library will not require the 100% estimated fee deposit if any of the following apply:

- 697 ○ The person making the request is able to show proof of prior payment in full to the
- 698 Library;
- 699 ○ The Library is subsequently paid in full for all applicable prior written requests; or
- 700 ○ Three hundred sixty five (365) days have passed since the person made the request for
- 701 which full payment was not remitted to the Library.
- 702
- 703 ● If a deposit is not received by the Library within 48 days from the date that the notice of deposit
- 704 requirement is sent, and if the requesting person has not filed an appeal of the deposit amount,
- 705 the request shall be considered abandoned by the requesting person and the Library is no longer
- 706 required to fulfill the request. Notice of a deposit requirement must include notice of the date
- 707 by which the deposit must be received, which date is 48 days after the date the notice is sent.
- 708
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#### 710 **4. How does the Library calculate FOIA processing fees?**

711

712 The Michigan FOIA statute permits the Library to charge for the following costs associated with

713 processing a request:

- 714 ● Labor costs associated with copying or duplication, which includes making paper
- 715 copies, making digital copies, or transferring digital public records to non-paper
- 716 physical media or through the Internet.
- 717
- 718 ● Labor costs associated with searching for, locating and examining a requested public
- 719 record, when failure to charge a fee will result in unreasonably high costs to the
- 720 Library.
- 721
- 722 ● Labor costs associated with a review of a record to separate and delete information
- 723 exempt from disclosure, when failure to charge a fee will result in unreasonably high
- 724 costs to the Library.
- 725
- 726 ● The cost of copying or duplication, not including labor, of paper copies of public
- 727 records. This may include the cost for copies of records already on the Library's
- 728 website if you ask for the Library to make copies.
- 729
- 730 ● The cost of computer discs, computer tapes or other digital or similar media when the
- 731 requester asks for records in non-paper physical media. This may include the cost for
- 732 copies of records already on the Library's website if you ask for the Library to make
- 733 copies.
- 734
- 735 ● The cost to mail or send a public record to a requestor.
- 736
- 737

#### 738 **Labor Costs**

- 739
- 740 ● All labor costs will be estimated and charged in 15-minute increments, with all partial
- 741 time increments rounded down. If the time involved is less than 15 minutes, there will
- 742 be no charge.
- 743
- 744 ● Labor costs will be charged at the hourly wage of the lowest-paid Library employee
- 745 capable of doing the work in the specific fee category, regardless of who actually
- 746 performs work.
- 747

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- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. Library may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
  - Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
  - Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage)

758 A labor cost will not be charged for the search, examination, review and the deletion and separation of  
759 exempt from nonexempt information unless failure to charge a fee would result in unreasonably high  
760 costs to the Library. Costs are unreasonably high when they are excessive and beyond the normal or  
761 usual amount for those services compared to the Library's usual FOIA requests, because of the nature  
762 of the request in the particular instance. The Library must specifically identify the nature of the  
763 unreasonably high costs in writing.

### 764

### 765 **Copying and Duplication**

### 766

767 A person making a request may stipulate that the public body's response be electronically mailed  
768 (email), delivered by facsimile (fax), or delivered by first-class mail, and the Library will comply unless  
769 the Library lacks the technological capability to provide an electronically mailed or facsimile response.  
770

771 A person may request that public records be provided on non-paper physical media, emailed or other  
772 otherwise provided to him or her in digital form in lieu of paper copies. The Library will comply with  
773 the request only if it possesses the necessary technological capability to provide records in the requested  
774 non-paper physical media format.

775

776 The Library must use the most economical method for making copies of public records,  
777 including using double-sided printing, if cost-saving and available.

### 778

### 779 ***Non-paper Copies on Physical Media***

### 780

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- 786
- The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
  - This cost will be charged only if the Library has the technological capability necessary to provide the public record in the requested non-paper physical media format.

### 787 ***Paper Copies***

### 788

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- 792
- 793
- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper.
  - Copies for non-standard sized sheets will paper will reflect the actual cost of reproduction.

### 794 **Mailing Costs**

### 795

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- 797
- 798
- 799
- The cost to mail public records will use a reasonably economical and justified means.
  - The Library may charge for the least expensive form of postal delivery confirmation.
  - No cost will be made for expedited shipping or insurance unless you request it.



800 **Waiver of Fees**

801

802 The cost of the search for and copying of a public record may be waived or reduced if in the sole  
803 judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be  
804 considered as primarily benefitting the general public. The Library Board may identify specific records  
805 or types of records it deems should be made available for no charge or at a reduced cost.

