

Alpena County George N. Fletcher Public Library
Board of Trustees Regular Meeting
Wednesday, September 18, 2024, at 4:30 pm
Agenda

1. Call to Order
2. Approval of Agenda
3. Review and Approval of Minutes from August 21, 2024, Meeting
4. Financial Reports
5. Review and Approval of Bills
6. Leadership Team Reports
7. Friends of the Library Report
8. Public Comment
9. Old Business
 - a. Director Search
 - b. Interim Director
 - c. FOIA Policy Review
10. New Business
 - a. Bond Payment Resolution
 - b. Closed Session for Personnel Matter
11. Other
12. Adjournment

**Minutes of the Regular Meeting of the
Alpena County George N. Fletcher Public Library
Board of Trustees**

Call to Order: A meeting of the Alpena County Library Board of Trustees was called to order on Wednesday, August 21, 2024, at 5:01 p.m. by President Joseph Garber.

Present:

Board of Trustees: Joseph Garber, Dustin Budd, Michelle Cornish, Lauren Mantlo, Quintin Meek

Staff: Jessica Luther, Beth DeCaire

Friends of the Library: Diane Guigar-Pilgrim

Approval of Agenda: There were no additions to the agenda.

Review and Approval of Minutes: It was moved by Budd with support from Meek to accept the minutes from the July 22, 2024, regular meeting and the August 12, 2024, special meeting. The motion passed.

Financial Reports: The financial reports were reviewed by Luther.

Review and Approval of Bills: It was moved by Cornish and supported by Mantlo that the bills as presented be approved. The motion passed.

Director and Leadership Team Report: Luther stated Great Lake Shore Excursions gave the library a check to help offset cruise passengers using the library's restrooms.

Friends of the Library Report: Guigar-Pilgrim estimated the Friends earned around \$4,000 from their annual book sale.

Public Comment:

Bruce Maxwell, Ossineke resident, urged the age-appropriate guidelines be rejected because of the library's new shelving system making it easier to avoid specific books. He stated it was the responsibility of parents to monitor what their children were reading and he thought books selected by library staff were better sources of information than pornographic websites children could access with their phones.

Diane Bauer, Alpena, stated she was glad Great Lake Shore Excursions compensated the library because tourists from the cruises were creating long lines to the restrooms and the cost of restroom maintenance was being paid for with taxpayer dollars. She reiterated that the age-appropriate guidelines should be rejected.

Old Business:

A. Director Search: The Personnel Committee met earlier in the week and decided to obtain quotes from three different search firms. These firms have not yet been contacted.

(DeCaire joined, 5:10 p.m.)

B. Interim Director/Additional Duty Stipends: Garber suggested Christina Markowski be offered the

position of Assistant Interim Director but he was unable to discuss this with Markowski prior to the meeting. DeCaire reminded the trustees that budgeting and budget control are the responsibility of the Library Director and the Board of Trustees and that responsibility needs to fall back to them. Garber recommended the Interim Director be paid an additional \$10 per hour and the Assistant Interim Director be paid an additional \$7 per hour. It was moved by Budd with support from Cornish to accept the pay raise amounts with no names specifically attached to the Interim Director position and to the Assistant Interim Director position. It was determined all additional duty stipends would not exceed what the pay would be for the Library Director.

The Personnel Committee recommended extending Luther's appointment as Interim Director for an additional 30 days. It was moved by Cornish with support from Mantlo to accept the recommendation. The motion passed with Budd abstaining.

The Personnel Committee will meet to delegate the responsibility of drafting the 2025 operating budget and any other additional duty stipends.

C. Collection Development Policy: The trustees reviewed the draft policy, suggested age-appropriate standards put forth by Budd, and the legal review of those standards. A revision to the reconsideration process to increase the time frame for submitting an appeal from 10 days to 30 days was presented. It was moved by Mantlo with support from Cornish to adopt the presented policy with the revision to the reconsideration policy without the age-appropriate standards. The motion passed with dissent from Budd.

D. Foster/Swift Letter of Engagement: Luther recommended extending the Foster/Swift contract through the 2025 calendar year whereas the attorney's pay would increase the following year from \$235 to \$255 per hour. It was moved by Cornish with support from Mantlo. The motion passed.

New Business:

A. Equitable Signatories Update: In the absence of a Library Director, a resolution was presented naming Joseph Garber and Quintin Meek Plan Administrators for the Library's Equivest 457 EDC plan. It was moved by Budd and supported by Cornish to adopt the resolution. Said resolution is attached as part of these minutes.

B. FOIA Policy: Luther requested the library's attorney update the FOIA policy as it is not up to current standards. It was moved by Meek with support from Budd. The motion passed.

C. Dee Newport Fund Request: Luther presented a resolution requesting the Dee Newport Fund cover the \$450 the READ program would need to purchase tutor training materials, student materials, and other expenses. It was moved by Cornish with support from Meek. The motion passed. A copy of the resolution is included with the minutes.

D. 2023 Audit Report: Bound copies of the 2023 Compiled Financial Statements prepared by Straley Lamp & Kraenzlein, PC were distributed.

(Luther exited, 5:57 p.m.)

Other:

It was moved by Budd with support from Mantlo to change the meeting time from 5:00 p.m. to 4:30 p.m. starting in September and ending in December of 2024.

Mantlo- Aye

Budd- Aye
Meek- Aye
Garber- Aye
Cornish- Aye

The motion passed.

Garber stated Luther planned to reorganize nonfiction prioritizing the children and young adult sections.

Adjournment: Garber declared the meeting adjourned at 6:01 p.m. The next meeting will be Wednesday, September 18, 2024 at 4:30 p.m.

Respectfully submitted,

Michelle Cornish

Secretary

Carmen Grubaugh

Recording Secretary

Alpena County Library Profit & Loss Budget Performance January through August 2024

