



Board Report
April 13, 2023

AGENDA

JOHNSON COUNTY LIBRARY BOARD OF DIRECTORS
REGULAR MEETING, APRIL 13, 2023
Central Resource Library
Carmack Community Room
9875 W 87th St Overland Park, KS 66212
4:00 p.m.

The public can view the broadcast of the meeting on the Johnson County Library [YouTube Channel](#) for a live feed or later when the video is posted to the Library's website.

If you have information or comments related to any item on our agenda that you would like to have presented to the Library Board, we encourage you to submit that information in writing. If you wish to submit information, please email comments or statements to kangethep@jocolibrary.org before noon on the Wednesday before the Thursday Library Board meeting. Comments received by noon will be shared with the entire Board prior to the meeting.

- I. Call to Order
- II. Citizen Comments will be accepted in writing and made part of the record of the meeting.....4
- III. Remarks
 - A. Members of the Johnson County Library Board of Directors
 - B. Board Chair, David Sims
 - C. Development Department: written reports presented by Christopher Leitch.....5
 - 1. Library Foundation Check Presentation
 - D. Liaison, Board of County Commissioners, Janeé Hanzlick
- IV. Reports
 - A. Board Counsel – Andrew Logan
 - a) ARM 10-70-10 Library Budget Review and Approval Process
 - B. County Librarian Report – Tricia Suellentrop, County Librarian
 - 1. Finances and Statistics
 - a) Financial Report, Dave Vratny, Finance Director.....8
 - b) Core statistics, Adam Wathen, Associate Director for Branch Services.....13
 - i. Budget History, Dave Vratny, Finance Director.....16
 - 2. Comprehensive Library Master Plan, Scott Sime, Project Coordinator
 - a) Merriam Plaza Library.....24
 - b) Lackman Property Sale Update
 - c) Capital Projects: Timeline Summary.....28
 - 3. Updates – Tricia Suellentrop, County Librarian
 - a) Fine Options Cost Benefit Study, Jennifer Mahnken, Associate Director for Systemwide Services, Dave Vratny, Finance Director.....31
 - b) Fine Options Update Communication, Elissa Andre, External Communication Manager and Jennifer Mahnken, Associate Director for Systemwide Services.....36
- V. Consent Agenda
 - A. Action Items:
 - 1. Minutes of the March 9, 2023 Regular Library Board meeting.....40
 - B. Information Items
 - 1. Financial and Personnel

- a) The County Librarian and the Finance Director certify those payment vouchers and personnel authorizations for February 2023 were handled in accordance with library and County policy.
- b) The February 2023 Revenue and Expenditure reports produced from the County's financial system reflect the Library's revenues and expenditures

C. Gift Fund Report

1. Treasurer's Report.....	49
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VI.Old Business

A. Action item: 2024 Library Budget Proposal, Dave Vratny, Finance Director.....	50
B. Action item: Removal of Fines, Michelle Olsen, Circulation Manager and Jennifer Mahnken, Associate Director of Systemwide Services	56
C. Action item: Waiving for Fines and Fees, Michelle Olsen, Circulation Manager and Jennifer Mahnken, Associate Director of Systemwide Services.....	64

VII.New Business

A. Action item: Election of Library Board Officers.....	69
B. Informational item (No Motion): Renewal of City of Shawnee's Neighborhood Revitalization Area Interlocal.....	70

VIII.Adjournment

Followed by joint meeting of the Board of County Commissioners and Johnson County Library Board of Directors.

PUBLIC COMMENTS

April 2023

March 28, 2023
Commissioner O'Hara,

How is this a valid use of tax dollars? Once again our libraries are wasting our money. First they are a "free" family video, now they are a "free" digital archival service. Did the board approve this waste of money?

Memory Lab begins April 3 at library
jocogov.org



The spending in this county is out of control. As I continually have to cut back, more money is being wasted or asked for by departments off budget. Appraisals are ridiculously high, and the excuse I got was "well you don't live in a city, so we didn't have good enough comps so we had to go the city to get a comp" all while ignoring my lack of internet, sewer, concrete driveway, not to mention the constant disruption of water due to the work public works is doing. The mil levy was raised on top of this making it worse.

This spending must stop. If the library wants to do what its purpose is, increasing literacy, I will be their biggest supporter, but all of this waste is just that, waste on my dime.

Thank you,

Frank P. Moley III
913.515.0665
frankmoley@gmail.com

Many men go fishing all of their lives without knowing that it is not fish they are after. ~Henry David Thoreau



Monthly Report of the
Friends of Johnson County Library to the
Board of Directors of Johnson County Library

April 2023

Friend-ly Community Engagement

No fooling: Saturday, April 1 was a great day at Friends headquarters. Randi Cole and her DeSoto Pioneers 4-H club delivered 340 used books, the bounty of their book drive, to the Friends donations sorting center. These young philanthropists and their families heard a brief presentation about the Friends, saw the Friends-JCL automated sorter in operation, and learned about what happens to all these used books once they leave the Friends facility. We like these kinds of Friends.

Membership climbs in 2022-23

Friends membership saw a very nice 13% increase year over year, shown in a March data review. Friends Director Shanta Dickerson attributes this to more regular and frequent marketing and promotion of the membership opportunity in social media, electronic newsletters and JCL print materials. New memberships are more or less evenly spread between web site renewals and folks joining at the weekly Pop Up Sales.

Friends Board President to attend 2023 ALA

Friends president Shanna Eiklenborg will attend ALA this year. She is accompanying Shanta Dickerson, Friends Director, who has been selected to present at a session on Friends-Library collaboration at the upcoming American Library Association conference. This is notable: such sessions are in short supply. The Friends are proud of Shanta's accomplishment, and are pleased they both will get to see the Library profession's juggernaut in action.

JOHNSON COUNTY LIBRARY **FOUNDATION**

Monthly report to the
Board of Directors of the
Johnson County Library

April 13, 2023

ENDOWMENT DISTRIBUTION

The Johnson County Library Foundation's annual distribution from the endowment to the collection is made to honor National Library Week. This year we are able to commit just about \$110,000 to support the Library's most visible and active public service: our collection.

LIBRARY LETS LOOSE

Library Lets Loose planning work is well underway! The volunteer committees are hard at work coordinating the many steps necessary to make our signature fund-raising event a success yet again. A reminder: 90 volunteers contribute their time and talent to this effort every year, and we're grateful for it.

AUDIT

The Foundation's annual audit will be completed in April. This is a voluntary step taken by the Foundation, as well as completing our IRS form 990, to demonstrate our *bona fides* with donors and library supporters.



Monthly Report of the
Volunteer Coordinator to the
Board of Directors of Johnson County Library
April 2023

Volunteer Coordinator collaborating with Branch Teen Volunteer Coordinators on summer teen opportunities

Every summer, hundreds of teens turn to Johnson County Library as a trusted and desirable venue for their community volunteer service credits. The Volunteer Coordinator works diligently with branch teams to place teens in positions across the service spectrum: with circulation teams on shelving duty; with Youth Service teams for summer activity support; with the Friends to accept and process donations at their headquarters. Teens and families can find opportunities on the Volunteers website, accessible through the Library's Development page.

Expanded Service Opportunities for Volunteers

The Volunteer Coordinator is working with various Library teams to develop new and expanded service opportunities for adult volunteers. Nothing is yet set in stone, but we've had conversations exploring these options with Youth Services librarians, the Outreach Strategy team and English Language Learners committee. This kind of advance planning and coordination is what makes our Volunteer program strategic, and earned us Point of Light certification.

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category (.75 Increase Only)
February 2023
17% of Year Lapsed

OPERATING FUND

	2023
Programs	Budget
Revenue	4,491,024
Administrative Services	
Information Technology	
Collection Development	
Branch/Systemwide Services	(3,120)
Transfer to Capital Projects	
Interfund Transfers	
TOTAL OPERATING FUND EXPENDITURES	<u>(\$3,120)</u>
TOTAL .75 INCREASE FUNDS REMAINING OPERATING	<u><u>\$4,494,144</u></u>

SPECIAL USE FUND

	2023
	Budget
Revenue:	3,619,470
Expenses:	
Contractual Services (General Maintenance)	
Commodities (Capital Equipment)	
Transfer to Debt Payment	
Transfer to Debt Payment - CLMP	
Transfer to Capital Projects	
TOTAL SPECIAL USE FUND EXPENDITURES	<u>\$0</u>
TOTAL .75 INCREASE FUNDS REMAINING SPECIAL USE	<u><u>\$3,619,470</u></u>
TOTAL .75 INCREASE FUNDS REMAINING ALL FUNDS	<u><u>\$8,113,614</u></u>

JOHNSON COUNTY LIBRARY TOTAL REVENUE REPORT

February 2023
17% of Year Lapsed

REVENUE ALL FUNDS	2023 Year to Date	2023 Budget	% Budget Year to Date	% Budget YTD Prior Year
Ad Valorem	22,871,387	41,255,380	55%	55%
Ad Valorem Delinquent	-80,070	208,493	-38%	29%
Motor Vehicle	626,802	3,537,320	18%	19%
Library Generated - Copying/Printing	13,897	104,359	13%	10%
Library Generated - Overdues / Fees	37,123	506,271	7%	10%
Sale of Library Books	0	50,000	0%	25%
Misc Other	179	18,703	1%	1%
Reimbursements	833	630,043	0%	7%
Library Generated - Other Charges	0	0	0%	0%
Investment	157,386	390,000	40%	40%
Unencumbered Balance Forward	0	1,000,000	0%	0%
Transfer from Capital Projects	0	0	0%	0%
Recreational Vehicle Tax	7,579	18,094	42%	48%
Commercial Vehicle Tax	13,363	56,733	24%	17%
Heavy Trucks Tax	2,788	6,251	45%	52%
Rental Excise Tax	26,344	37,610	70%	56%
State and Federal Grants	0	265,638	0%	0%
TOTAL REVENUE	23,677,611	48,084,895	49%	51%

Expenses ALL FUNDS with Collection Encumbrance

	2023 Year to Date	2023 Budget	% Categories Expended
Salaries and Benefits	3,317,034	23,741,078	14%
Contractual Services	1,556,886	6,300,803	25%
Commodities	2,896,227	5,095,281	57%
Risk Management Charges	0	304,538	0%
Capital / Maintenance / Repair	-3,120	5,497,634	0%
Transfer to Capital Projects	0	3,619,470	0%
Grants	0	265,638	0%
Interfund Transfer	0	3,260,453	0%
TOTAL EXPENDITURES	7,767,027	48,084,895	16%

Revenue - Expenses as of February, 2023 **15,910,585**

RESERVES ALL FUNDS	As of 12/31/21
Reserves Operating Fund	14,286,867
Reserves Special Use Fund	1,840,991
Total JCL Reserves	16,127,858

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category
February 2023
17% Year Lapsed

OPERATING FUND		2023	2023	% Program
	Programs	Year to Date	Budget	Expended
	Administrative Services	494,384	4,398,511	11%
	Information Technology	867,370	4,409,160	20%
	Collection Development	584,968	4,011,480	15%
	Branch/Systemwide Services	3,028,907	22,081,847	14%
	Risk Management Charges	0	304,538	0%
	Grants *	0	265,638	0%
	Transfer to Capital Projects	0	5,497,634	0%
	Interfund Transfer	0	3,195,912	0%
TOTAL OPERATING FUND EXPENDITURES		4,975,629	44,164,720	11%

SPECIAL USE FUND		2023	2023	% Budget
		Year to Date	Budget	Expended
	Contractual Services (General Maintenance)	0	173,705	0%
	Commodities (Capital Equipment)	0	127,000	0%
	Transfer to Debt Payment	0	0	0%
	Transfer to Capital Projects	0	3,619,470	0%
TOTAL SPECIAL USE FUND EXPENDITURES		0	3,920,175	0%

TOTAL EXPENDITURES	4,975,629	48,084,895	10%
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JOHNSON COUNTY LIBRARY: Summary of Expenditures by Type
February 2023
17% Year Lapsed

ALL FUNDS		2023	2023	% Categories
	Categories	Year to Date	Budget	Expended
	Salaries and Benefits	3,317,034	23,741,078	14%
	Contractual Services	1,286,086	6,300,803	20%
	Commodities	375,629	5,095,281	7%
	Risk Management Charges	0	304,538	0%
	Capital / Maintenance / Repair	-3,120	5,497,634	0%
	Transfer to Debt Payment	0	0	0%
	Transfer to PBC Capital Leases	0	3,619,470	0%
	Grants	0	265,638	0%
	Interfund Transfer	0	3,260,453	0%
TOTAL EXPENDITURES		4,975,629	48,084,895	10%

GRANTS*						
	Expenditures through 02/28/2023	Source	Received	Expenditures	Grant Award	Budget Remaining

*Includes all expenditures and revenues over the life of the grant.