806

807 **5. How do I qualify for an indigence discount on the fee?**

808

809 The Library will discount the first \$20.00 of fees for a request if you submit an affidavit stating that  
810 you are:

811

812 • Indigent and receiving specific public assistance; or

813

814 • If not receiving public assistance, stating facts demonstrating an inability to pay  
815 because of indigence.

816

817 You are **not** eligible to receive the \$20.00 discount if you:

818

819 • Have previously received discounted copies of public records from the Library twice  
820 during the calendar year; or

821

822 • Are requesting information on behalf of other persons who are offering or providing  
823 payment to you to make the request.

824

825 An affidavit is sworn statement. For your convenience, the Library has provided an Affidavit of  
826 Indigence for the waiver of FOIA fees on the back of the Library FOIA Request Form, which is  
827 available on the Library's website: [www.pawpawlib.org](http://www.pawpawlib.org)

828

829 **6. May a nonprofit organization receive a discount on the fee?**

830

831 A nonprofit organization advocating for developmentally disabled or mentally ill individuals that is  
832 formally designated by the state to carry out activities under subtitle C of the federal developmental  
833 disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and  
834 advocacy for individuals with mental illness act, Public Law 99-319, may receive a \$20.00 discount if  
835 the request meets all of the following requirements in the Act:

836

○ Is made directly on behalf of the organization or its clients.

837

○ 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.

838

839

○ Is accompanied by documentation of its designation by the state, if requested by the  
public body.

840

841 **7. How may I challenge the denial of a public record or an excessive fee?**

842

842 **Appeal of a Denial of a Public Record**

843

844 If you believe that all or a portion of a public record has not been disclosed or has been improperly  
845 exempted from disclosure, you may appeal to the Library Board (c/o the Library Director) by filing  
a written appeal of the denial with the office of the Library Director.

846

847 The appeal must be in writing, specifically state the word "appeal," and identify the reason or reasons  
848 you are seeking a reversal of the denial. You may use the Library FOIA Appeal Form (To Appeal a  
849 Denial of Records), which is available on the Library's website: [www.pawpawlib.org](http://www.pawpawlib.org)

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The Library Board is not considered to have received a written appeal until the first regularly scheduled Library Board meeting following submission of the written appeal. Within 10 business days of receiving the appeal the Library Board will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the Library Board, you may file a civil action in Van Buren County Circuit Court within 180 days after the Library's final determination to deny your request. If you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the Library acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1,000.

**Appeal of an Excess FOIA Processing Fee**

If you believe that the fee charged by the Library to process your FOIA request exceeds the amount permitted by state law, you must first appeal to the Library Board by filing a written appeal for a fee reduction to the office of the Library Director.

The appeal must specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. You may use the Library FOIA Appeal Form (To Appeal an Excess Fee), which is available at the Library and on the Library's website: [www.pawpawlib.org](http://www.pawpawlib.org).

The Library Board is not considered to have received a written appeal until the first regularly scheduled Library Board meeting following submission of the written appeal. Within 10 business days after receiving the appeal, the Library Board will respond in writing by:

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Library Board will respond to the written appeal.

Within 45 days after receiving notice of the Library Board's determination of the processing fee appeal, you may commence a civil action in Van Buren County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the Library acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.

###

The motion was adopted with a roll call vote (Yes: Suzanne Miller, Sherry Bennett, Catey Bolton, Julie Pioch, Krystal Seibert, Jeremy Davison; No: None).

The committee also reviewed a revision to the current Rules of Conduct Policy and suggested a full revision from the previously adopted policy. The new policy is more descriptive for the public and provides more guidance for staff to implement. On behalf of the committee, Seibert moved the adoption of the Patron Behavior Policy to replace the Rules of Conduct policy as follows:

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## PATRON BEHAVIOR POLICY

### **I. Introduction.**

The Paw Paw District Library (the “Library”) is open for specific and designated civic, educational, and cultural uses, including reading, studying, writing, participating in scheduled Library programs, and using Library materials. In order to provide resources and services to all people who visit the Library facilities in an atmosphere of courtesy, respect, and excellent service, the Library Board has adopted this Patron Behavior Policy. The purpose of the Patron Behavior Policy (“Policy”) is to assist the Library in fulfilling its mission as a community resource enriching life, stimulating intellectual curiosity, fostering literacy, and encouraging an informed citizenry.