	Jan - Aug 24	Budget	\$ Over Bud...	% of Budget
Ordinary Income/Expense				
Income				
403.000 · Millage	1,096,204.24	1,098,014.00	-1,809.76	99.8%
566.006 · Director's Salary Reimbursement	2,449.36	5,000.00	-2,550.64	49.0%
573.000 · Local Comm. Stabilize Share Tax	60,787.16	60,787.00	0.16	100.0%
574.000 · State Aid	29,501.42	29,314.00	187.42	100.6%
581.004 · Olive Steele Fund	0.00	700.00	-700.00	0.0%
581.005 · Superiorland Library Co-op	600.00	600.00	0.00	100.0%
581.006 · Gifts/Grants-Designated	17,974.36	10,000.00	7,974.36	179.7%
581.007 · Gifts/Grants-Undesignated	575.47	5,000.00	-4,424.53	11.5%
602.000 · Author Income	4,944.32	5,000.00	-55.68	98.9%
607.002 · Photocopy Fees	4,603.11	4,500.00	103.11	102.3%
607.003 · Out of District Fees	1,042.28	1,500.00	-457.72	69.5%
642.002 · Merchandise Sales	128.00	50.00	78.00	256.0%
658.000 · Book Fines	194.10	100.00	94.10	194.1%
658.001 · Penal Fines	122,141.90	100,000.00	22,141.90	122.1%
658.002 · ILL-MelCat	35.21	250.00	-214.79	14.1%
658.004 · Book/Video Material Replacement	247.87	300.00	-52.13	82.6%
665.000 · Interest on Investments	5,827.38	5,213.00	614.38	111.8%
667.000 · Conference Room Rental	465.97	100.00	365.97	466.0%
674.001 · Library Improvement Fund	7,975.00	10,000.00	-2,025.00	79.8%
674.004 · Friends of the Library	14,454.94	15,000.00	-545.06	96.4%
674.005 · READ for Adults Program	162.00	400.00	-238.00	40.5%
674.007 · Special Collections- Income	200.00	15,000.00	-14,800.00	1.3%
674.200 · Cook Endowment Fund	0.00	5,000.00	-5,000.00	0.0%
676.000 · Miscellaneous	201.64	500.00	-298.36	40.3%
Total Income	1,370,715.73	1,372,328.00	-1,612.27	99.9%
Gross Profit	1,370,715.73	1,372,328.00	-1,612.27	99.9%
Expense				
701.000 · Salaries/Per Diem	386,705.89	621,833.00	-235,127.11	62.2%
710.000 · Social Security/Medicare	28,826.11	49,000.00	-20,173.89	58.8%
710.001 · Retirement/MERS	71,616.36	109,000.00	-37,383.64	65.7%
710.002 · Hospitalization	59,628.70	105,040.00	-45,411.30	56.8%
710.003 · "In Lieu of..." Hospitalization	8,175.00	10,500.00	-2,325.00	77.9%
710.005 · Life Insurance	852.04	1,500.00	-647.96	56.8%
710.006 · Workers Compensation	43.00	1,100.00	-1,057.00	3.9%
727.000 · Office Supplies	4,636.77	7,800.00	-3,163.23	59.4%
727.001 · Postage	602.59	1,200.00	-597.41	50.2%
728.000 · Special Collections- Expense	1,439.89	3,000.00	-1,560.11	48.0%
728.001 · Cook Endowment - Expense	500.00	5,000.00	-4,500.00	10.0%
730.000 · Book Collection	17,136.44	40,000.00	-22,863.56	42.8%
731.000 · Databases	2,134.74	6,000.00	-3,865.26	35.6%
731.001 · E- Media Services	2,850.00	2,850.00	0.00	100.0%
731.002 · Periodicals	3,501.77	3,500.00	1.77	100.1%
731.003 · Audio/Visual	1,899.63	6,000.00	-4,100.37	31.7%
731.004 · Technology Hardware	1,403.71	3,000.00	-1,596.29	46.8%
731.005 · Technology Software	1,975.44	3,000.00	-1,024.56	65.8%
732.000 · Equipment	1,521.97	2,000.00	-478.03	76.1%
735.006 · Gifts/Grants Designated	9,518.30	10,000.00	-481.70	95.2%
801.000 · UPRLC/SIRSI fees	26,903.65	33,000.00	-6,096.35	81.5%
801.001 · RIDES	3,048.70	3,049.00	-0.30	100.0%
801.002 · ILL (Interlibrary Loans)	220.99	400.00	-179.01	55.2%
801.003 · Unique Mgmt.	49.25	200.00	-150.75	24.6%
801.101 · County Settlements	223.52	392.00	-168.48	57.0%
802.000 · Professional Services	4,133.08	5,951.00	-1,817.92	69.5%
802.001 · Audit/Financial Oversight	5,775.00	6,500.00	-725.00	88.8%
803.000 · Authors	12,062.64	12,000.00	62.64	100.5%
805.000 · Training	315.00	3,000.00	-2,685.00	10.5%
816.000 · County Admin Overhead	3,093.75	4,161.00	-1,067.25	74.4%
850.000 · Communications	9,679.07	14,000.00	-4,320.93	69.1%
860.000 · Travel	0.00	2,000.00	-2,000.00	0.0%
920.000 · Utilities	24,178.78	37,000.00	-12,821.22	65.3%
930.000 · Repair/Maintenance-General	7,697.11	9,000.00	-1,302.89	85.5%
930.001 · Repair/Maintenance-HVAC	642.96	21,000.00	-20,357.04	3.1%

Alpena County Library
Profit & Loss Budget Performance
January through August 2024

	<u>Jan - Aug 24</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
930.002 · Repair/Maintenance-Supplies	0.00	0.00	0.00	0.0%
955.000 · Friends of the Library Expenses	15,830.34	15,000.00	830.34	105.5%
956.002 · Programs Expense	3,637.88	10,000.00	-6,362.12	36.4%
965.000 · READ for Adults	1,174.06	1,300.00	-125.94	90.3%
969.001 · Copy Machine Expense	4,756.15	11,000.00	-6,243.85	43.2%
969.002 · Insurance	749.60	7,000.00	-6,250.40	10.7%
969.003 · Kathy Currier Condo Assoc Exp	1,926.77	1,927.00	-0.23	100.0%
969.004 · Public Relations/Print	202.00	1,000.00	-798.00	20.2%
991.000 · Debt Service - Principal	125,000.00	125,000.00	0.00	100.0%
992.000 · Debt Service - Interest	29,500.00	57,125.00	-27,625.00	51.6%
Total Expense	<u>885,768.65</u>	<u>1,372,328.00</u>	<u>-486,559.35</u>	<u>64.5%</u>
Net Ordinary Income	<u>484,947.08</u>	<u>0.00</u>	<u>484,947.08</u>	<u>100.0%</u>
Net Income	<u>484,947.08</u>	<u>0.00</u>	<u>484,947.08</u>	<u>100.0%</u>

Alpena County Library

Balance Sheet

As of August 31, 2024

	Aug 31, 24
ASSETS	
Current Assets	
Checking/Savings	
001.000 · Library cash in bank	1,500.00
004.000 · Petty Cash on hand	200.00
007.000 · Library payroll	1,500.00
016.000 · Cash with County	802,511.70
Total Checking/Savings	805,711.70
Other Current Assets	
019.000 · Taxes receivable	967,287.68
021.000 · Beneficial Interest - CFNEM	204,101.00
084.000 · Due from other fund	139,845.50
Total Other Current Assets	1,311,234.18
Total Current Assets	2,116,945.88
TOTAL ASSETS	2,116,945.88
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
202.001 · Accrued expenses	18,859.63
257.000 · Accrued wages	12,278.00
339.000 · Deferred Revenue - Grants	559.00
360.000 · Deferred revenue	1,107,133.79
Total Other Current Liabilities	1,138,830.42
Total Current Liabilities	1,138,830.42
Total Liabilities	1,138,830.42
Equity	
399.000 · Unrestrict (retained earnings)	493,168.38
Net Income	484,947.08
Total Equity	978,115.46
TOTAL LIABILITIES & EQUITY	2,116,945.88