Expenditure of Friends of the JCL Donations 2023

Expenditure Details	February	YTD
Volunteer Recognition	\$0.00	\$0.00
Advertising/Promotion	0.00	0.00
Collection Materials	0.00	0.00
Professional Development/Staff Recognition	0.00	0.00
Technology/Recruitment Consulting & Expenses	0.00	0.00
Strategic Planning meeting supplies	0.00	0.00
GEM Award/Staff Recognition	0.00	0.00
Homework Help and Tutor.com	0.00	0.00
Summer Reading Club/Elementia	0.00	0.00
Other Library Programming	0.00	0.00
MidAmerica Regional Council	0.00	0.00
Joint Board Meeting Expense	0.00	0.00
Board Travel Expenses	0.00	0.00
Board Retreat Expenses	0.00	0.00
Miscellaneous	0.00	0.00
Total Expenditures	\$ -	\$ -

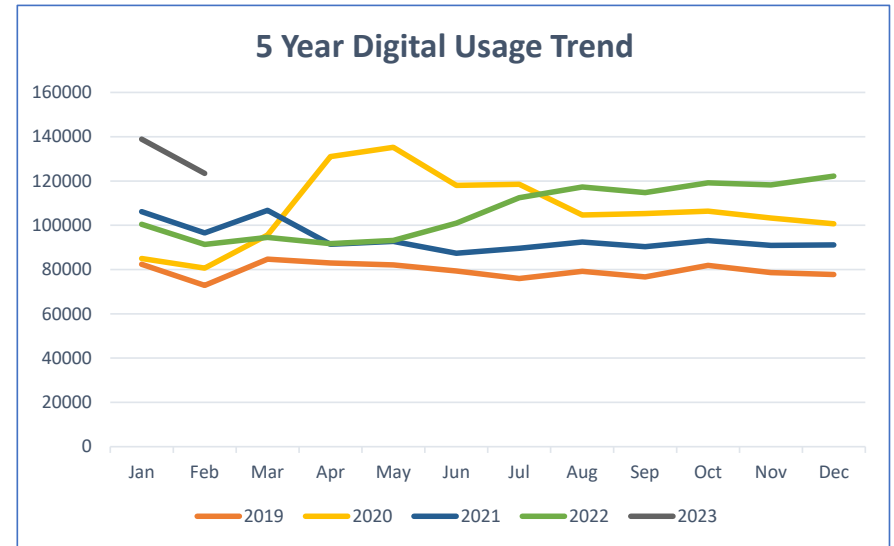
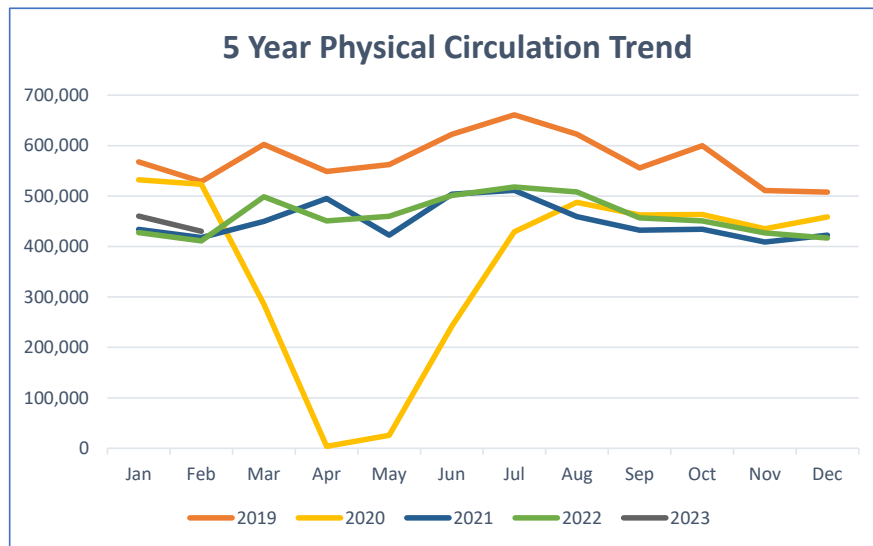
Monthly Statistical Report