The following rules of conduct shall apply to all buildings (interior and exterior), all grounds controlled and operated by the Library (“Library Property”), and to all persons entering in or on to Library Property, unless otherwise specified.

### **II. Rules for a Safe Environment.**

- A. Violations of Law. Committing or attempting to commit an activity in violation of federal, state, or local law, ordinance, or regulation (including but not limited to assault, indecent exposure, larceny, removing Library material from Library Property without authorization through the approved lending procedures, vandalism, or copyright infringement) is prohibited.
- B. Weapons. Carrying guns, pistols, or other weapons, except as specifically permitted and exempt from local regulation by law, on Library Property is prohibited.
- C. Alcohol; Drugs. Possessing, selling, distributing, or consuming any alcoholic or intoxicating beverage, illegal drug, or drug paraphernalia is prohibited; provided that alcohol may be permitted at certain Library-sponsored events if specifically approved by the Library. Persons noticeably under the influence of any controlled substance or alcoholic or intoxicating liquor are not allowed on Library property.
- E. Recreational Equipment and Personal Transport Devices. Use of skateboards, rollerblades, roller skates, or other wheeled form of recreational equipment is not allowed in the Library or on Library Property. Library patrons must park bicycles or other recreational vehicles only in authorized areas. Wheelchairs, scooters, and other power-driven mobility devices are permitted in by those individuals with disabilities in accordance with Library rules, unless a particular type of device cannot be accommodated because of legitimate safety requirements.

- 948 F. No Blocking of Doors, Aisles or Entrances. All doors, aisles and entrances  
949 must remain obstacle-free. This includes a prohibition of running power cords  
950 across aisles or other areas that are used for walking.  
951
- 952 G. Animals. Animals are not permitted in the Library other than service animals  
953 (as defined by law) for those individuals with disabilities, those used in law  
954 enforcement or for Library programming. Animals may not be left unattended  
955 or be off-leash on Library Property.  
956
- 957 H. Incendiary devices. The use of incendiary devices, such as candles, matches,  
958 and lighters, is prohibited inside the Library.  
959
- 960 I. Staff Only Areas. Patrons shall not be permitted in any areas designated as  
961 “staff only” unless otherwise permitted by the Library Director.  
962
- 963 J. School Groups. School groups using the Library must have approval of the  
964 Library Director and must have a teacher and other appropriate staff present to  
965 ensure that the students use the Library in conformance with these rules.  
966

967 **III. Rules for Personal Behavior.**  
968

- 969 A. Personal Property. Personal property brought into the Library is subject to the  
970 following:  
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- 972 1. The Library staff may limit the number of parcels carried into the  
973 Library. The Library may also limit the size of items, for example, the  
974 Library prohibits large items such as suitcases, duffle bags or large  
975 plastic garbage bags.  
976
  - 977 2. The Library is not responsible for personal belongings left unattended  
978 and Library staff is not permitted to guard or watch personal belongings.  
979
  - 980 3. The Library does not guarantee storage for personal property.  
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  - 982 4. Personal possessions must not be left unattended or take up seating or  
983 space if needed by others.  
984
- 985 B. Food and Beverages. Food and beverages are only permitted in designated  
986 areas.  
987
- 988 C. Unauthorized Use. Patrons must leave the Library Property promptly at closing  
989 time and may not be in the Library when it is not open to the public. The Library  
990 does not permit overnight parking in the Library’s parking lot. Further, any  
991 patron whose privileges to use the Library have been denied may not enter the  
992 Library or be on Library Property. Any patron whose privileges have been  
993 limited may not use the Library in any manner that conflicts with those limits  
994 placed on the patron by the Library Director, his or her designee, or the Library  
995 Board.