Fund 721 LIBRARY PENAL FINE FUND

GL Number	Description	Balance
*** Assets ***		
721-000-002.000	SAVINGS	20,549.99
Total Assets		20,549.99
*** Liabilities ***		
721-000-272.000	UNDIST INT INC	21.86
721-000-273.000	UNDISTRIB FINES	20,528.13
Total Liabilities		20,549.99
*** Fund Balance ***		
Total Fund Balance		0.00
Beginning Fund Balance		0.00
Net of Revenues VS Expenditures		0.00
Ending Fund Balance		0.00
Total Liabilities And Fund Balance		20,549.99

Alpena County Library Vendor Balance Detail

As of September 9, 2024

	Date	Num	Split	Amount
Amazon Capital Services	09/09/2024	1GHC-4PK1-7VfV	-SPLIT-	1,659.65
Blue Care Network of Michigan	09/09/2024	242500052252	710.002 · Hospitalization	6,697.57
Cengage Learning Inc./Gale	09/09/2024	85113903	730.000 · Book Collection	418.47
Demco, Inc.	09/09/2024	7528433	-SPLIT-	56.44
DTE Energy #1	09/09/2024	08/08/24-09/06/24	920.000 · Utilities	145.83
DTE Energy #6	09/09/2024	08/08/24-09/06/24	920.000 · Utilities	38.93
Eagle Supply Co.	09/09/2024	129985	930.000 · Repair/Maintenance-G	78.00
Foster, Swift, Collins & Smith, P.C.	09/09/2024	892557	802.000 · Professional Services	294.00
Frontier	09/09/2024	08/20/24	850.000 · Communications	317.70
Go Giant Robot Productions	09/09/2024	2 - Bookmobile Music	735.006 · Gifts/Grants Designate	250.00
Harry Lyon	09/09/2024	754101	735.006 · Gifts/Grants Designate	100.00
Hartford	09/09/2024	136462199353	710.005 · Life Insurance	100.24
Ingram Library Services	09/09/2024	81439969-83481428	730.000 · Book Collection	3,345.35
Meg Converse	09/09/2024	Reimburse Postage	727.001 · Postage	102.51
MERS Mich. Employ. Retire. Serv.	09/09/2024	00158598-1	710.001 · Retirement/MERS	7,435.80
Nicolet National Bank - MC	09/09/2024	08/31/2024	-SPLIT-	2,963.26
Petty Cash/Jessica Luther	09/09/2024	2537-2540	-SPLIT-	65.48
Playaway Products LLC	09/09/2024	473415	735.006 · Gifts/Grants Designate	2,154.87
ProQuest LLC	09/09/2024	70859873	731.000 · Databases	1,619.43
Superiorland Library Cooperative	09/09/2024	4540	731.005 · Technology Software	240.00
T-Mobile	09/09/2024	07/21/24-08/20/24	850.000 · Communications	48.13
UNITED STATES LIABILITY INSURANCE	09/09/2024	PO 1001013	969.002 · Insurance	496.40

Alpena County Library Vendor Balance Detail

As of September 9, 2024

	Date	Num	Split	Amount
UPRLC, Inc.	09/09/2024	4841	805.000 · Training	60.00
US POSTAL SERVICE	09/09/2024	Stamped Envelopes	727.001 · Postage	177.60
Xerox Financial Services	09/09/2024	6168879	969.001 · Copy Machine Expens	<u>823.98</u>
TOTAL				<u><u>\$ 29,689.64</u></u>

Corporate Account Name: ALPENA COUNTY LIBRARY
Account Name: ALPENA COUNTY LIBRARY

Corporate Number: 169921
Account Ending In: 4130

Corporate Account Summary

Previous Account Balance	\$575.83	Statement Closing Date	08/31/2024
Payments and Credits	\$575.83	Days This Period	31
Purchases and Debits	\$2,963.26	Credit Limit	\$10,000.00
Cash Advances	\$0.00	Available Credit	\$7,036.00
Fees	\$0.00	Cash Limit	\$3,000.00
Finance Charges	\$0.00	Available Cash	\$3,000.00
New Ending Balance	\$2,963.26		
		Payment Due Date	09/26/2024
Total Amount of Disputes	\$0.00	Payment Amount Due	\$89.00

Questions? View your account information online at www.nicoletbank.com or call our Customer Service Center toll free at 1-877-864-6525 or 1-800-369-0226.

Send Billing Inquiries and Correspondence to:
 P.O. Box 2087, Omaha, NE 68103-2087

Mail Payments to: P. O. Box 1300, Green Bay, WI 54305.

Important Information

THANK YOU FOR CHOOSING NICOLET NATIONAL BANK FOR YOUR CREDIT CARD NEEDS.

731.004 - 749.95 965 - 52.58
 731.005 - 757.81
 735.006 - 1262.08
 850.00 - 120.00
 950.002 - 2084

Nicolet National Bank
 P.O. Box 1300
 Green Bay WI 54305-1300



Account Ending In 4130
Payment Due Date 09/26/2024
New Balance \$2,963.26
Minimum Payment Due \$89.00

Make Check Payable To: \$

ALPENA COUNTY LIBRARY
 211 N FIRST AVE
 ALPENA MI 49707-2809

00018530
 0103

Nicolet National Bank
 P.O. Box 1300
 Green Bay WI 54305-1300



Account Name: ALPENA COUNTY LIBRARY

Account Number Ending In: 4130

Corporate Account Activity

ALPENA COUNTY LIBRARY
Card Ending In 4130

Post Date	Tran Date	Reference Number	Transaction Description	\$Amount
08/19	08/19	8559281KR00XSXVMB	PAYMENT MAIL THANK YOU GREEN BAY WI	575.83-
Total Activity				575.83-
Total Fees This Period				0.00
08/31	08/31		Interest Charge on Purchases	0.00
08/31	08/31		Interest Charge on Cash Advances	0.00
Total Interest This Period				0.00