April 2023

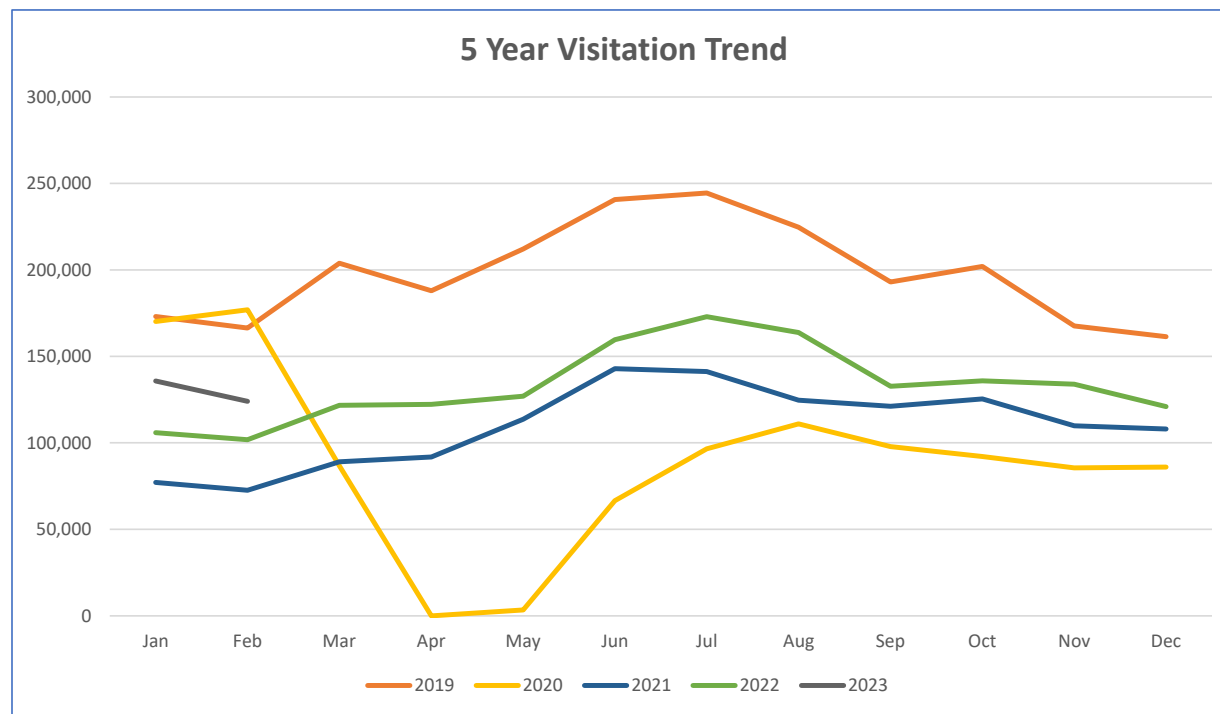
JOHNSON COUNTY LIBRARY



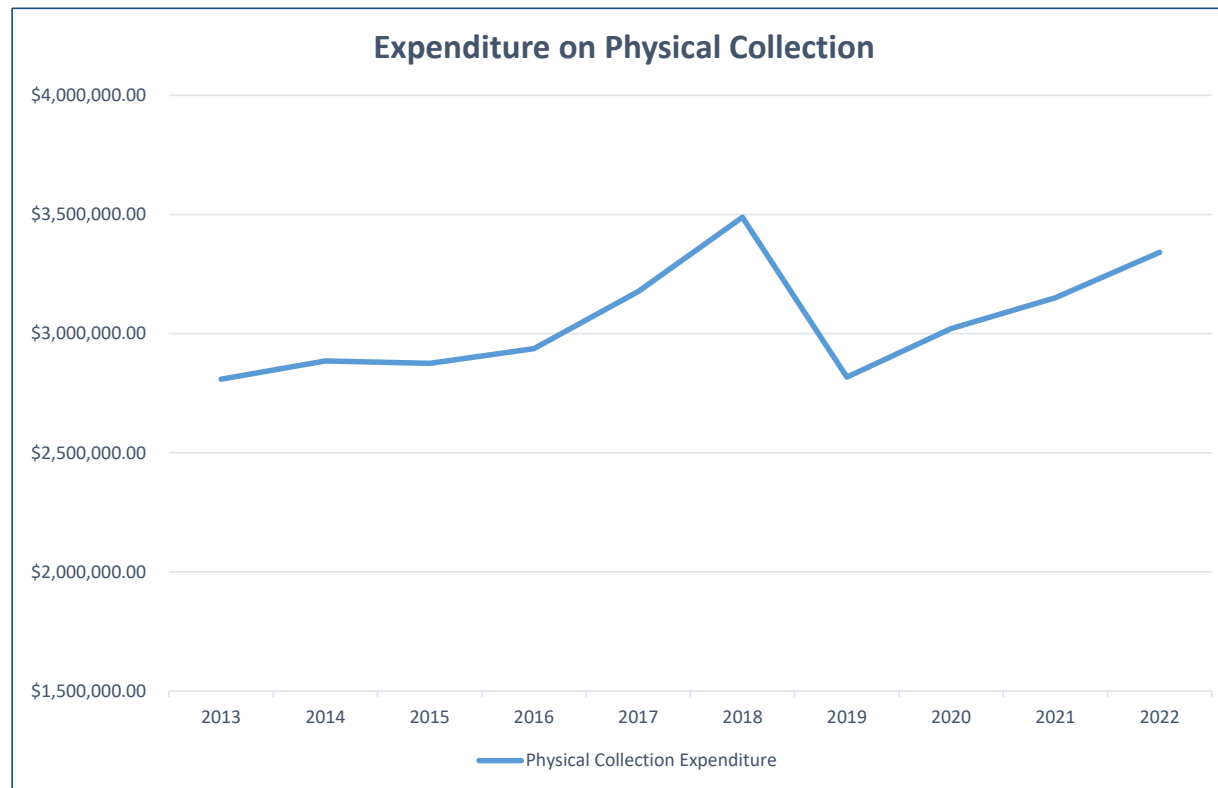
Monthly Statistics



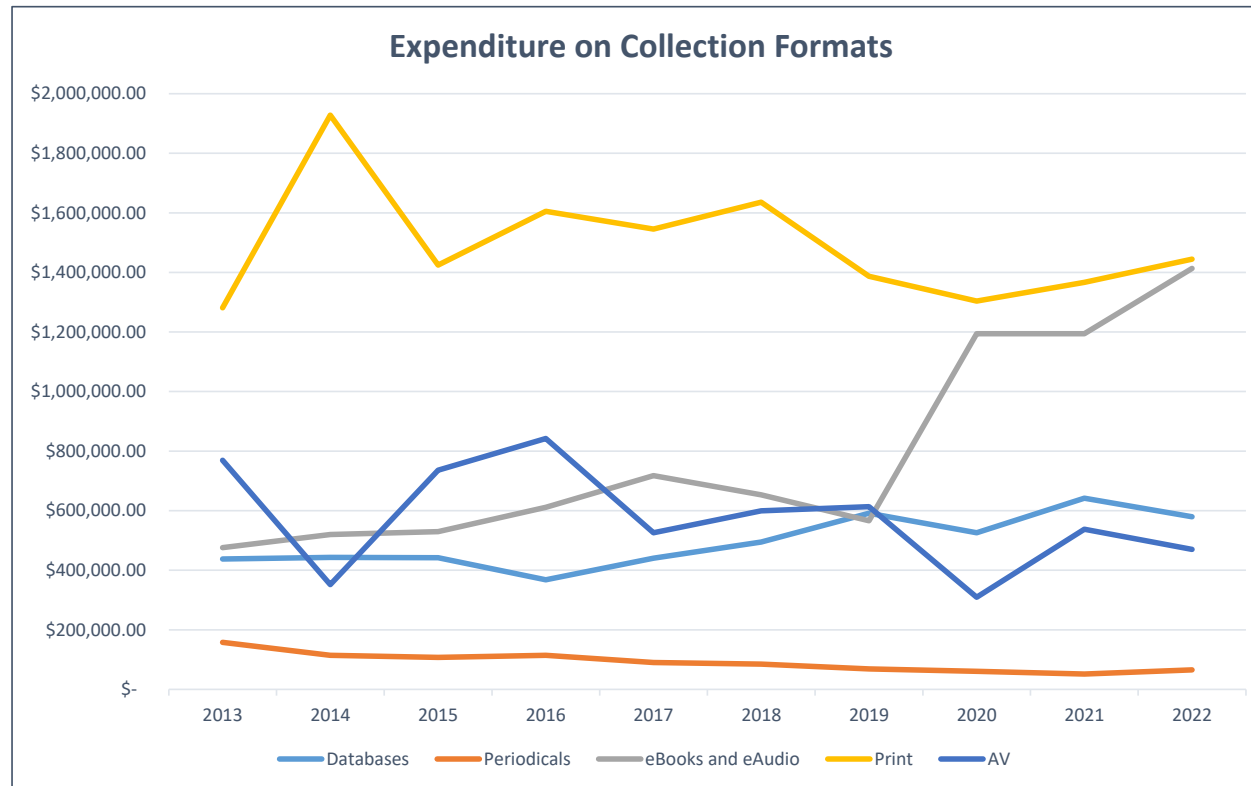
Monthly Statistics



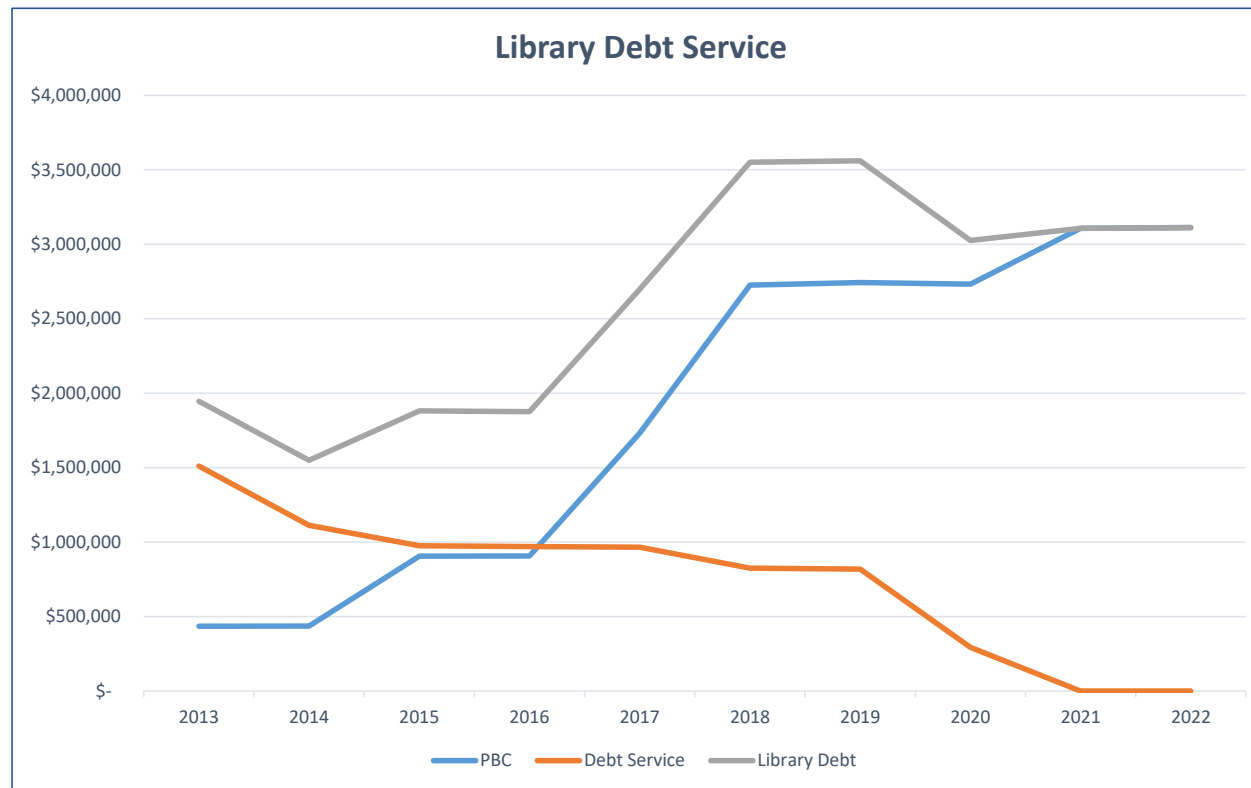
Budget History



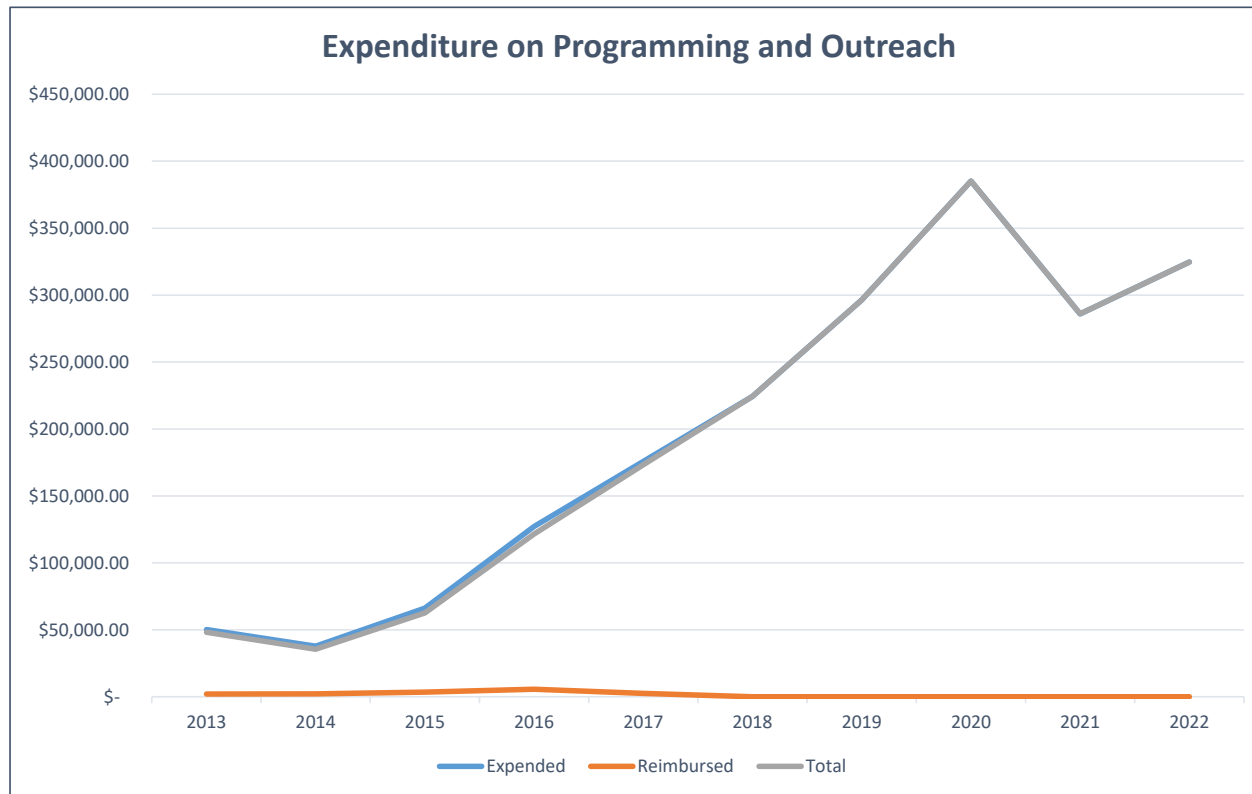
Budget History



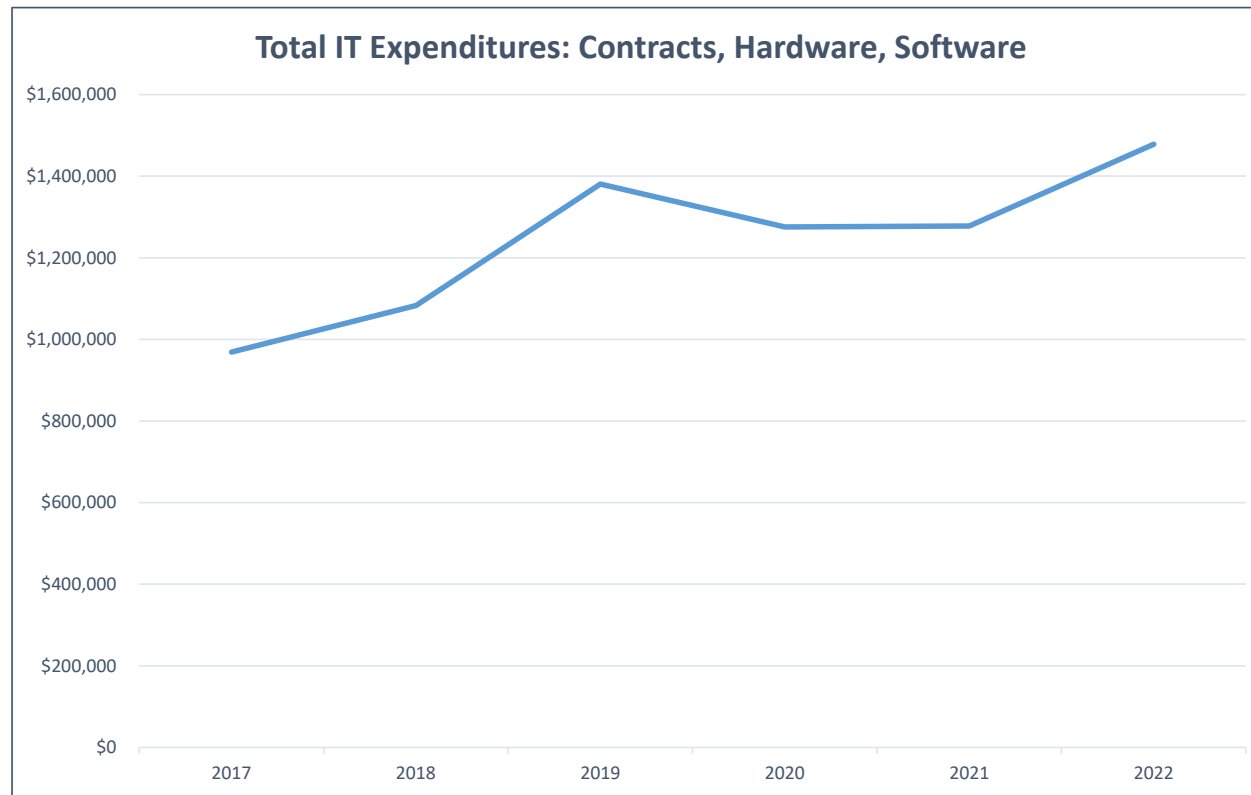
Budget History



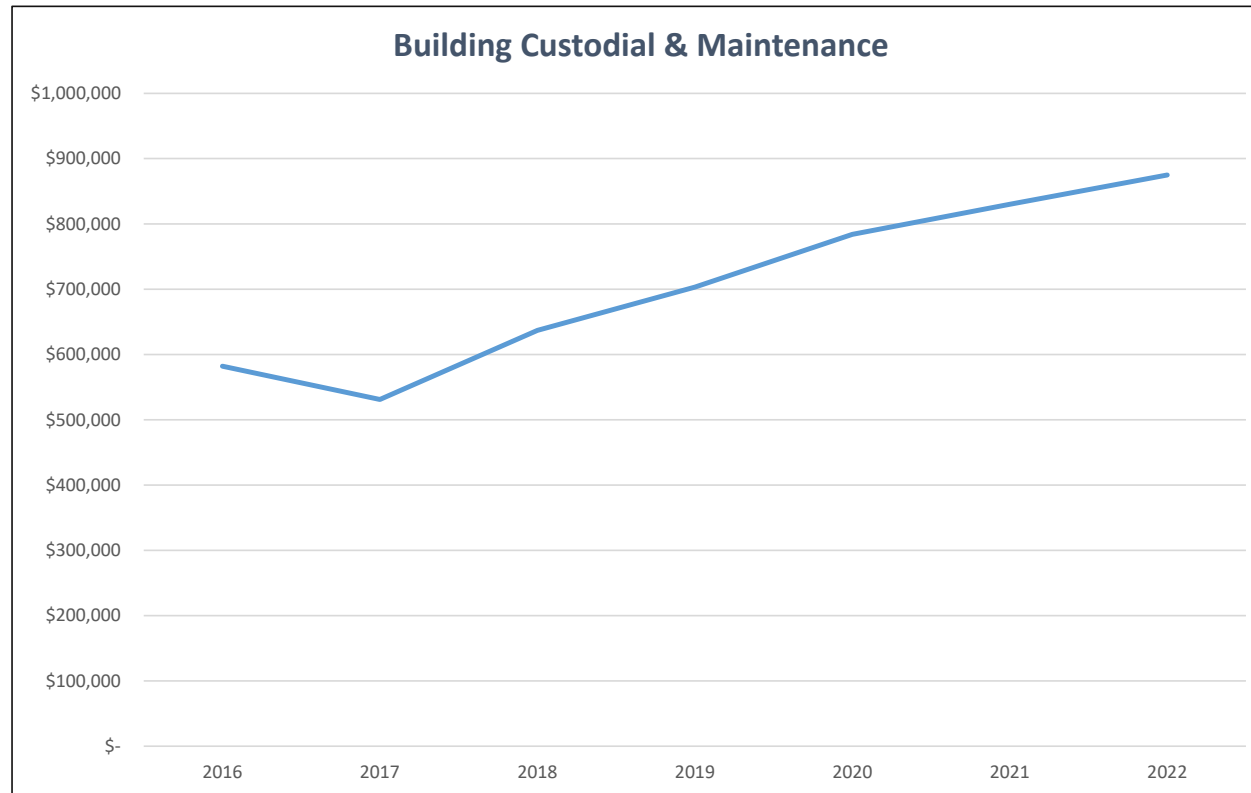
Budget History



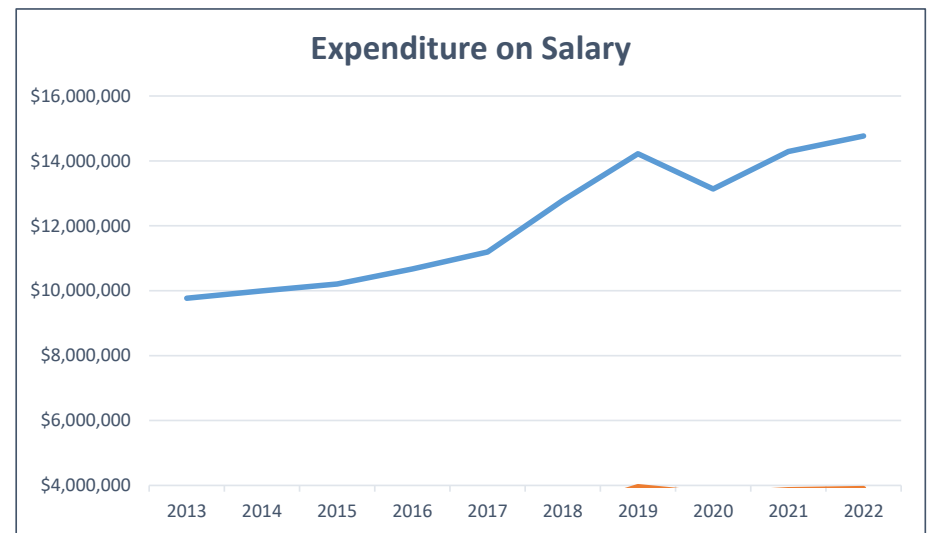
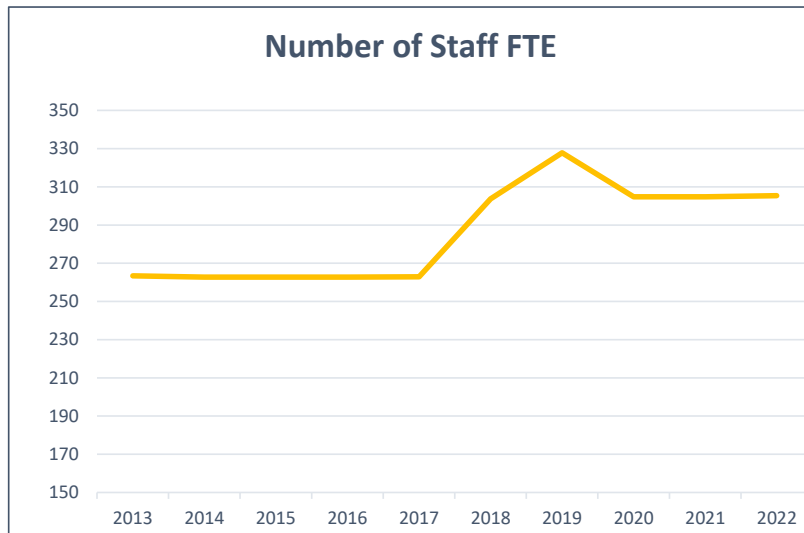
Budget History