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- D. Engaging in Proper Library Activities. Patrons shall be engaged in activities associated with the use of the Library while in the building or on Library Property. Patrons not engaged in reading, studying, writing, participating in scheduled Library programs, or using Library materials may be required to leave the Library and shall not remain on Library Property.
- E. Considerate Use. The following behavior is prohibited in the Library or on Library Property:
1. Spitting;
  2. Running, pushing, shoving, fighting, throwing items, provoking a fight or other unsafe physical behavior;
  3. Climbing on or other inappropriate use of furniture;
  4. Using obscene or threatening language or gestures;
  5. Engaging in sexual behavior (1) that is a violation of the law, (2) which can reasonably be expected to disturb Library users or staff while such staff or patrons are in the Library or on Library property, or (3) that interferes with the Library patrons' use of the Library or the ability of the staff person to do his or her job.
- F. Panhandling or Soliciting for Money, Products, and Services. Panhandling or soliciting Library staff or patrons for money, products, or services inside the Library or on Library property is prohibited. Sales of products or services that are incidental to Library programming may be permitted if approved in advance by the Library Director.
- G. Interference with Staff. Patrons may not interfere with the staff's performance of duties in the Library or on Library property. This includes engaging in conversation or behavior that monopolizes or forces the attention of staff for an inappropriate period, inappropriate personal comments, sexual advances, or physical and/or verbal harassment.
- H. Campaigning, Petitioning, Interviewing and Similar Activities. As a limited public forum, the Library reserves the right to regulate the time, place, and manner for campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing and soliciting on Library grounds as follows:
1. Campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing, and soliciting are prohibited inside the Library building.
  2. Campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing, and soliciting outside the Library building but on Library property are subject to the following requirements:
    - a. Persons or groups are requested to sign in at the Circulation Desk in advance.



- 1088 N. Odor. Offensive odor, including but not limited to, body odor due to poor  
1089 personal hygiene, overpowering perfume or cologne, or odors from for items  
1090 brought into the Library, that causes a nuisance is prohibited. (For example, if  
1091 the patron’s odor interferes with staff or other patrons’ use of the Library, the  
1092 patron violates this Policy).  
1093
- 1094 O. Phones. Those patrons desiring to use phones to place or receive calls must use  
1095 the phones quietly so as not to disturb other patrons.  
1096
- 1097 P. Library Policies. Patrons must adhere to all Library Policies.  
1098
- 1099 R. Tables or Structures on Library Property. No person may use or set up a table,  
1100 stand, sign or similar structure on Library Property. This does not apply to  
1101 Library-sponsored or co-sponsored events.  
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- 1103 S. Smoking; Tobacco or Marijuana Use. Smoking, using e-cigarettes, vaping,  
1104 electronic nicotine delivery systems or chewing tobacco is prohibited on  
1105 Library Property. Using or smoking marijuana on Library property is also  
1106 prohibited.  
1107
- 1108 T. Attire. All patrons are expected to be fully dressed, including shoes and shirt,  
1109 at all times while on library property.  
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1111 **IV. Rules for the Use and Preservation of Library Materials and Property.**  
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- 1113 A. Care of Library Property. Patrons must not deface, vandalize, damage, or  
1114 improperly use or improperly remove Library materials, equipment, furniture,  
1115 or buildings. Patron shall not load or install any programs or software on  
1116 Library computers. Patrons shall be responsible to reimburse the Library for  
1117 costs incurred by the Library for violating this provision. Patrons shall not  
1118 cause damage by returning books containing bedbugs or bringing bedbugs into  
1119 the Library.  
1120
- 1121 B. Internet Use. Patrons must abide by established time limitations and all other  
1122 provisions of the Library Computer & Internet Policy.  
1123
- 1124 C. Equipment. Library staff computers are for staff use only.  
1125
- 1126 D. Authorized Lending. Library materials may only be removed from the premises  
1127 with authorization through established lending procedures.  
1128

1129 **V. Violations and Appeal.**  
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1131 The Library Director or the Director’s designee may restrict access to library facilities with  
1132 immediate dismissal of the patron from the premises, by suspending the patron’s access to  
1133 library facilities for a set period of time, or by denying access to specific services and/or  
1134 programs pursuant to this Policy. If necessary, the local police may be called to intervene.

1135 Patrons may appeal a decision to limit or revoke privileges by sending a written appeal to the  
1136 Library Board within 10 working days of the date the privileges were revoked or limited. The  
1137 appeal should be sent to the President of the Library Board. The decision of the Library  
1138 Board is final.

1139 #####

1140 The motion was adopted with a roll call vote (Yes: Suzanne Miller, Sherry Bennett, Catey  
1141 Bolton, Julie Pioch, Krystal Seibert, Jeremy Davison; No: None).

1142

1143 The committee also reviewed the list of policies and the schedule for review and updates.

1144

1145 **Committee of the Whole:** C2AE provided a report from the Public Charrette meeting held  
1146 on February 25. Which included their recommended concept plan for the design of the  
1147 outdoor space. The board discussed the report and provided feedback to Director Evans to  
1148 share with C2AE. Director Evans will discuss next steps with C2AE and get a quote from  
1149 them for the design phase of the project.

1150

1151 The meeting was adjourned by Chair Wiersma at 8:33 PM.

  
Julie Pioch, Secretary

Date Approved: 4/21/25