Cardholder Account Activity

DEBRA GREENACRE
Card Ending In 4148

Total Amount \$2,963.26

Post Date	Tran Date	Reference Number	Transaction Description	\$Amount
08/01	07/31	5543286K560V30N97	✓ WALMART.COM 800-925-6278 AR	20.84
08/01	07/31	0531461K6EHWGMSG1	✓ JIMMY JOHNS - 947 - EC ALPENA MI	29.46
08/01	08/01	7541823K65ZMQJ8HB	✓ EIG*CONSTANTCONTACT.CO WALTHAM MA	55.00
08/07	08/07	0531461KDEHW8DMF5	✓ JIMMY JOHNS - 947 - EC ALPENA MI	24.75
08/07	08/07	5270487KQ0YD67W1D	✓ QUALITY MASCOTS COSTUM LAUDERHILL FL	970.00
08/08	08/08	8271116KE0001VP6Z	✓ INTERCAMBIOESLRESOURCE BOULDER CO	52.58
08/11	08/11	8230509KG0008DFV7	✓ ELEMENTOR WILMINGTON DE	51.94
08/13	08/13	7541823KJ60GLWS88	✓ EIG*CONSTANTCONTACT.CO WALTHAM MA	85.00
08/13	08/13	7541823KJ60GMEVT2	✓ WEB*JUSTHOST.COM BURLINGTON MA	20.99
08/13	08/13	7270363KJ60GMNM61	✓ INMOTIONHOSTING.COM LOS ANGELES CA	35.88
08/14	08/14	5543286KL5W72S6HM	✓ THE HOME DEPOT 2760 ALPENA MI	202.17
08/14	08/14	0531461KLEHWQ2W57	✓ JIMMY JOHNS - 947 - EC ALPENA MI	35.75
08/15	08/15	7541823KL60M75605	✓ B&H PHOTO 800-606-6969 NEW YORK NY	49.95
08/15	08/15	8230509KL0011VXH9	✓ GLOWFORGE.COM SEATTLE WA	349.00
08/18	08/18	8211755KP0004KMJS	✓ HUMBLEFAX RIDGEWOOD NJ	10.00

Finance Charges

Type of Balance	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charge
Purchases	13.40% (v)	\$0.00	\$0.00
Cash Advance	28.40% (v)	\$0.00	\$0.00
Balance Transfer	13.40% (v)	\$0.00	\$0.00

(v) = variable rate

August Assistant Director Report

Meetings/Community Events Attended:

- Library Board of Trustees Meeting
- UPRLC Conference Committee Meeting
- DDA Promotions Committee Meeting
- Sunrise Side Co-op Market meeting
- United Way Board Meeting
- County Commissioners Meeting
- Met with Great Lakes Shore Excursions
- Superiorland Directors Meeting
- Great Michigan Read Committee meeting
- Various drop-ins and impromptu meetings with community members, staff, board members, etc.

Administrative:

- Biweekly processing of time cards and time off requests, reconciliation of time off requests with spreadsheets.
- Recording deposits
- Reconciliation of Paypal account
- Reconciliation of credit card statement
- Reviewed program proposals
- Recording of patron traffic
 - 5.204
- Drafted September Desk Schedule
- Responded to FOIA requests
- Prep for and follow-up from Board of Trustees meeting
- Follow up on non-delivery of newspapers
- Edits and revisions on various documents sent to me for review
- Monitor the Contact Us email account
- Emails/Phone/Calls

Marketing/Fundraising:

- PSAs and press releases for upcoming programs and projects
- Multiple discussions with Steve Shulwitz regarding the Browse Method
- Coordinated with Tina on strategy for book bike outreach

Other

- Follow up on AMA-ESD Classroom Libraries project
- Worked on Nandi Comer's event
- Reviewed suggestions in the suggestion box and sent to appropriate staff members
- UPRLC Conference Committee tasks
- Placed adult and youth fiction, nonfiction, and large print orders
- Selected DVDs for ordering
- Researched programs for November and December

Monthly Report - August 2024
Beth DeCaire, Business Manager

Meetings/Webinars

- Staff Meeting
- Special Board Meeting
- Regular Board Meeting
- Meeting with Board Chair to Discuss 2025 Preliminary Budget
- HR Hot Topics - Responding to Pay Transparency Questions
- BCBS - Master Class Express - Tips for A Successful Open Enrollment

Administrative:

- Balanced QB with Nicolet Bank Statements
- Balanced QB with County Treasurer's Statement
- Ran Reports for Board Meeting - P&L, Balance Sheet, Payables
- Sent Updated P&L to Department Heads
- Processed Payroll (X2)
- Completed Biweekly Federal 941 Tax Payments
- Completed Monthly MI 5080 Tax Return and Payment
- Processed Monthly Payroll Liabilities (Aflac, Equitable, BCN)
- Facilitated 457(B) Account New Enrollment and Withdrawal Requests. Prepared Board Resolution to Update Plan Administrators
- Reported Wages to MERS/Requested Invoice
- Reviewed, Coded and Entered Invoices
- Processed Checks, Coordinated Signatures, Requested Money from County and Uploaded Fraud Prevention File to Nicolet Bank
- Prepared and Faxed Quarterly Salary Reimbursement Form to Library of Michigan
- Proofread and Edited Various Documents Upon Request
- Filed Monthly Invoices and Payroll Reports
- Updated Well-Being Bulletin Board

Projects:

- Worked with Straley, Lamp & Kraenzlein to Finalize 2023 Compilation Engagement (Audit) and Posted Adjusting Journal Entries
- Completed 2025 Preliminary Budget Spreadsheet and Sent to County Treasurer

Next Month:

- Quarterly Reports for Federal Taxes and Unemployment Insurance

Monthly Report- August 2024

Submitted by: Nancy Mousseau
Department: Technology
Date: 9/5/2024

Summary of Progress

Project Highlights in August:

Normal routine maintenance and firmware updates on equipment and website, update Event Calendar on website, Tech Help, and Open MakerLab/Tinker Tuesday. Met with Omega Electric to discuss a DVR replacement. We decided to go with a less expensive DVR solution of which was ordered, installed and configured. Met with Marlo and Richard Cook to discuss how to integrate his family history collection into our collection moving forward. Reconfigured the analytics software on our public network to continue to attain wifi client numbers for monthly usage reports. Helped out at the Youth Services desk several days where we had staff shortage issues. Took most of the week of August 5th off.

Meetings Attended/Held

Impromptu meetings with staff, Staff Meeting, Omega Electric, Special Collections and Richard Cook, and Library Board of Trustees monthly meeting.

Issues Discussed & Decisions Made

The Youth Services Dept has decided against the purchase of a printer for their office.

Anticipated Tasks/Projects for September

Typical hardware and network maintenance, staff tech support, Tech Help, weekly programming, computer classes and attend annual meeting for Superiorland Library Cooperative in Escanaba. Help the Friends of the Library with signage for their bookstore.

Problems that Need Resolution

None that I can think of.



Jessica Luther <jluther@alpenalibrary.org>

Children's Librarian Report August 2024

1 message

Christina Markowski <cstjohn@alpenalibrary.org>

Thu, Sep 5, 2024 at 12:09 PM

To: Jessica Luther <jluther@alpenalibrary.org>, Leslie Kirchoff Pat Garant <readprogram@alpenalibrary.org>, Beth DeCaire <bethd@alpenalibrary.org>, Meg Converse <megc@alpenalibrary.org>, Autumn Tencate <atencate@alpenalibrary.org>, Marlo Broad <marlob@alpenalibrary.org>, Nancy Mousseau <nancy@alpenalibrary.org>

Children's Librarian August 2024

Meetings/Events attended

Youth dept. Meeting
Talked with food truck vendors
Various email correspondence
Besser Company Anniversary~450 attendance
Various meetings with staff
Staff meeting

Administrative Work

Weeding JENF, J NF,
Working with Browse Method to recatalog juvenile non-fiction books
Working on merging JENF and J NF.
Worked with Autumn for September's youth schedule.
Commissioned local musician to create book bike music

Professional Development

Working on Mel Maven badge.
Booklist- upcoming youth reads
Webinars

Projects Worked on

I had three Kid Librarians create a display for the month of August and 22 signed up for the remainder of the year. I stopped registration and will reopen it in January to give those who have signed up a chance to create a display.