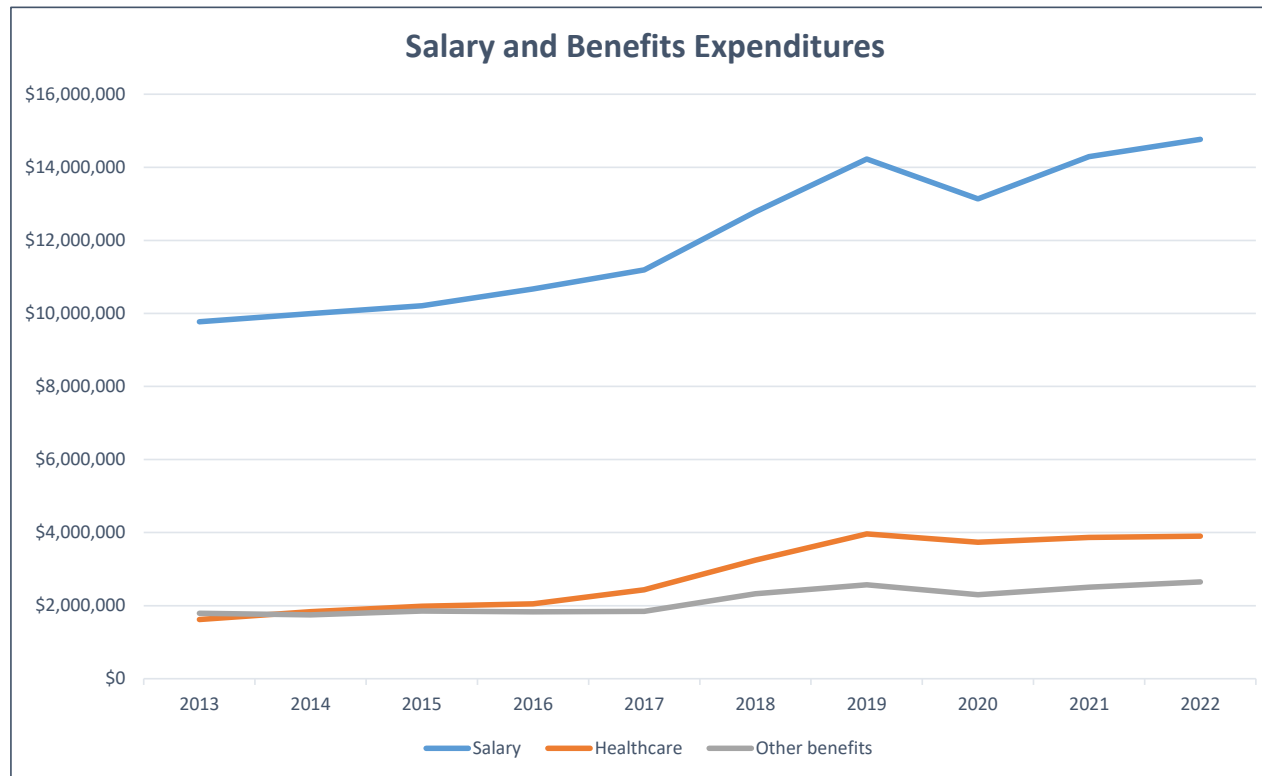
Budget History



Budget History



Budget History



Merriam Plaza Library

Update – April 2023



Updates

- Construction update
- Next steps
- Timeline



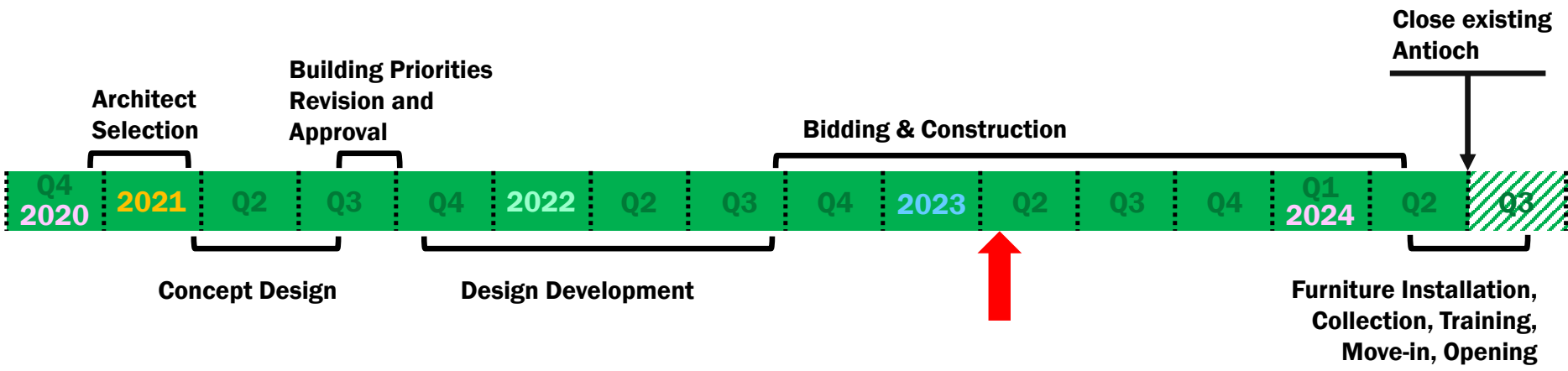
Next Steps

- Construction continues
- Beginning planning to transition to the new building



Merriam Plaza Library:

Anticipated Project Timeline

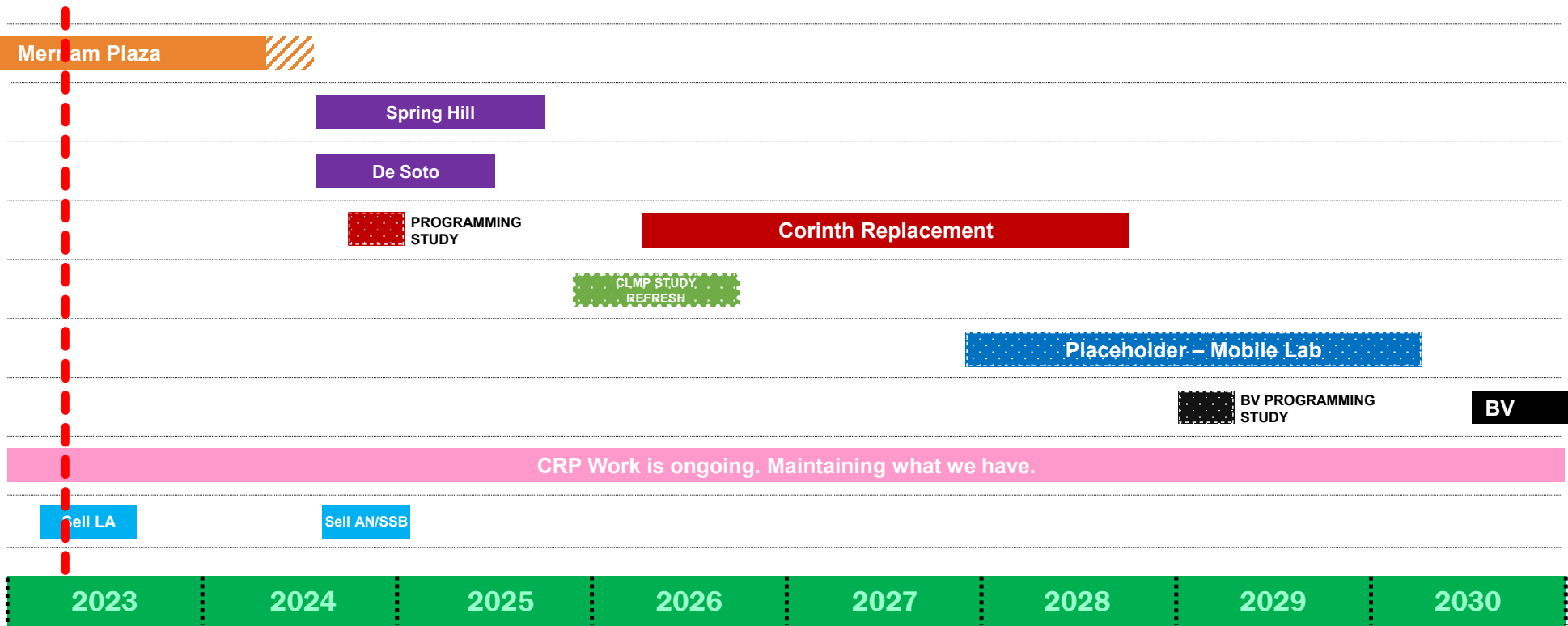


Capital Projects: Timeline Summary

April 2023



Capital Improvement Projects: Anticipated Timeline

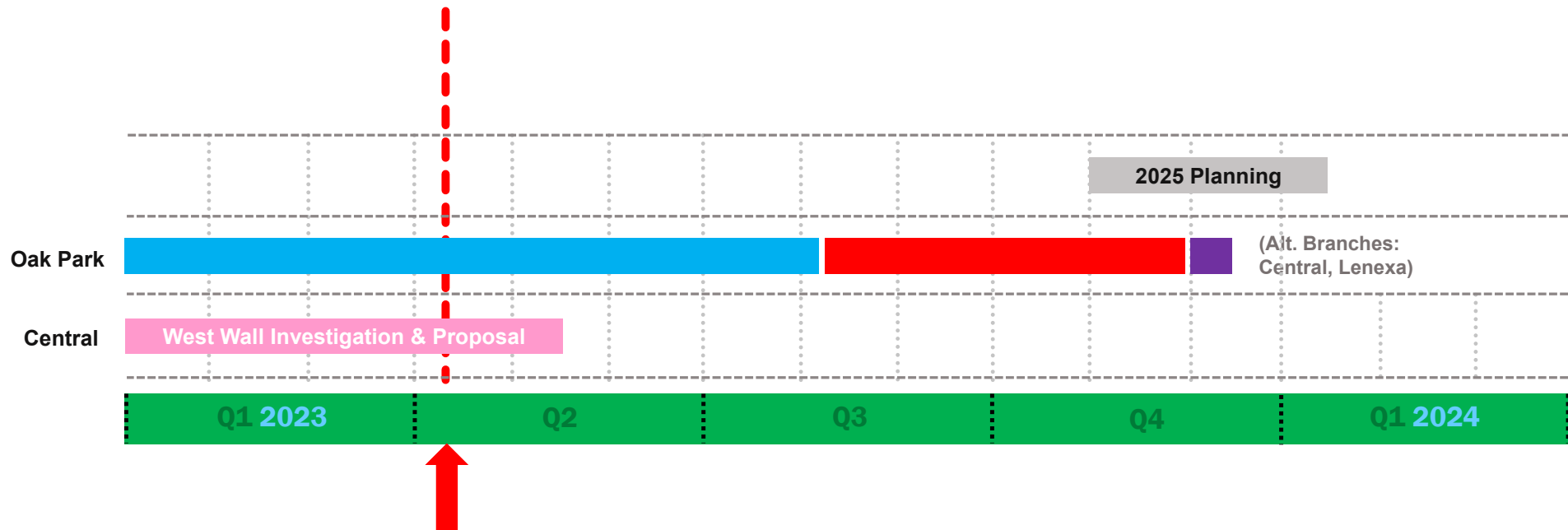


This visual is shown as an illustration with anticipated dates and may change.



2023 CRP Anticipated Timeline

- Proposals / Design
- Bidding
- Contracts / Board Action
- Product/Material Submittals
- Installation / Construction / Building Closure
- Substantial Completion / Move-in / Punch List Completion



This visual is shown as an illustration with anticipated dates and may change.



