

Staffeldt, Darlene

From: Strege, Karen
Sent: Wednesday, November 14, 2001 8:46 AM
To: Zeeck, Kathleen
Cc: Staffeldt, Darlene; Cooper, Bob
Subject: FOLN & Jefferson County Library Board

Kathleen,

I will send a signed copy of this memo to the library, to your attention, today.



Contract
comments.doc

Karen

Karen Strege
Montana State Librarian
406-444-3115
<mailto:kstrege@state.mt.us>

To: Jefferson County Library Board
From: Karen Strege, Montana State Librarian
Re: Contract questions
Date: November 14, 2001

The Montana State Library (MSL) offers the following as general guidance to the Board of the Jefferson County Library (Board). For specific legal advice, MSL urges the Board to use the services of the County Attorney.

Background

The following is MSL's understanding of the events preceding the Board's request for review of the proposed contract.

A group of individuals, Friends of the Library North, (FOLN) who represent the residents in the North end of Jefferson County (Clancy through Montana City) have advocated to the Board to provide library services to this area of Jefferson County. A volunteer community library operated by FOLN opened at the Clancy School earlier this year. The Board has a line item in its budget for North end services.

In late summer, the FOLN came to the Board asking for financial assistance with their community library effort. The Board indicated they would try to help, but needed to know specifically what FOLN needed.

At the September meeting of the Board, the FOLN presented the Board with a list of items they wanted the Board to help them purchase. A proposed letter of agreement based on a service agreement from Flathead County Library and Lakeside Community Library was also produced by the FOLN.

At the October meeting, the Board indicated a willingness to pay for specific line items for FOLN. However, no vote authorizing these expenditures was taken. Apparently, the FOLN left that meeting believing it had the Board's permission to set up accounts with local businesses and begin purchasing items from the list. The Board did not provide direction of how to handle submission of receipts or invoices or select vendors.

At the November meeting of the Board, discussion centered around what was needed in the form of a written agreement between the Board and the FOLN and what procedures must be followed for using county library funds for the community library in Clancy. Once again, the Board did not vote to authorize the expenditure of any funds through FOLN. The Board Chair indicated she wanted time to consult with State Library to determine how the Board should best proceed with this matter.

Guidance

The Board provided MSL with a copy of the draft proposal from FOLN. The proposal consists of six pages, including a cover sheet. MSL asked its attorney if the Board could contract with FOLN.

The attorney replied that the Board has the legal right to contract (MCA 22-1-309 (3)) for library services (emphasis added) with regions, counties, cities, school districts, educational institutions, the

state library, and other libraries to give and receive library service. According to MSL's attorney, this statute does not authorize the Board to contract with volunteer groups, such as FOLN.

Although the Board cannot contract with FOLN to provide library services, the Board has the authority to provide library services to the residents of the County. If the Board decides to allocate funding to the library in the North end, they might consider doing so on a one-year trial period and evaluating the service at the end of one year. Such a project needs to be carefully planned, implemented, and evaluated. We suggest that the Board pay special attention to the following elements.

Evaluation criteria. The Board should decide on how to measure the success of the project to inform future decisions regarding library services in the North end. Traditionally, Boards measure library services by tracking use, including how many residents use the library, how many materials are loaned or used in-house, how many people attend special programming, and how many reference questions the staff answers. This are just a few of the measures commonly used. We recommend that the Board choose the measures that will give members information about the community library's use by and value to Jefferson County residents.

Ownership of Assets. Because the Board is expending public funds, the assets purchased through these funds are the property of the Jefferson County Library Board.

Professional Assistance. We applaud the dedication of the FOLN and the Board for considering the expansion of library services in Jefferson County. However, library services are governed and guided by complex set of procedures, policies, and laws. The Board should make sure that professional practices and standards are used in the selection of library materials and supplies and in the provision of library services.

MSL understands that FOLN members have made purchases for the North end library. We suggest that the Board authorize payment of these bills through the normal procedures and treat such purchases as property of the County Library.

Please contact Bob Cooper or me should you have any questions about this guidance.

Staffeldt, Darlene

From: Zeeck, Kathleen
Sent: Wednesday, November 14, 2001 9:19 AM
To: Strege, Karen
Cc: Staffeldt, Darlene; Cooper, Bob
Subject: RE: FOLN & Jefferson County Library Board

Thank you so much for your help. I will be meeting tonight with the Board. I will share this with them. You are wonderful!

-----Original Message-----

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