Storytime with the 45ers- 3 showed up

Weekly storytime- 6 showed up

I worked with Sienna to adjust how Weekly storytime is advertised. I am doing Toddler Storytime ages 3-5 every Thursday from 9:15-9:40 followed by Baby Storytime ages 0-2 from 9:45-10. We are advertising the theme for each week for the month on our flyers so guardians know what the storytime is. I will also have a special storytime every other week that will be structured one of the following ways; holiday theme, outreach locations, special collaborations, special guest speakers, special character guest, or puppet storytime.

Lego club, 6 in attendance

Taylor Swift Party, 69 in attendance

Took the button maker to the Besser Company's 120 anniversary with about 450 in attendance.

Worked on Reading Buddies grant to be completed by the end of August.

Purchased character mascots; Bluey and Yoshi, and two dinosaur costumes for literacy outreach and future programs. I will be wearing one of the blow up dinosaur costumes to the first Farmer's market in September.

Worked with Sienna to create video for social media.

What's coming up next month

Continuing with Browse Method

Starting new storytime structure

Outreach event for Farmer's Market Kids day

Taking on training of Book Bike

Working on upcoming youth programs

UPRLC conference

Tina Markowski (she/her)

Children's Librarian

Alpena County George N. Fletcher Public Library

(989) 356-6188 X16

Bookworm? Please, I'm a Book Dragon.

Youth Services August 2024 Report

Meetings

- Youth Services meeting with Tina
- Monthly TAB meeting
- Various small meetings as needed

Administrative

- Weeding YA fiction section by section
- Working on learning browse method and relabeling books
- Worked with Tina on September schedule
- Set Early Connections fall dates with Heather from the AMA-ESD
- Updated slideshow in Teen Room
- Answering calls and emails

Projects

- Worked on Taylor Swift Party with Tina: around 70 in attendance
- Wrapped up Reading Buddies for the summer
- Planning ahead for fall programming
- Farmers' Market Storytime
- August Teen Loot Box: 13 signups
- Activity table crafts/activities
- Teen Room monthly book display
- TAB: 3 in attendance
- TAB Friendship Club (Beyond Differences): 10 in attendance
- Early Connections Aug. 20th and 27th
- Vacation!

Upcoming

- September Teen Loot Box
- Pressed Flower Tote Bags (ages 12-18)
- Plans for Haunted House in October
- Other teen fall programs coming up: Cricut sticker making, fall/winter scented candles, teen escape room

READ Board Report
September 4, 2024

To: Jessica Luther and the
Board of Alpena County George N. Fletcher Public Library
From: READ Adult Literacy Program
Leslie Kirchoff and Pat Garant

Tutors

Active tutors: 18
Inactive tutors: 7

Students:

Currently receiving services: 20
Tutoring Hours: July 2024: 67.75

Book Circulation:

Returned: 2
Checked Out: 9

- Attended HSCC meeting: Lee Fitzpatrick of Alpena Public Schools and Great Start Collaborative's Angie Bruning were featured speakers
- Attended LINC'S webinar: *Adapting Classroom Materials to Teach the New USCIS N-400*. Jennifer Gagliardi presented information regarding changes to the application process and interview for naturalization, US citizenship
- New tutor training begins next week. Our sessions include an introduction to the READ Program, Basic Literacy I and II, ESL (English as a second language) and GED preparation.

MONTHLY CIRCULATION REPORT**TO: Alpena County Library Board****FROM: Director - Alpena County Library****August 2024**

Monthly Circulation:	2023	2024
Materials Lent	6,185	5,261
Hotspots	19	2
E-media Materials	1,221	1,172
E-Magazines	104	356
Kanopy	240	266
Total Monthly Circulations	7,769	7,057
Number of Days Open (Curbside)	27	27

Inventory Totals:	2023	2024
Books	56,301	52,567
Temporary Titles (Magazines)	1,782	1,354
AV (CD/BKCD/TOYS)	1,504	1,436
Videos & DVD	2,901	3,084
Microfilm, Unknown	2,931	2,516
Total	65,419	60,957

Library Cards:	2023	2024
Total # of Library Card Holders	9,261	9,657

Interlibrary Loans/SIRSI Holds:	2023	2024
# of ILL Requests made (OCLC/MelCat)	118	229
# of ILL Requests filled by ACL	121	99
SIRSI Holds made by Alpena Users (lending)	664	516
SIRSI Requests filled from ACL (borrowed)	573	546

Internet Usage:	2023	2024
Public Computers Usage	803	1,087
Wifi Usage		4,070
Year to Date	6,030	34,129

In-House Information Services:	2023	2024
# of Information Transactions	156	290
Special Collections Transactions	66	73

Year to Date	1,662	2,096
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Additions	Additions	Additions
Books (Books, Paperbacks & LP)	410	206
AV (CD/BKCD)	1	0
Objects	0	0
DVD	10	2
Magazines	50	49
TOTAL	471	257

Large Conference Room Uses:	Attendance	Attendance
General	2	78
Ages 0-5	2	0
Ages 6-11	4	23
Ages 12-18	2	8
Adult	1	19
Public Uses	3	35
TOTALS	14	163

Small Conference Room Uses:	Attendance	Attendance
General	8	36
Ages 0-5	2	9
Ages 6-11	1	5
Ages 12-18	2	16
Adult	7	15
Public Uses	4	28
Technical (individual) Help	14	20
Total	30	93

Outreach Programming	3	470
Library Visits		5,204
New Cards Issued		110

Special collections in-person use	114
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Social Media Stats

Facebook

Post Reach: (# of people who saw a post at least once)	20,998
Post Engagements: (# of Likes, Comments, and Shares)	342

Instagram		
Total Posts:		124
Total Stories:		12

Patron Area	# Checkouts
Alpena-City	2,404
Alpena-Twn	1,536
Greene-Twn	108
Long-Rapid	102
MapleRidge	106
Ossineke	185
Other	284
Sanborn	76
Wellington	1
Wilson	207

Lansing
313 S Washington Square
Lansing MI 48933

Detroit
333 W Fort Street – Suite 1400
Detroit MI 48226

Walter S. Foster
1878-1961
Richard B. Foster
1908-1996
Theodore W. Swift
1928-2000
John L. Collins
1926-2001

Webb A. Smith - *Retired*

Charles A. Janssen
Charles E. Barbieri
Scott L. Mandel
Michael D. Sanders
Brent A. Titus
Bnan G. Goodenough
Matt G. Hrebec
Deanna Swisher