Fines - Cost Benefit Analysis

April 2023



2022 Budget for Fines and Fees

Budgeted amount - \$468,000

Actual amount collected - \$251,387

Difference - \$216,613



JCL Costs for Collecting Fines

Estimated labor

- **48,172 individual Users**
- Five minutes per transaction
- Total hours spent = 4,014.33*
- Average compensation rate = \$38.26*/hour (includes benefits)

• **Cost of labor = \$153,602.16**

Unique services

- 2177 patrons in small balance
- Cost= \$7,075.25
- Savings related to raising limit to \$50 =
 - \$11,396.45

• **Total unique savings = \$18,471.70**

Grand total = \$172,073.86

**rounded to nearest hundredth*



Lost Revenue

Fines collected – Cost savings = Total loss of revenue

$$\textbf{\$251,387.00 - \$172,073.86 = \$79,313.14}$$

Less than ½ of 1% of total revenue



Past Fines and Fees

Amounts Owed		Excluded from Waiving	
Patrons with Fines	Amount	Bankruptcy Accounts	Amount
64,460	\$817,199.72	97	\$6,510.04
Patrons with Fees older than 7 Years	Amount	Over \$600	Amount
58,007	\$3,026,157.05	293	\$299,252.69
Total	\$3,843,356.77	Total	\$305,762.73
Amount Owed - Excluded items = Amount to be waived			
\$3,843,356.77 - \$305,762.73 = \$3,537,594.04			



Fines Project Communication

April 2023





Campaign

- **Call to Action:**

1. Visit a branch and talk to staff
2. Visit jocolibrary.org/finefree

- **Audience:**

1. Infrequent/lapsed patrons
2. Current patrons
3. General public



Email template



Channels

- **Tonight:** Website, social media, press release
- **Tomorrow:** Patron emails, in-branch signage
- **April 16-May 31:** Summer guide, editorials, print and digital ads, billboard, radio



MINUTES JOHNSON COUNTY LIBRARY BOARD

REGULAR MEETING

March 9, 2023
at Central Resource Library
4:00 p.m.

BOARD: David Sims, Kelly Kilgore, Mitra Templin, Bethany Griffith, Charles McAllister, and Anna Van Ophem

ABSENT: Jeffrey Mendoza

BOARD ATTORNEY: Fred and Andrew Logan

BOCC: Commissioner Hanzlick

STAFF: (All JCL, FAC staff) Tricia Suellentrop, Kinsley Riggs, Jennifer Mahnken, David Vratny, Laura Hunt, Patti Kangethe, Juan Lopez-Tamez, Joe Waters, Scott Sime, April Benz, Shelley O'Brien, Rebecca Alexander, Lisa Allen, Nancy Birmingham, Elanor Straight, Ted Clemons, Megan Clark, Lacie Griffin, Amber BourekSlater, Michelle Olsen, Joseph Keehn

Board Chair David Sims called the meeting to order at 4:00 p.m.

CITIZENS COMMENTS:

None

REMARKS FROM THE LIBRARY BOARD OF DIRECTORS:

Board Chair David Sims welcomed new employees and everyone to the March 9th Board Meeting.

Board Chair Sims welcomed Anna Van Ophem who works in membership at Lifetime fitness and comes from a strong background in training and management in the financial sector.

Ms. Van Ophem shared that she is pleased to be serving for District 3 and this is her first time serving in this way on a board and is eager to learn and take part.

Board Chair Sims welcomed Charles W. McAllister Jr. who is a Project Manager with GBA Engineering, in their Water Environment Services and was formerly with Johnson County Wastewater and is familiar with many of the County services.

Mr. McAllister expressed that this is an honor and privilege, and it is a great pleasure to be here.

DEVELOPMENT DEPARTMENT REPORT

Christopher Leitch, Community Relations Coordinator, presented on behalf of the Development Department combining the Friends of the Johnson County Library, the Johnson County Foundation, and the Volunteers. The written reports are included in the March Library Board Report.

Mr. Leitch shared a highlight of a story you can read in the Summer Guide of two outstanding teen volunteers from Mill Valley High School who have been assisting on Saturday mornings at the Friends headquarters.

Volunteer appreciation week is coming up April 16th – 22nd and volunteer appreciate day event will happen in Carmack Community room April 19th, as we value the volunteer service to our library.

Mr. Leitch shared the various peer organizations that the Friends partner with through in-kind donations and reviewed the overall number of donors and donations the Friends took in during 2022.

Mr. Leitch welcomed Shelley O'Brien as the new Foundation Executive Director and Development Director. She has a master's in library and information science (MILS) and more than 25 years of fundraising experience.

Lastly, Mr. Leitch asked Board Members to mark their calendars for the Annual Donor Appreciation event Sunday April 23rd, guest speaker this year is award-winning audiobook narrator Edoardo Ballerini.

Board Chair Sims thanked Mr. Leitch and welcomed Ms. O'Brien.

COUNTY COMMISSIONER REPORT:

Board Chair Sims welcomed Commissioner Hanzlick back officially as the Library's Commissioner liaison.

Commissioner Hanzlick thanked Board Chair Sims and reminded everyone that the Commissioner liaison is not a voting member, she is here to aid communication between the Library Board and the Board of County Commissioners.

Commissioner Hanzlick shared an update on access to Tik-Tok on County network. Access to Tik-Tok will be restricted on March 10th at 5pm with an exception made for employees with a business need to use Tik-Tok as well as access through the library.

Heading into 2024 Budget process and 2023 property evaluations will be hitting mailboxes soon. The average selling price for a single-family new build is \$678,000 and existing single-family home is \$473,000. The Board of County Commissioners (BOCC) do not determine how appraisals are done, that is determined by state statute and the County Appraisers office. The BOCC do set the budget and the mill levy. Appraised value went up average of 13%, after all the appeals are in, we expect that will be a little lower.

BOCC recently set priorities at their Board Retreat, some of the priorities included housing, cyber security, ensuring that staff are being paid market rate, and looking at everything we do through a lens of Diversity, Equity, Inclusion, and Belonging (DEIB) and sustainability.

Commissioner Hanzlick shared that she is currently reading Vivek Murthy's *"Together; The Healing Power of Human Connection in a Sometimes Lonely World."* Mr. Murthy is the Surgeon General; he has made a case that one of the major health issues in the county right now is the lack of human connection and she is really enjoying this book.

BOARD COUNSEL REPORT

Fred Logan and Andrew Logan, Board co-counsel, reviewed the introduction to Legal Orientation for Board Members and reviewed the Kansas Open Meeting Act (KOMA), Kansas Open Records Act (KORA), and the newly established Code of Ethics for Johnson County government for Public Officials.

Mr. Fred Logan started with explaining Kansas Open Meeting Act (KOMA) and summarized that Library Board business should only be done here at Library Board meetings, not over the phone or through emails. The rule is that communication among four or more Library Board members, a majority under statute, on a matter pending before the Board is prohibited under KOMA.

Mr. Logan shared that email can easily create a problem with KOMA when board members or city council members or commission members are talking about issues coming up and can create a serial violation of KOMA by doing that. The best rule is do not communicate with one another outside the board meeting. Mr. Logan shared that there will be times when something is sent to you via email and in the subject line you will see it says [Please Do Not Reply All]. The best way to avoid all trouble is if it is a matter that is before the Board, do not communicate with one another.

Mr. Logan identified four instances that the Board goes into Executive Session: human resources issues as they relate to the position of county librarian; consultation to provide the board attorney/client privileged consultation on a legal issue before the Board; real estate matters as the board considers purchasing or selling a property or there's some consultations on real estate matters that should be held in confidence; and security and cybersecurity systems updates and risk awareness. Legal counsel prepares a motion to go into Executive Session and the Board sets a time period and then if the Board needs to extend the time, they must come out of Executive Session and make the motion again and set a new time.

Mr. Logan summed up KOMA serial communication violations as one board member talking to another, then talking to another board member, so on until four (4) members have spoken to each other. It is best not to speak to each other regarding matters before the Board at all.

Mr. Logan then explained that Kansas Open Records Act (KORA) is mainly a concern of the staff, because staff get the Kansas Open Records Act requests. Board members are not going to get requests because any materials that they have, whether it's on their computer or in their possession that is the Board Member's. The thing to remember, as a Board Member, is to not leave your records at the library because then they potentially become an open record.

Mr. Andrew Logan reviewed the new code of ethics for Johnson County public officials that was adopted in February by the Board of County Commissioners (BOCC). Generally, the code of ethics sets out the policies and guidelines and standards for the Board of County Commissions and boards and people serving on those boards, including the Library Board. The code of ethics sets out a policy that states that public official actions in the performance of official duties, should be motivated by the service of the public interest and without personal benefit.

Mr. Logan said that the code describes standards, guides that fit within that policy, and intended expectations for government service that would ensure it meets what the public opinion would be and expectations for government officials. This is not intended to replace personal or professional judgment or skill, but it is intended to ensure that a board member is acting in the best interest of the public and not for personal gain.

Mr. Logan reviewed a few examples of the ethical standards set forth in the document intended to guide actions and behavior. He explained standards for equal treatment of residents, and no use of confidential information for private gain or public funds for private gain. Members of the boards are intended to avoid the appearance of impropriety; the acceptance of gifts and gratuities should be avoided. Judgment should not be compromised by personal, family, or business interest. There are guidelines in the code in respect to gifts and they set forth good examples of what is a gift and what is

not. Mr. Logan gave an example of receiving a lunch at a banquet or event, if a Board Member is there in an official capacity and a ticket to the event has been given to other board members. That is not a gift. The gift of tickets to a sporting event would be considered a gift. Mr. Logan shared that Library Board counsel is available when there are questions. Library Board counsel encourages board members if there is a doubt to recuse themselves and avoid the appearance of impropriety.

This Board is not required to file the substantial interest form for the Board of County Commission members, but the conflict-of-interest statute in Kansas still applies in terms of interpreting when a conflict might arise, and the code sets out what some of those might be.

Mr. Logan reiterated that if a Board Member believes there might be an issue, Library Board counsel can be consulted, there is also a mechanism in the code for consultation with the County. Ultimately legal counsel encourages that if there is ever something where a board member considers there might be a conflict, to simply state that there may be a conflict and it is best not to participate in discussion or vote on that matter and to use recusal in that instance, to avoid the appearance of conflict.

COUNTY LIBRARIAN REPORT

Finance Report

Dave Vratny, Finance Director, presented the financial report to the Board, this report is included in the March Board Report.

At the end of January, we were 8% through the 2023 year, with a little over \$23.6 million, a little over 49% of anticipated revenues. Mr. Vratny noted that Ad Valorem Delinquent revenues is a negative amount due to some large commercial real estate appeals that were settled in the month of January. As for expenses, including our collection encumbrances we have spent a little over \$5.4 million or approximately 11%, which tracks with where we should be at the end of January.

2024 Budget Calendar

Dave Vratny, Finance Director, presented the review of the Budget Process to the Board, this report is included in the March Board Report.

Statistics

Adam Wathen, Associate Director of Branch Services, presented the 2022 Annual Report of Statistics, this report is included in the March Board Report.

Mr. Wathen reviewed the five-year trend physical circulation, digital circulation, and door count. Physical circulation dropped in 2020 which aligns with COVID closures and there has not been a significant recovery in this trend due to several influencing factors, one of which being that DVDs constitute a significant portion of our circulation and publishers have moved towards proprietary streaming and many titles are no longer available via DVD. Another area influenced is our e-audio that is now hosted by our Libby platform and has replaced our previously preferred CD audio format. Since 2018 our digital circulation has nearly doubled; an uptick in that circulation can be attributed to our adoption to the Libby platform in the summer of 2022. Door count took a hit in 2020 due to COVID and has been slow to recover.

Programming took a significant decrease from 2019 to 2020, prior to March of 2020 we only offered in-person programs and March 2020 through mid-2022 we offered virtual programming only. As we've brought back our in-person programming in 2022 we've seen an upward trend of attendance,

even with a decrease in program offerings. This shows that our programming is more impactful than pre-pandemic levels. Pre-pandemic a program would reach an average of 33 people per program, where as a program in 2022 reached an average of 55.8 people.

Mr. Wathen then reviewed technology use within the library. Wireless session use grew at similar rates as door count and program attendance, which correlates with the use of our facilities. We have seen an uptick of patrons providing their own computers along with Central Resource Library being closed in 2021 to account for the dip in public computer being used overall. The overall number of computers being used is increasing since the pandemic but is still showing about half of pre-pandemic numbers.

Mr. Wathen shared that in 2021 we saw a dip in users and some recovery in 2022, as we do purge inactive users annually. In 2022 we see a recovery in new users that is higher than it has ever been at nearly 30,000 users.

Mr. Wathen shared the Foundation impact since 2020, showing the actual dollars spent on library service including grant funds and bequest funds. In 2020 there was a drop off in spending of program specific funds due to pandemic closures and spending limits. In 2021 there was a large uptick in spending on online programs and one-time specific grants for focused outcomes. Lastly in 2022 there shows a bit more of a balancing with our largest endowment to the collection to date.

COMPREHENSIVE LIBRARY MASTER PLAN

Scott Sime, Project Coordinator, presented on the Comprehensive Library Master Plan, these reports are included in the March Board Report.

Merriam Plaza Project

Mr. Sime reported the status of the Merriam Plaza Library Project, currently they have completed pouring the slab on grade and are working on underground utilities and the roof deck. Mr. Sime shared that staff are looking at setting up future site visit opportunities and a possible small beam signing in early April for the Library Board.