Thomas R. Meagher
Douglas A. Mielock
Scott A. Chernich
Paul J. Millenbach
Dirk H. Beckwith
Brian J. Renaud
Lynwood P. VandenBosch
Lawrence Korolewicz
James B. Doezema
Anne M. Scuryneck
Michael D. Homer
Scott H. Hogan
Benjamin J. Price
Michael R. Blum
Jonathan J. David
Andrew C. Vredenburg
Julie I. Fershtman
Todd W. Hoppe
Jennifer B. Van Regenmortel

Southfield
28411 Northwestern Highway – Suite 500
Southfield MI 48034

Holland
151 Central Avenue – Suite 260
Holland MI 49423

Thomas R. TerMaat
Frederick D. Dilley
David R. Russell
Joel C. Farrar
Laura J. Genovitch
Karl W. Butterer, Jr.
Minda M. Johnson
Ray H. Littleton, II
Jack L. Van Coevering
Anna K. Gibson
Nicholas M. Oertel
Alicia W. Brach
Adam A. Fadly
Michael J. Liddane
Ryan E. Lamb
Clifford L. Hammond
Matthew S. Fedor
Andrea Badalucco
Siefania Gismondi

Leslie A. Abdo
Julie L. Hamlet
Michael C. Zahrt
Mark T. Koerner
Warren H. Krueger III
Taylor A. Gast
Rachel G. Olney
Thomas K. Dillon
Robert A. Hamor
Jacquelyn A. Dupler
Dora A. Brantley
James F. Anderson, V
Sara L. Cunningham
Michael A. Cassar
Alexander S. Rusek
Steven J. Tjapkes
Erica E. L. Huddas
Jennifer L. Montastr
Bryan Cermak

Mikhail Murshak
Kevin J. Roragen
Courtney G. Agrusa
Rachael Kuilema Klein
Michael R. Kluck
Gabrielle C. Lawrence
Kelly Reed Lucas
Paula K. Manis
James R. Neal
Michael G. Oliva
Michael H. Rhodes
Jeffrey S. Theuer
Amanda J. Demovshek
Brandon M. H. Schumacher
Alaina M. Nelson
Anthony M. Dalimonte
Benjamin C. Dilley
Nicholas J. Stock, II
Keith T. Brown

Grand Rapids
1700 E. Beltline NE – Suite 200
Grand Rapids MI 49525

Mallory E. Reader
Benjamin M. Williams
Brandon W. Waddell
Reed K. Powers
Dina D. Kashat
Danielle N. Romano
Lindsey M. Mead
Destiny R. Sykes
Nathan J. Wood
Samantha L. Diamond
McKenna S. Rivers
Melanie A. Assad
Matthew C. Murray

Writer's Direct Phone: 616.726.2240

Fax: 517.367.7196

Reply To: Grand Rapids

Email: ASeuryneck@fosterswift.com

September 4, 2024

Jessica Luther
Library Assistant Director
Alpena County George N. Fletcher Public Library
211 N. First Avenue
Alpena, MI 49707

Re: FOIA Policy Documents

Dear Jessica:

Please find attached the revised FOIA policies we discussed. I have included a "board ready" version with all the exhibits attached and also a word version of each document. Please note the following:

1. We have filled in the contact information based on your current policies and information provided. If there are any changes, please let us know. The Library will have an ongoing obligation to update contact information or links that are contained in both the Procedures and Guidelines and Written Public Summary.
2. Once the Procedures and Guidelines and Written Public Summary are approved, you must post both documents on your website. Also, when responding to FOIA requests, you will be required to either provide copies or a link to the website where the documents can be viewed. So, having the documents on your website will save you from making copies for each request.

Jessica Luther
September 4, 2024
Page 2

Sincerely,

FOSTER SWIFT COLLINS & SMITH PC

Anne M. Seuryneck

Anne M. Seuryneck

AMS:als

ALPENA COUNTY GEORGE N. FLETCHER PUBLIC LIBRARY

**RESOLUTION TO APPROVE FOIA PROCEDURES AND GUIDELINES,
A WRITTEN PUBLIC SUMMARY AND DETAILED ITEMIZATION**

At a regular meeting of the Library Board of the Alpena County George N. Fletcher Public Library ("Library"), Alpena County, Michigan, held at the Library on the ___ day of _____, 2024 at _____ p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and seconded by _____.

WHEREAS, the Library is a public body as defined by the Michigan Freedom of Information Act, 1976 PA 442, as amended ("FOIA");

WHEREAS, in the performance of its function as trustees for the Library, it is necessary and appropriate for the Library Board to establish and adopt policies for the operation of the Library;

WHEREAS, pursuant to Section 4(4) of the FOIA, the Library shall establish procedures and guidelines to implement the FOIA and shall create a written public summary regarding how to submit written requests to the Library and explaining how to understand the Library's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal;

NOW THEREFORE, the Library Board of the Alpena County George N. Fletcher Public Library, Alpena County, resolves as follows:

1. The Library shall make the Procedures and Guidelines publicly available by providing free copies of the Procedures and Guidelines and its Written Public Summary both in the Library's response to a written request (or may include the website link to the documents in lieu of providing paper copies in its response to a written request) and upon request by visitors at the Library.

2. The Library shall post and maintain the Procedures and Guidelines and Written Public Summary on its website.

Exhibit A

FOIA – Procedures and Guidelines

ALPENA COUNTY GEORGE N. FLETCHER PUBLIC LIBRARY

FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES

I. PURPOSE.

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

II. FOIA COORDINATOR.

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

III. REQUEST REQUIRED.

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

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

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

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

a. By mail or in person:

Alpena County George N. Fletcher Public Library
Attn: FOIA Coordinator
Address: 211 N. First Avenue
Alpena, Michigan 49707

b. By e-mail: dgreenacre@alpenalibrary.org

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

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

a. the requesting person's complete name, address, and contact information, and

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

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

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

a. Electronic Transmissions. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the Library's FOIA coordinator until 1 business day after the electronic transmission is made.

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

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

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

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

IV. PROCEDURES FOR RESPONDING TO WRITTEN FOIA REQUESTS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

V. FEES.

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

A. *Labor Costs:*

1. Searching for, Locating and Examining.

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

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

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

2. Separating and Deleting Exempt from Non-Exempt:

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

b. If the Library does not employ a person capable of separating and deleting exempt information from non-exempt information in the particular instance, it may treat necessary contracted labor costs used for the separating and deleting of exempt information from non-exempt

information in the same manner as employee labor costs when calculating charges under this subdivision if all of the following occur:

- 1) The Library's FOIA Coordinator determines on a case-by-case basis that the Library does not employ a person capable of separating and deleting exempt information from non-exempt information.
 - 2) The Library clearly notes the name of the contracted person or firm on the Detailed Itemization.
 - 3) Total labor costs calculated for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate.
- c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.
- d. The Library shall not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the Library's possession.
- e. If the Library directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from this labor charge.

3. Duplication or Publication Labor Charges.

- a. The Library may charge labor costs for duplication and publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on nonpaper physical media or through the internet or other electronic means as stipulated by the requestor.
- b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of necessary duplication or publication in the particular instance, regardless of whether that person is available or who actually performs the labor.
- c. Labor costs shall be estimated and charged in increments of one (1) minute, with all partial time increments rounded down.

4. Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe

benefits if it clearly notes the percentage multiplier used to account for benefits in the Detailed Itemization. Subject to the 50% limitation, the Library shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits.

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

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

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

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

B. *Other Costs.*

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

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

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

2. Costs for Providing Paper Copies.

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

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

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

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

3. Mailing Costs.

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

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

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

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

VI. DEPOSIT.

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

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

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

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

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

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

VII. WAIVER OR REDUCTION OF FEES.

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

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

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

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

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

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

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

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

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

B. *Public Interest Reduction or Waiver.* The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

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

1. Reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if either of the following applies:

- a. The late response was willful and intentional.
- b. The written request:
 - (i) included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or
 - (ii) specifically included the words, characters, or abbreviations for “freedom of information”, “information”, “FOIA”, “copy”, or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.

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

VIII. INSPECTION.

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

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

IX. CERTIFIED COPIES.

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

X. APPEALS.

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

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

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

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

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

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

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

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

a. Waive the fee.

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

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

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

XI. CIVIL ACTION.

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

1. Civil Action After Appeal: If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action within 180 days after the Library's final determination to deny a request.

2. Civil Action Directly After Denial. A requestor may also commence a civil action in the circuit court to compel the Library's disclosure of the public records within 180 days after the Library's final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.

3. Remedies; Fines. If the court determines a public record is not exempt from disclosure, it shall order the Library to cease withholding or to produce all or a portion of a public record wrongfully withheld. If the person prevails, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or Library prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines that the Library has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the Library to pay a civil fine of \$1,000.00 and shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00.

B. *Civil Action Regarding Fees.*

1. Civil Action After Appeal. A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) made a determination on a written appeal. A requestor must submit an appeal to the Library Board for a fee reduction before commencing a civil action. If a civil action is commenced against the Library, the Library is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. This action must be filed within 45 days after receiving notice of the determination of an appeal to the Library Board.

2. Remedies; Fines. If the requesting person prevails by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines the Library has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the Library to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or

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

XII. FOIA RECORD RETENTION.

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

XIII. PUBLICATION AND NOTIFICATION OF PROCEDURE AND GUIDELINES.

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

XIV. SEVERABILITY; ENFORCEABILITY.

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

XV. EFFECTIVE DATE.

These Procedures and Guidelines shall become effective upon approval.

Exhibit B

FOIA – Written Public Summary

ALPENA COUNTY GEORGE N. FLETCHER PUBLIC LIBRARY

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

The Alpena County George N. Fletcher Public Library ("Library") adopts this written public summary pursuant to the requirements of Section 4(4) of the Michigan Freedom of Information Act, 1976 PA 442 ("FOIA") so that the public will understand the Library's Procedures and Guidelines for processing FOIA requests. This is a summary of the Procedures and Guidelines. A complete copy of the Procedures and Guidelines is available at the Library located at 211 N. 1st Avenue, Alpena, Michigan 49707, or on the website at www.alpenalibrary.org.

A. How Can I Request a Public Record?

- A person (except those persons incarcerated in state, county or federal correctional facilities), may request public records.
- The requestor must send a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission. The requests should be directed to the FOIA Coordinator. The contact information is as follows:

Alpena County George N. Fletcher Public Library
Attn: FOIA Coordinator
211 N. 1st Avenue
Alpena, MI 49707

E-Mail: dgreenacre@alpenalibrary.org

- A request from a person must include (unless the request is from an individual who qualifies as indigent) the person's complete name, address (in compliance with United State Postal Service standards), and contact information, and if made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual. Contact information must include a valid telephone number or electronic mail address.
- The requestor will not be required to use a specific form or format, but requests must identify the public record sufficiently to allow the Library to find the requested record.
- The Library may, but is not required to, respond to a verbal request. However, if the Library believes the information is available on its website, the Library will inform the requestor of the website location where practicable and to the best of his or her knowledge.

B. When Can I Expect a Response?

- Unless otherwise agreed to in writing, the Library will respond or seek a deposit within 5 business days after it receives the request. However, the Library may extend that time period by 10 business days.

- Please keep in mind that a request sent by e-mail or other electronic means is not considered received until 1 business day after it is transmitted. If the request is sent to a spam or junk mail folder, it is not considered received until 1 day after it is discovered.

C. How Can I Understand the Response?

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

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

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

E. What Fees Will the Library Charge?

- The FOIA Coordinator will provide a detailed itemization of costs.
- For labor costs, the fee shall not exceed the sum of the following components:
 - Hourly Wage. The Library will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records; separating and deleting exempt information from non-exempt information; and for duplication and publication regardless of whether that person is available or who actually performs the labor, except if the Library does not employ a person capable of separating and deleting exempt information from non-exempt information, it may treat necessary contracted labor costs for that purpose

in the same manner as employee labor costs but may not exceed 6 times the State minimum hourly wage.

- Time Increments: The fee will be charged in fifteen (15) minute increments, with all partial time rounded down, except the labor fee for duplication and publication, which shall be charged in one (1) minute increments.
 - Determination of Unreasonably High Labor Costs. The fee for searching for, locating and examining public records and separating exempt information from non-exempt information (including redacting) will not be charged, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs.
 - Overtime. Overtime wages shall not be included unless agreed to by the requestor.
 - Description of Charge. The detailed itemization will include both the hourly wage and the number of hours charged.
 - Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount (but may not exceed actual costs) to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits, unless a requestor wants records that are available on the website. In which case, the fringe benefit multiplier can be greater than the 50% limitation.
- For public records provided to the requestor on nonpaper physical media (discs, flash drives, e-mails), the Library may charge the actual and most reasonably economical cost of the media.
 - For paper copies, the Library may charge the actual total incremental cost of necessary duplication or publication not to exceed \$.10 per page (single or double sided) for 8½ by 11 inch paper or 8½ by 14 inch paper. The Library will charge the actual cost of copies made on paper of a different size. The Library will use double-sided printing, if cost saving and available.
 - The Library may charge the actual cost of mailing and the least expensive form of postal delivery confirmation.

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

- The Library may require a good-faith deposit of ½ of the estimated fee if the entire fee estimate or charge authorized under the FOIA exceeds \$50.00, based on a good-faith calculation of the total estimated fee.
- The Library will also provide a best efforts, nonbinding estimate of the time frame it will take the Library to provide the public records to the requestor.
- If the Library has granted a prior request but has not been paid in full, the Library may require a deposit of up to 100% of the estimated fee if all of the following apply:
 - The final fee for the prior written request was not more than 105% of the estimated fee.
 - The public records made available contained the information being sought in the prior written request and are still in the Library's possession.