Mr. Sime reviewed the timeline for this project, which has no changes from last meeting. Mr. Sime shared photos of the pouring concrete on grade and at the construction site.

Overall Timeline

The Capital Improvement Plan (CIP) timeline and Capital Replacement Plan (CRP) 2022 timeline are included in the March Board Report.

Mr. Sime reviewed the Capital Improvement Projects timeline, which has no changes from last meeting. Mr. Sime addressed the CRP anticipated timeline of projects; the Capital Replacement Plan (CRP) 2023 timeline is included in the March Board Report. This timeline is showing Oak Park with an updated closure window, Central West, and Edgerton Work that is being done by the City of Edgerton. We have had a couple emergency closures at Edgerton for sanitary sewer issues recently and it is currently back open.

UPDATES – Tricia Suellentrop, County Librarian

Ms. Tricia Suellentrop, County Librarian, reported to the Board.

Welcome to New Board Members

County Librarian Suellentrop welcomed the new Board Members, and she looks forward to having them go through orientation to learn more about all the departments and administration of the library. She is also hopeful to schedule branch tours in the next few months for new Board Members.

County Librarian Suellentrop welcomed the new employees in attendance. She also thanked Shanta Dickerson for taking part in the New Employee Orientation, as not many libraries are lucky enough to have the Director of Operation of the Friends attend orientation and she really appreciates that connection and insight.

County Librarian Suellentrop welcomed Shelley O'Brien as the new Development and Foundation Director, we are glad to have her joining us with the New Employee Orientation class today and the Board will see more from her soon.

Fine Options

Jennifer Mahnken, Associate Director for Systemwide Services and Ryan Dolan, IT Analyst reported to the board on Fine Options this report is included in the March Board Report.

Ms. Mahnken shared that staff are working to complete review of policies and procedures so that they can bring forward a recommendation for elimination of fines moving forward and forgiving of past fines at the same time in April. Implementing these together and stepping with Olathe Public Library will be the best course of action for patrons.

In April we will bring modifications to five (5) Administrative Regulation Manuals (ARMs) along with full reports on dollar amounts that will be recommended to be forgiven and impacts of staff time that related to collecting fines. We will not be asking you to address accounts that are in bankruptcy or that have fine thresholds at or above \$600, as the recommendation of our legal counsel.

Ms. Mahnken reminded Library Board of the goals of this project including to reach lapsed or non-users, remove a barrier for users that do not use the library due to fines and increase convenience for patrons.

City Meetings

County Librarian Suellentrop shared an update on recent meetings with neighboring cities.

Staff met with the City of Spring Hill in the past week and discussed development on the Johnson County side east of I-169 and there is interest in co-locating with the library in a Civic Center of sorts. This is years out and these are the first steps in making connections with Lane Massey at the City of Spring Hill.

County Librarian Suellentrop shared that there is a meeting schedule to meet with the City of De Soto next week. Also, Prairie Village is wrapping up their survey online and over the phone. Staff has met with the City of Edgerton to discuss the ongoing sewer issues there; we are looking to the City to develop a long-term solution there and that may necessitate a longer closure. Staff are also continuing to meet and reacquaint us with several other locations that we have co-locations with like the City of Leawood and City of Shawnee, to ensure we know who conducting what parts of the site maintenance.

County Librarian Suellentrop shared that following the April Board meeting we will hold the Joint BOCC and JCL Board Meeting here in Carmack Community Room starting at six o'clock.

Ms. Templin asked who sets the agenda for that joint meeting. County Librarian Suellentrop shared that there is a meeting set in the next few weeks for the Commission Chair Kelly, County Manager Postoak-Ferguson, Board Chair Sims, and herself to discuss the agenda. In the past it has focused on the library's achieving the Comprehensive Library Master Plan (CLMP) and there may also be some other topics such as budget and the salary and compensation study that Commissioner Hanzlick mentioned.

Ms. Suellentrop asked if there were other topics that Board Members were interested in discussing at that Joint BOCC and JCL Board meeting. No topics were raised.

CONSENT AGENDA

I. Consent Agenda

A. Action Items:

1. Minutes of the February 9, 2023 Regular Library Board meeting

B. Information Items

1. Financial and Personnel

- a) The County Librarian and the Finance Director certify those payment vouchers and personnel authorizations for January 2023 were handled in accordance with library and County policy.
- b) The January 2023 Revenue and Expenditure reports produced from the County's financial system reflect the Library's revenues and expenditures

C. Gift Fund Report

1. Treasurer's Report

Motion: Ms. Templin moved that the Library Board of Directors approve the consent agenda.

Second: Ms. Kilgore seconded this motion.

Motion was approved unanimously

II. Old Business

None

III. New Business

- #### **A. Consideration approving resolution authorizing the County Librarian to offer the Lackman property for sale and related action.**

Dave Vratny, Finance Director and Scott Sime, Project Coordinator reviewed the briefing sheet that is included in March Board Report.

Ms. Griffith asked what the method is for posting this for sale.

Mr. Vratny shared that we are working with our partners at the County. There may be bid that comes in through a broker as the high bidder.

Mr. Sime shared that we have a policy to outline this public sale. The library can buy and sell property with BOCC ratification. It needs to be a public sale, unless otherwise authorized by the board. This process will be sealed bids accepted on the County

platform with a question-and-answer period and inspection period. Once opened and reviewed, staff will bring back the recommended bid to the Board.

Ms. Griffith asked if the number that minimum price is aligned with the current market and if we did not get an offer that met this minimum price would this come back the board.

Mr. Vratny clarified that we would come back to the Board if we did not receive any bids meeting that minimum. The minimum is based on multiple commercial appraisals from commercial real estate experts.

Ms. Kilgore asked if we need to clarify what we are willing to pay broker.

Mr. Sime clarified that the motion in front of the board today talks about a reasonable broker fee if a buyer has a broker.

Board Chair Sims asked if we would have a seller's broker.

Mr. Sime answered that we will not have a seller's broker, there is a possibility to have a buyer's broker.

Board Chair Sims asks if the Board would need to go into Executive Session to discuss the contract.

Mr. Fred Logan shared that there will be a draft contract as part of the process, so it would be unlikely that an Executive Session would be needed.

Ms. Griffith asked for clarification on the language in the briefing sheet "permitting the possibility of the Library paying a commission to a broker representing the buyer."

Mr. Logan clarified that there will be some bidders who want to submit their bids not represented by a broker, but there is a possibility that a buyer wants to be represented by a broker. If the best offer is represented by a broker and we end paying a broker's fee, then it will need to still be the best deal for the library.

Motion: Ms. Kilgore moves to approve a Resolution authorizing the County Librarian to offer for sale and conveyance the real property and improvements on the site of the Lackman library branch facility with an initial offer price of not less than \$1,950,000.00 and permitting the possibility of the Library paying a commission to a broker representing the buyer presenting the highest and best offer for purchase.

Second: Ms. Griffith seconded this motion.

Motion was approved unanimously

B. Action Item: Consideration of approval of the MOU with Sheriff's Office

Ben Sunds, Associate Director of Customer Experience, reviewed the briefing sheet that is included in March Board Report.

Motion: Ms. Kilgore moves the Johnson County Library Board of Directors approves the Memorandum of Understanding between Johnson County Library and the Sheriff's Office for the year 2023.

Second: Ms. Templin seconded this motion.

Motion was approved unanimously

C. Informational Item (No Action): Proposed 2024 Budget, Dave Vratny, Finance Director reviewed the briefing sheet that is included in March Board Report.

ADJOURNMENT

Motion: Mr. McAllister moved to adjourn the meeting.
Second: Ms. Templin seconded this motion.

Motion approved unanimously.

Meeting adjourned at 5:04 p.m.

SECRETARY _____
Kelly Kilgore

CHAIR _____
David Sims

SIGNED _____
Tricia Suellentrop, County Librarian

**JOHNSON COUNTY LIBRARY
GIFT FUND
TREASURER'S REPORT**
Period: FEB-2023

			Receipts	Payments	Balance
	Opening cash balance				\$169,156.86
		Add Receipts	\$98.20		
		Less Payments		\$39,376.23	
	Ending Cash balance				\$129,878.83
		Less Liabilities		\$494.67	
	Unobligated cash balance				\$129,384.16

APPROVED: _____

DATE: _____

Briefing Sheet

To: Library Board of Directors

From: Tricia Suellentrop, County Librarian

Date: April 13, 2023

Re: County Librarian's Recommended FY 2024 Revenue and Expenditure Budget

Issue: Consider approving the County Librarian's Recommended FY 2024 Revenue and Expenditure Budget of \$57,743,024.

Suggested Motion: I move to approve the County Librarian's Recommended FY 2024 Revenue and Expenditure Budget of \$57,743,024.

Background: The Library Budget Committee held a series of meetings in the 4th Quarter of 2022 and January of 2023 to evaluate budget related proposals that were made from staff for additional operating funds as well as reviewing current capital plans for the upcoming 5-year Capital Improvement Plan (CIP). There was also review of the multi-year budget forecast and what the impact of these budget decisions and the timing of the Library's capital plans. Since that time new revenue estimates have been received that are significantly higher than earlier projections had anticipated in large part due to assessed valuation growth being more robust than those earlier estimates and the Library Budget Committee recently met in April to review those new revenue/expenditure projections.

Analysis: The current County Librarian's Recommended FY 2023 Revenue and Expenditure Budget of \$57,743,024 is \$2,318,627 higher than the original January 2023 forecasted amount of \$55,424,397. The higher revenues projected is largely due to assessed valuation growth and the current County Librarian's proposal is being made assuming that the current Library mill levy remains flat.

The County Librarian's Recommended FY 2024 Revenue and Expenditure Budget of \$57,743,024 does allow for the implementation of recommendations being made in a salary and benefit study that County Management and Human Resources had contracted in fall of 2022 along with an approximate 5% merit and market rate adjustment budgeted for 2024. Additionally there is funding for a new Information Technology (IT) Project Manager position along with additional Information Technology (IT) maintenance and replacement funding and some other minor adjustments to address inflationary concerns within other program and cost centers. There is also additional funding being set aside in a special cost center to account for the Tax Increment Financing (TIF) Dispersals to be in better alignment with those revenue transfers. This recommendation also makes recommendation for continued support and funding for the Library's Capital Replacement Program (CRP) which is designed to keep existing branches in good working shape and take care of deferred maintenance issues. There is also a recommended transfer of funds into the Comprehensive Library Master Plan (CLMP) Future Projects account for 2024, which is setting aside future cash financing for future debt financed projects. There is also a planned use of reserves to fund the De Soto and Spring Hill Library Renewal Projects and the Corinth Library Replacement Project Study for 2024.

Funding Overview: The County Librarian's Recommended FY 2024 Revenue and Expenditure Budget that is being presented is in balance, with revenue projections matching what has been provided by Johnson County's Budget and Financial Planning Department and the operating and capital expenditures being proposed are in line with what has been previously reviewed and supported by the Library Budget Committee.

Alternatives: The Library Board could recommend the County Librarian make modifications to this recommended FY 2024 Revenue and Expenditure Budget and submit an alternate plan.

Recommendation: Approve the County Librarian Recommended 2024 Budget for submission to the County Manager's office and the Board of County Commissioners.

Purchasing Review: N/A

Budget Review: The revenues are in alignment with projections that Johnson County's Budget and Financial Planning Department had provided, and the expenditures are in line with what the Library Budget Committee has previously reviewed and supported.

Legal Review: N/A

FY 2024 Proposed Library Budget Presentation to Library Board

April 2023



Highlights for FY 2024 Proposed Budget

- Current proposal contains funding for implementation of the Salary and Benefits recommendation - full implementation is estimated at \$1.9m
- Current proposal contains a 5% Merit/Market Adjustment Funding for 2024 (Compensation proposal for 2024 Budget Still Being Discussed)
- New position for Information Technology (IT) Project Manager (1.0 FTE)
- Increased Operational funding for IT maintenance/replacement
- Increased the Tax Increment Financing (TIF) Dispersals Set-Aside
- Funding for Library Capital Replacement Program (CRP) and Comprehensive Library Master Plan (CLMP) Future Projects Funding
- Funding for De Soto and Spring Hill Library Renewal Projects
- Funding for Corinth Library Replacement Project Study



Additional Library Funding Highlights FY 2024

Additional Funding	FY 2024 Proposed Budget Increase
Funding for the Salary and Benefits Study Implementation	1,900,000
Information Technology (IT) Project Manager (1.0 FTE)	138,255
Information Technology (IT) Maintenance and Replacement	250,000
Other Minor Adjustments to Contractual and Commodities to Address Inflation	296,037
Additional Set-Asides for Tax Increment Financing Dispersals Back to TIF Districts	581,232
De Soto & Spring Hill Library Renewal Projects	6,249,696
Corinth Library Replacement Project Study	250,000
Total Additional	9,665,220
Additional Payroll Costs	2,038,255
Additional Contractual and Commodities Funding	546,037
Additional Set-Asides for Tax Increment Financing Dispersals	581,232
Additional Capital Project Funding	6,499,696
Total Additional	9,665,220



Proposed Library FY 2024 Budget

Revenues	Current Estimated FY 2023	Current Proposed FY 2024	Difference	% Change
Property Taxes	41,255,380	45,508,326	4,252,946	10.31%
Other Taxes (Motor Vehicle)	3,864,501	3,689,455	-175,046	-4.53%
Other Library Revenue	1,309,376	954,909	-354,467	-27.07%
Investment Interest	390,000	825,000	435,000	111.54%
Grants	265,638	265,638	0	0.00%
Use of Reserves	1,000,000	6,499,696	5,499,696	549.97%
Total Revenue	48,084,895	57,743,024	9,658,129	20.09%
Expenses	Current Estimated FY 2023	Current Proposed FY 2024	Difference	% Change
Personnel	23,741,078	27,183,570	3,442,492	14.50%
Contractual Services	6,300,803	7,428,072	1,127,269	17.89%
Commodities	5,095,281	5,295,453	200,172	3.93%
Capital Outlay	0	0	0	0.00%
Interfund Transfers	3,260,453	3,247,487	-12,966	-0.40%
Transfers to Capital Projects	5,497,634	10,399,696	4,902,062	89.17%
Lease Payments to PBC	3,619,470	3,619,420	-50	0.00%
Risk Management	304,538	303,688	-850	-0.28%
Grants	265,638	265,638	0	0.00%
Total Expense	48,084,895	57,743,024	9,658,129	20.09%



Briefing Sheet

To: Johnson County Library Board of Directors
From: Tricia Suellentrop, County Librarian
Date: April 13, 2023
Re: Removal of fine collection going forward

Issue: Consider approving the proposed changes to Administrative Regulation Manual policies (ARMs) 20-10-91: Overdue, Lost or Damaged Materials Fees, and 20-20-20: Confidentiality of Records for eliminating fines for overdue materials moving forward.