- The public records were made available to the individual, subject to payment, within the time frame estimate described Section 4(7) of the FOIA.
- Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
- The individual is unable to show proof of prior payment to the Library.
- The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

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

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

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

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

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

- If a requestor desires to appeal all or part of a decision to deny a request, the requestor must submit to the Alpena County George N. Fletcher Public Library Board (“Library Board”) a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial.
- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by reversing the disclosure denial, upholding the denial, revising in part and upholding in part the denial or issuing a 10 business day extension.

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

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

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

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

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

- A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) issued a determination of a written appeal. This action must be filed within 45 days after receiving notice of the

determination of an appeal to the Library Board. The requester must file an appeal for a fee reduction before commencing a circuit court action.

- If a person prevails in an action by receiving a reduction of 50% or more of the total fee, the court may award all or a portion of the reasonable attorneys' fees. If the court determines FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$500.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

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Exhibit C

FOIA – Detailed Itemization Sheet

ALPENA COUNTY GEORGE N. FLETCHER PUBLIC LIBRARY DETAILED ITEMIZATION

LABOR CHARGES	
<p>A. Cost for Searching for, Locating and Examining of Public Records</p> <p>1. <i>Determination of Hourly wage:</i> \$ _____ \$ _____ (Employee 2 ("E2"), if applicable) \$ _____ (Employee 3 ("E3"), if applicable)</p> <p><input type="checkbox"/> Hourly wage includes a fringe benefit percentage multiplier of _____ %</p> <p>2. <i>Determination of total time using increments of 15 minutes with partial time rounded down:</i> _____ hours; E2 _____; E3 _____.</p> <p>The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons: _____ _____</p>	<p>Hourly wage: \$ _____ \$ _____ (E2) \$ _____ (E3)</p> <p>Total time: _____ hours _____ hours (E2) _____ hours (E3)</p> <p>A. Total Fee (hourly wage x total time): \$ _____</p>
<p>B. Cost for Separating Exempt Information, including Redaction of Documents.</p> <p>1. <i>For employees, determination of the Hourly wage:</i> \$ _____ \$ _____ (Employee 2 ("E2"), if applicable) \$ _____ (Employee 3 ("E3"), if applicable)</p> <p><input type="checkbox"/> Hourly wage includes a fringe benefit percentage multiplier of _____ %</p> <p>2. <i>Determination of total time using increments of 15 minutes with partial time rounded down.</i> _____ hours; E2 _____; E3 _____.</p> <p>The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons: _____ _____</p> <p>2. <i>For Contracted Labor Costs:</i> <input type="checkbox"/> The FOIA Coordinator has determined that the Library does not employ a person capable of deleting exempt information from non-exempt information in the particular instance and the work is being performed by the following person or firm: _____</p>	<p>Hourly wage: \$ _____ \$ _____ (E2) \$ _____ (E3)</p> <p>Total time: _____ hours _____ hours (E2) _____ hours (E3)</p> <p>B1. Total Fee (hourly wage x total time): \$ _____</p>

<p>a. Determination of the Hourly wage:</p> <p>The hourly wage of the contracted labor (not to exceed 6 times the State of Michigan minimum hourly wage): \$_____</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down. _____ hours.</p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons:</p> <p>_____</p> <p>_____</p>	<p>Contracted labor hourly wage: \$_____</p> <p>Contracted labor hours: _____ hours</p> <p>B.2 Total Fee for contracted labor (hourly wage x hours): \$_____</p>
<p>C. Cost for Duplication and Publication.</p> <p>1. Determination of the Hourly wage: \$_____</p> <p><input type="checkbox"/> Hourly wage includes a fringe benefit percentage multiplier of _____%</p> <p>2. Determination of total time using increments of one (1) minute with partial time rounded down. _____ hours.</p>	<p>Hourly wage: \$_____</p> <p>Total time: _____ hours</p> <p>C. Total Fee (hourly wage x hours) \$_____</p>
Other Actual Costs	
<p>D. Costs for Paper Copies.</p> <p>The actual total incremental cost of necessary duplication and publication using the most economical means available:</p> <p>1. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper: \$_____ per sheet x _____ number of sheets = \$_____.</p> <p>2. Other paper sizes: \$_____ per sheet x _____ number of sheets = \$_____.</p>	<p>D. Total Fee (add totals for all sizes of paper): \$_____</p>
<p>E. Costs for Nonpaper Physical Media.</p> <p>The actual and most reasonably economical cost of the computer disc, flash drives, computer tape or other similar media: \$_____ per item x _____ number of items .</p>	<p>E. Total Fee: \$_____</p>
<p>F. Cost of Mailing:</p> <p>1. The actual cost of mailing: \$_____</p> <p>2. Fee for the least expensive postal delivery confirmation: \$_____</p> <p>3. Costs for the envelope or box for mailing \$_____.</p> <p><input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.</p>	<p>F. Total Fee: (add all 3 costs): \$_____</p>
<p>Total Fee (If No Deposit) Fee paid on: _____</p>	

Deposit Required		
<input type="checkbox"/> The Library requires a deposit of \$ _____ (1/2 of the estimated fee) and this total estimated fee exceeds \$50.00. <input type="checkbox"/> The Library requires a deposit of \$ _____ (100% of the estimated fee) because this request meets the statutory requirements for failing to pay for prior requests under Section 4(11) of the FOIA. The deposit must be received on or before _____. If the deposit is not received by this date, the request will be considered abandoned.	Deposit Amount: \$ _____ Deposit Paid on _____	
Total Fee \$ _____ - Deposit Amount \$ _____ = Remaining Fee Due of \$ _____ Fee Paid on _____	Total Fee Due: \$ _____	

Costs for Providing Documents Available on the Website		
The Library has notified the requestor in its written response that all or a portion of the requested information is available on its website. The Library has determined that the detailed itemization of the cost of the information that is available on the website is \$ _____.	Total Fee: _____	

Reductions for Late Response		
Reduction for Late Response: If the Library does not respond to a written request in a timely manner, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction. _____ days x 5% of labor costs = \$ _____	Subtract \$ _____ of labor charges (up to 50% of labor costs).	



Alpena County George N. Fletcher Public Library

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www.alpenalibrary.org

At a regular meeting of the board of the Alpena County George N. Fletcher Public Library held on the 18th day of September 2024 at 4:30 PM Eastern time at the Alpena County George N. Fletcher Public Library in Alpena, Michigan, there were:

Present:

Absent:

The following preamble and resolution is offered by _____ and seconded by _____.

In order to make a schedule bond payment due November 1, 2024, the Library Board of the Alpena County George N. Fletcher Public Library hereby authorizes the Treasurer of Alpena County to transfer \$27,625 from the Library General Fund to the Building Authority of Alpena County.

YES:

NO:

The Resolution was declared adopted

The undersigned, being the duly qualified Director of the Alpena County George N. Fletcher Public Library, certifies that the foregoing is a true and complete copy of a resolution duly adopted by this board at a regular meeting held on the 18th day of September 2024, at which a quorum was present and remained throughout and that an original thereof is on file in the records of this Board. I further certify the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or been made available as required thereby.

Interim Library Director

DATED: September 18, 2024