Suggested Motion: I move that the Johnson County Library Board of Directors approve revisions to Administrative Regulation Manual policies: 20-10-91 and 20-20-20 for the Johnson County Library to stop collecting fines for overdue materials beginning April 14, 2023.

Background: The Johnson County Library Board of Directors is considering the elimination of overdue fines moving forward. A fine is defined as the daily charges assessed on items not returned or renewed by their specified due date. The proposed changes to the above ARMs update the language that references the assessment and management of the library's fines and fees.

- 20-10-91 removes fine and maximum fine language from the schedule
- 20-20-20 removes all references to fines

Fees, defined as charges assessed for an item that is lost or returned damaged, would still be charged to patrons who lose an item or return it unusable.

The Library Board has the power to make this decision pursuant to K.S.A. 12-1225b and through the regulations of library policy.

Analysis: Currently, the library can assess patron accounts with fines and/or fees. A fine is the daily charge assessed on an item not returned or renewed by its specified due date. A fee is the charge assessed for an item that is lost or returned damaged.

Analysis of the issue, including other libraries' experiences, have shown that patrons are likely to return overdue items within a few days of being overdue, regardless of charging a fine. Additionally, holds queues in other library systems have not been affected by the removal of overdue fines.

To improve communication, the Library would send additional overdue notices. If an item was not returned 30 days after its due date, the account would be charged a fee for the replacement cost of the item. An item returned after a fee was assessed, would not incur fines and the assessed fee would be removed.

Currently, staff costs associated with collecting overdue fines, amounts to approximately \$153,600. Costs associated with using a Small Balance program through Unique costs \$18,471.70. By eliminating fines we would save the hard cost of Small Balance and the soft costs of staff time used to have these conversations, which is a total sum savings of approximately \$172,000.

We estimate an annual loss in revenue to be less than \$80,000. This equates to approximately one half of 1% of the Library's total annual budget.

We will continue to assess fees to patron accounts when an item is lost or damaged.

Alternatives: Not approve going to a fine free environment or ask for different changes to be made to the policies.

Legal Review: Counsel has reviewed the ARMs

Budget Approval: Approximately \$468,000 was budgeted for fine collection for overdue materials with actual collection equaling \$251,387 in 2022. Impact to the budget was estimated at a little more than half of 1% or about 0.57% of all revenue collected in 2022.

We estimate that staff spend approximately 4,014 hours a year on fine management. Multiply this by the average hourly wage of \$38.26, which calculates to a staff cost of \$153,602.16.

Additional hard cost savings of approximately \$18,000 comes with eliminating the Small Balance program from Unique Services. This is a result of raising our blocked patron limit to \$50 from \$25.

Calculations based on time that staff spend on managing fines and associated patron inquiries as well as a projected decrease in current contractual cost associated with fine management, our anticipated annual loss of revenue is less than \$80,000.

Overall, we also anticipate realized value through improved patron experiences.

Recommendation: To approve the recommended changes to the Administrative Regulation Manual.

Suggested Motion: I move that the Johnson County Library Board of Directors approve revisions to Administrative Regulation Manual policies: 20-10-91 and 20-20-20 for the Johnson County Library to stop collecting fines for overdue materials beginning April 14, 2023.

ADMINISTRATIVE REGULATIONS

TAB: Patron Services

DOCUMENT NUMBER: 20-10-91

SECTION: General Patron Services

SUBJECT: ~~OVERDUE~~, LOST OR DAMAGED MATERIALS AND ILL MATERIALS FEE SCHEDULE

SUMMARY

This regulation lists the charges made to patrons for their extended use of materials (Including ILL materials) beyond the loan period transacted and for their loss of or damage to library materials.

Effective Date:

October 13, 2016

Reviewed:

October 27, 2021

September 8, 2022

October 13, 2022

AUTHORITY

a. ~~Overdue, IL~~ost, or damaged materials fees may be adopted or changed only by the Library Board of Directors. The County Librarian may adopt procedures to implement the terms of this regulation.

b. Borrowers seeking refunds for replacement costs which they have paid must return the material with the receipt.

~~The maximum fine of \$6 will be deducted from the refund.~~

c. Damaged materials fees apply to both borrowed materials and materials used in the library.

PROCEDURE

~~d. Overdue materials accrue a \$.30 fine per item per day, with a maximum fine of \$6.00.~~

Damaged or lost materials will be charged to the patron according to the schedule.

Denial of
Borrowing
Privileges

When the dollar amount of unpaid fines and fees posted to a borrower's record is \$50.00 or more, further checkout of materials is prohibited-. The County Librarian is authorized to establish procedures for restoration of borrowing privileges.

ILL Materials

e. Materials borrowed by inter-library loan (ILL) from other libraries for Johnson County Library patrons are subject to the rules and regulations of the lending libraries, and any charges accrued from overdue, lost or damaged materials will be charged to the patron. The cost of lost materials will be non-refundable after the invoice is paid to the lending institution.

APPEAL

e. ~~Fees~~ and other charges may be appealed to the County Librarian. The County Librarian shall render a decision within ten days of the filing of the appeal. The individual filing the appeal may appeal the decision of the County Librarian to the Library Board of Directors using the procedure described in ARM 20-10-30.

SCHEDULE

f. The fee schedule of ~~overdue~~, lost, or damaged materials and ILL materials is as follows:

October 13, 2022

ARM20-10-91 End

(Delete Column) <u>Reading Level</u>	Material Type	Replacement Charge	Default Replacement Charge
<u>Adult, E, J, Teen</u>	Audio	Cost of Item	\$30.00
<u>Adult, E, J, Teen</u>	Book	Cost of Item	\$30.00
<u>Adult, E, J, Teen</u>	Compact Disc (Music)	Cost of Item	\$30.00
<u>Adult, E, J, Teen</u>	DVD	Cost of Item	\$30.00
<u>Adult, E, J, Teen</u>	Holder, Plastic A-V	\$3.00	\$3.00
<u>Adult, E, J, Teen</u>	Periodical	Cost of Item	\$6.00
	Kits	Cost of Item	\$100.00
	<u>Video Games</u>	<u>Cost of Item</u>	<u>\$60.00</u>
	<u>Inter-Library Loan Items</u>	<u>Cost of Item, Pending Invoice</u>	<u>\$200.00</u>
	<u>Study Room AV Kits</u>	<u>\$50.00</u>	<u>\$50.00</u>
	<u>Laptops</u>	<u>\$1,550.00</u>	<u>\$1,550.00</u>
	Video Games	Cost of Item	\$60.00
	Inter-Library Loan Items	Cost of Item, Pending Invoice	\$200.00
	Study Room AV Kits	\$50.00	\$50.00
	Laptops	\$1,550.00	\$1,550.00

ADMINISTRATIVE REGULATIONS

TAB: Patron Services

DOCUMENT NUMBER: 20-20-20

SECTION: Circulation Services

SUBJECT: CONFIDENTIALITY OF RECORDS

SUMMARY

This document contains the Library's policy and procedure regarding confidentiality of patrons' registration and borrowing records vis-a-vis the ALA Code of Ethics and the Kansas Open Records Act.

Definitions:

Patron Registration Information refers to the personal information patrons provide to staff when registering for a library card: name, address, phone number, e- mail address, and birthdate/age.

Patron Borrowing Records refers to the items a patron has checked out, placed on hold, used in the past, or on which the patron owes ~~finer-of~~ fees.

Effective Date:

February 8, 2018

Reviewed:

March 14, 2019
October 22, 2020
February 11, 2021

CONFIDENTIALITY OF RECORDS POLICY

a. All outside inquiries (from law enforcement, media, government agencies, lawyers and others) regarding access to Patron Registration Information and Patron Borrowing Records will be referred to the County Librarian, and no records may be made public without express approval. Patron Registration Information and Patron Borrowing Records are exempt from disclosure pursuant to the Kansas Open Records Act (K.S.A. 2006 Supp. 45-221(a)(23), as amended) and Library regulations and should only be released upon receipt of a valid court

order or subpoena authorized under federal, state, or local law.

Patron Borrowing Records

b. Johnson County Library will not retain a Patron's borrowing records beyond their use for circulation or control purposes.

County Librarian Authorized to Adopt Written Procedures Authorizing Limited Library Use of Patron Registration Information

c. The County Librarian may adopt written procedures and guidelines under this Regulation that authorize the Library to make limited use of Patron Registration Information for the sole purpose of facilitating communications by the Library with that Patron. Such written procedures shall strictly limit such use to the Library only and shall not authorize use by any outside agency and shall further limit such use to Library communications between the Library and the Patron.

County Librarian Authorized to Adopt Written Procedures to Guide Library Staff in Responding to Requests for Patron Registration or Borrowing Records Information

The County Librarian may adopt written procedures and guidelines under this Regulation that provide advice and guidance to Library staff on how to apply the terms of this regulation when provided a request for Patron Registration Information or information on Patron Borrowing Records from a person or agency outside the Library. By way of illustration and not limitation, such procedures might provide Library staff guidance on the handling of subpoenas issued to the Library under the terms of this Regulation.

ACCESS TO RECORDS

Own Record

e. Patrons may check out materials and access their own Library records, of all kinds, only by providing a library card, library card number, or valid proof of identity. Patrons without one of these items can verbally verify their PIN (personal identification number) and provide at least 2 other pieces of account information to have full access to their account.

Children Under 18

f. Parents or guardians of children under 18 years of age may, upon presentation of proper identification, obtain the current status of their child's Borrowing Records or withdraw their authorization for the child's library card. Parents without proper identification can verbally verify at least 3 pieces of the child's account information to have full access to their child's account.

Of Others

g. A patron who provides a library card or library card number may check out materials to that card or obtain Registration and Borrowing information from the matching patron record. Patrons may also authorize other patrons or family members to pick up materials being held by notifying library staff in advance. Authorized individuals, upon presentation of identification, will not be required to have the patron's card or card number to check out, pay ~~fees~~, pick up holds or renew items.

Any patron may pay the ~~fees~~ of any other patron without a library card number or other verification. However, in this circumstance, no Patron Registration Information or Patron Borrowing Records will be provided to the person making the payment.

County Librarian Authorized to Adopt Written Procedures to Guide Library Staff in the Application of the Access to Records subsection of this Regulation

The County Librarian may adopt written procedures and guidelines to implement the terms of the Access to Records subsection of this Regulation.

Information Requests

Library staff will not disclose library patrons' use of the library with respect to information sought or received, except pursuant to a valid court order or subpoena authorized under federal, state, or local law. Any court order or subpoena received by a member of the staff shall be directed to the County Librarian and Library counsel for disposition.

Exceptions for Materials Recovery Agency, County Office of Financial Management, Development of Demographic Profiles or Patron Usage Pattern Studies

h. Nothing in this regulation shall be construed to prohibit the Johnson County Library from disclosing a patron's account records to a third party collection agency when that patron has ~~past due fees~~ or library materials that have been checked out and not returned; the County Librarian is authorized to submit such patron account records to a third party collection agency pursuant to any agreement approved by the Library Board.

i. Pursuant to rules established by the Government Accounting Standards Board (GASB), the County Office of Financial Management (OFM) prepares financial reports for the Library that show an accounts receivable balance that is comprised of amounts attributable to past due accounts and library materials that have not been returned. In order to verify this data for the Library, OFM must periodically examine the underlying, individual accounts that comprise the

balance. The County Librarian may, for that limited purpose, and in accordance with the terms of this ARM 20-20-20, provide to OFM the names, addresses, contact information, amounts owing and dates relating to such accounts. Any request for this information made pursuant to the Kansas Open Records Act shall be referred to the County Librarian pursuant to ARM 20-20-20. No other patron borrowing records information, including information relating to materials checked out shall be disclosed.

j. In order to obtain demographic profiles or patron usage pattern studies that will allow the Library to improve the quality and content of its collections and offerings to patrons, the Library may provide certain information to agencies of Johnson County government and to private companies that have contractually agreed to produce such profiles or studies. Such information shall not identify patrons by name or allow for individual patrons to be identified by name. The Library shall provide such information only pursuant to written agreements that contain the following terms, as well as those required elsewhere in these regulations:

1. Such agencies and companies shall agree to never identify patrons by name from the information provided to such agencies or companies.
2. Such agencies and companies shall agree to not release, and shall maintain confidentiality with respect to, the information provided by the Library and the data developed from such information, except to the extent specifically authorized in writing by the Library.
3. Such agencies and companies shall agree that all such information and the data developed from such information may not be sold or resold by such agencies and companies.
4. Such agencies and companies shall agree that the Library shall continue to own such information and the data developed from such information and that the same shall be destroyed or returned to the Library on its written request.

February 11, 2021

ARM 20-20-20 END

Briefing Sheet

To: Johnson County Library Board of Directors
From: Tricia Suellentrop, County Librarian
Date: April 13, 2023
Re: Waiving past fines and fees

Issue: Consider approving proposed changes to Administrative Regulation Manual policies (ARMs) 50-30-40: Patron Accounts Receivable and ARM 20-10-95: Waiving Aged Patron Accounts Receivable, in order to allow JCL to waive past fines as well as fees older than seven years.

Suggested Motion: I move that the Johnson County Library Board of Directors approve revisions to Administrative Regulation Manual policies 50-30-40 and 20-10-95, for the Johnson County Library to waive fees for lost or damaged materials older than seven years and past fines for overdue materials from patron accounts receivable, excluding those accounts subject to patron bankruptcy proceedings, owing a sum total equal to or more than \$600, or subject to inter-library loan rules and regulations.

Background: The Johnson County Library Board of Directors is considering eliminating the billing and collection of overdue fines. In accordance with this decision, we recommend the forgiveness of fines for overdue materials assessed prior to April 14, 2023, and the waiving of fees for lost or damaged materials older than seven years. The proposed changes to the above ARMs update the language that references the eligibility of automatic waiver of patron accounts receivable and the allowance for doubtful or uncollectible patron accounts receivable. Patron accounts receivable are ineligible for waiver when subject to patron bankruptcy proceedings, owing a balance of \$600.00 or more, or subject to inter-library loan (ILL) rules and regulations. We feel this action will provide a better experience for members of our community and encouraged lapsed users to return to the library.

- 20-10-95 adds language regarding the waiving of fines billed before April 2023 and the waiving of uncollectable fees billed before 2017, and thereafter, annually waiving fees older than seven years
- 50-30-40 adds language regarding the waiving of fees deemed uncollectable after 7 years

Analysis: A fine is the daily charge assessed on an item not returned or renewed by its specified due date. A fee is the charge assessed for an item that is lost or returned damaged.

We recommend the forgiveness of fines billed before April 14, 2023. This action would provide patrons with a consistent message on fines. We feel it would take a lot of communication to explain why the library was not forgiving fines from the past, if we were to only roll out a fine free program moving forward.

Currently, JCL has 64,460 library accounts owing fines totaling \$817,199.72, averaging \$12.67 per account. This number dates back to 1988.

We also recommend the waiving of fees older than seven years which have been deemed uncollectable. This seven-year period aligns with what credit reporting agencies use when listing

delinquent accounts. This action would assist in the cleanup of old, inactive accounts as well as improving the accuracy of our database.

Currently, there are 58,007 accounts owing \$3,026,157.05 in fees older than 7 years. This averages to \$52.17 owed in fees per account. Fewer than 120 of these accounts have had library activity in the last 3 years.

Accounts in bankruptcy totals 97. They owe approximately \$6,510.04. Accounts with fines and fees over \$600 is 293 and they owe \$299,252.69.

Subtracting out bankruptcy and high dollar accounts, the total amount we are asking you to waive is approximately \$3,537,594.04

Alternatives: Not approve the proposed changes to Administrative Regulation Manual policies, 50-30-40 and 20-10-95 or ask for different changes to be made to the policies.

Legal Review: Counsel has reviewed these documents.

Budget Approval: Approximately \$468,000 is budgeted for fine collection (late fees) with actual collection equaling \$251,387 in 2022. Impact to the budget is estimated at a little more than half of 1% or about 0.57% of all revenue collected in 2022. We estimate that staff spend approximately 4,014 hours a year on fine management. Multiply this by the average hourly wage of \$38.26, which calculates to a staff cost of \$153,602.16. Additional cost savings of approximately \$18,000 will be gained by eliminating the small balance program, which is no longer needed as a result of raising the limit to \$50, at which point accounts are sent to Unique

Calculations based on time that staff spend on managing fines and associated patron inquiries as well as a projected decrease in current contractual cost associated with fine management, our anticipated loss of revenue is less than \$80,000.

There are currently 97 accounts in Bankruptcy owing \$6,510.04. There are 293 accounts with fines and fees over \$600. Those accounts total \$299,252.69. These accounts will remain in our system with fines and fees intact.

The total amount we are asking you to forgive is \$3,537,594.04

Overall, we anticipate realized value through improved patron experiences.

Recommendation: To approve the recommended changes to the Administrative Regulation Manual.

Suggested Motion: I move that the Johnson County Library Board of Directors approve revisions to Administrative Regulation Manual policies 50-30-40 and 20-10-95, for the Johnson County Library to waive fees for lost or damaged materials older than seven years and past fines for overdue materials from patron accounts receivable, excluding those accounts subject to patron bankruptcy proceedings, owing a sum total equal to or more than \$600, or subject to inter-library loan rules and regulations.

JOHNSON COUNTY KANSAS

Library

ADMINISTRATIVE REGULATIONS

TAB: Administration

DOCUMENT NUMBER: 20-10-95

SECTION: Finance

SUBJECT: WAIVING AGED PATRON ACCOUNTS RECEIVABLE

SUMMARY

This regulation defines the parameters within which aged patron library ~~finer and~~ fees (accounts receivable) may be automatically waived and authorizes the County Librarian to adopt procedures with respect to waiving such fines.

Effective Date:

October 4, 2017

Reviewed:

October 27, 2021

DEFINITION OF ~~FEINE~~ WAIVER

a. A ~~feine~~ waiver removes ~~a fine charges~~ from a patron's account and clears the patron's record of ~~finer money~~ owed. The amount owed may include fees owed by the patron pursuant to ARM 20-10-90, Fee Schedule; "~~finer~~," replacement charges, and fees owed by the patron pursuant to ARM 20-10-91, "~~Overdue~~, Lost or Damaged Materials ~~and ILL Materials~~ Fee Schedule;" and any other fees or charges owed by the patron pursuant to these regulations.

AUTHORIZATION FOR COUNTY LIBRARIAN TO ADOPT PROCEDURES ON AUTOMATIC WAIVERS

b. The County Librarian is authorized to adopt procedures for automatic waivers of aged accounts receivable from the Library's Integrated Library System (ILS). Such procedures may include appropriate definitions; rules governing timing of automatic waivers; and procedures relating to reports on aged accounts receivable.

ELIGIBILITY FOR AUTOMATIC WAIVER OF ACCOUNTS RECEIVABLE

c. Fines for overdue library materials that were billed before April 14, 2023 ~~2008 and total \$6 or less~~ will be automatically waived in the Library ILS. ~~in 2011. Fees for lost or damaged library materials that were that were billed on or before April 13, 2017 will be automatically waived in the Library ILS on April 14, in 2023.~~ Thereafter, on an annual basis, fees will be automatically waived in the Library ILS on the date of the seventh anniversary of such billing. When such fees are waived, the patron account receivable is eliminated. ~~ines that are older than five seven years and total \$3 or less will be automatically waived in the Library ILS. When such fees fines are waived, the debt of the patron to the Library is eliminated.~~

October 27, 2021

Patron accounts receivable, whether consisting of fees or fines,

ADMINISTRATIVE REGULATIONS

TAB: Administration

DOCUMENT NUMBER: 20-10-95

SECTION: Finance

SUBJECT: WAIVING AGED PATRON ACCOUNTS RECEIVABLE

are ineligible for automatic waiver when: (i) subject to a patron's bankruptcy proceeding in which the library has been given notice as a creditor; (ii) the total amount of the patron account receivable is equal to or more than \$600; and (iii) the patron account receivable is for inter-library loan (ILL) materials from other libraries subject to the other library's rules and regulations, as provided in ARM 20-10-91. Upon resolution of any of the foregoing factors, the patron account receivable may be waived and eliminated.

ARM 20-10-95 End

ADMINISTRATIVE REGULATIONS

TAB: Administration
SECTION: Finance
SUBJECT: PATRON ACCOUNTS RECEIVABLE

DOCUMENT NUMBER: 50-30-40

SUMMARY

This regulation defines a "Patron Account Receivable" and authorizes the County Librarian to adopt procedures with respect to such accounts; and specifies when Patron Account Receivable may be written off as doubtful or uncollectible.

REVIEW DATE:

October 11, 2018
October 22, 2020

DEFINITION OF PATRON ACCOUNT RECEIVABLE

A Patron Account Receivable is an account that represents the overall balance of funds due the Library from a patron. The balance of funds may include fees owed by the patron pursuant to ARM 20-10-90, "Fee Schedule" ~~fees~~, replacement charges, and fees owed by the patron pursuant to ARM 20-10-91, "Overdue, Lost or Damaged Materials Fee Schedule;" and any other fees or charges owed by the patron pursuant to these regulations.

AUTHORIZATION FOR COUNTY LIBRARIAN TO ADOPT PROCEDURES ON PATRON ACCOUNTS RECEIVABLE

The County Librarian is authorized to adopt procedures for accounting for, reconciling, and reporting on, Patron Accounts Receivable in accordance with GASB rules. Such procedures may include appropriate definitions; rules governing accounts receivable ledgers and reports; procedures relating to reports on aged accounts receivable; and rules governing the handling of doubtful or uncollectible Patron Accounts Receivable in accordance with this regulation.

ALLOWANCE FOR DOUBTFUL OR UNCOLLECTIBLE ACCOUNTS RECEIVABLE

A patron Account Receivable is deemed to be doubtful or uncollectible when it is more than three years old and less than \$100 in value. Patron Accounts Receivable meeting these criteria shall be written off the accounts receivable ledger in the manner specified in procedures adopted by the County Librarian. When such accounts receivable are written off, the debt of the patron to the Library is not eliminated and remains in full force and subject to collection. After seven (7) years the patron fees will be deemed uncollectable and eliminated from the patron account per ARM 20-10-95 (Waiving Aged Patron Accounts).

October 22, 2020

ARM 50-30-40
End

Briefing Sheet

To: Johnson County Library Board of Directors
From: Tricia Suellentrop, County Librarian
Date: April 13, 2023
Re: Election of officers of the Library Board of Directors

Issue: The annual election of officers of the Library Board of Directors.

Suggested Motion:

I move the Library Board of Directors elect the recommended slate of officers for the 2023-2024 term.

Background: Administrative regulation ARM 10-50-10, Bylaws of the Board of Directors, guides the annual election of officers. The officers of the board include a chair, vice chair/secretary, and treasurer. Officers serve a term of one-year commencing immediately upon election.

The Johnson County Library nominating committee – David Sims, Kelly Kilgore and Bethany Griffith – submits the following nominations for officers:

Chair: Bethany Griffith
Vice-Chair/Secretary: Kelly Kilgore
Treasurer: David Sims

Recommendation:

The Johnson County Library Board of Directors elect the recommended slate of officers for the 2023-2024 term.

Briefing Sheet

To: Library Board of Directors

From: Tricia Suellentrop, County Librarian

Date: April 13, 2023

Re: Renewal of City of Shawnee's Neighborhood Revitalization Area Interlocal

Issue: Consider approving an interlocal agreement to participate in the City of Shawnee's Neighborhood Revitalization Area.

Suggested Motion: No motion necessary as this is for informational purposes only as action will be requested at the May Library Board Meeting.

Background: The City of Shawnee initially established their Neighborhood Revitalization Area in 2002 with a first renewal having taken place in 2021. The renewal that you are being asked to consider would constitute a second renewal of that plan. Since beginning in 2002, 60 residential and commercial properties have participated in the program with an estimated improvement value of \$30 million.

Shawnee's City Council held a public hearing on January 23, 2023, and adopted the second renewal of the Shawnee Neighborhood Revitalization Plan. Additionally, Shawnee approved the interlocal agreement that you are being asked to consider. Kansas Statute K.S.A. 12-17, 119 allows each taxing jurisdiction to approve of an interlocal agreement to exercise powers and duties of the Kansas Neighborhood Revitalization Act (KNRA). Information about Shawnee's plan, including boundary maps and active or completed project can be found at <https://www.cityofshawnee.org/knra>

Analysis: The Library has participated in this program to assist the City of Shawnee since 2002. To date, the program has resulted in new construction and additional valuation that has benefited both the Library and the City of Shawnee. The Board of County Commissioners entered into this same interlocal with the City of Shawnee Neighborhood Revitalization Plan back on March 9, 2023.

Funding Overview: The item has no funding impact to the anticipated property taxes collected.

Alternatives:

- (1) Approve adoption of the interlocal agreement as presented
- (2) Reject adoption of the interlocal agreement as presented

Recommendation: This is being presented to the Library Board in April for informational purposes. Voting is anticipated to occur at the May 2023 Library Board Meeting.

Purchasing Review: N/A

Budget Review: The adoption of this interlocal should not have any negative impact on current Library revenues.

Legal Review: N/A