

# AGENDA

Henika District Library  
Board of Trustees Meeting  
March 14th, 2023 at 6:30 pm

## **I. Call to Order**

Members Present:

Members Absent:

Staff Present:

Guests:

## **II. Approval of Agenda (M)**

## **III. Community Opportunity to Address the Board**

## **IV. Approval of Meeting Minutes**

- A. February 2023 Regular Meeting Minutes (M)

## **V. Financial Reports**

- A. February 2023

- Approval of Paid Bills (M)
- Credit Card Detail Report
- YTD Budget vs Actual
- United Bank Accounts Overview

## **VI. Director's Report**

- A. Monthly Statistics
- B. Youth Report
- C. Adult Report
- D. Circulation Report

## **VII. Committee Reports**

- A. Building and Grounds Committee 3/13

## **VIII. Unfinished Business**

- A. Jay's Metal Art Proposal (M)

## **IX. New Business**

- A. Reconsideration Policy (M)
- B. FOIA Policy (M)
  - a. Resolution 2023-3

## **XI. Around the table**

## **XII. Adjournment**

Henika District Library  
Meeting Minutes

Henika District Library  
Board of Trustees Meeting  
February 21, 2023 at 6:30 pm

**Members Present:** Meghan Augustin, Suzy Byville, Tami Fryling, Jacqui Kuhn, Sara LeFevre, Gary Marsh, Maria Musgrave, Danielle Simmons

**Members Absent:** None

**Staff Present:** Cierra Bakovka – Director

**Guests:** None

- I. Call to Order: Meeting called to order at 6:33 pm by Augustin.
- II. Approval of Agenda motioned by Musgrave and seconded by LeFevre. All yes, motion passed.
- III. Community Opportunity to Address the Board: No update provided.
- IV. Approval of January 2023 Regular Meeting Minutes motioned by Marsh and seconded by Fryling. All yes, motion passed.
- V. Financial Reports for January 2023
  - a. Credit Card Detail Report was reviewed. The \$120 charge from Wix is for the yearly renewal of the website. Most of the other charges were for programming expenses.
  - b. YTD Budget vs. Actuals was reviewed.
  - c. United Bank accounts were reviewed.
  - d. Approval of paid bills motioned by Marsh and seconded by Augustin. All yes, motion passed.
- VI. Director's Report
  - a. The rest of the mobile shelving arrived for the youth department. The annual audit happened on February 8; still waiting for full report. Staff is beginning to plan for summer reading, which will be a theme of "all together now" (60s/70s/hippie theme). Bakovka has not yet heard back from the Allegan Community Foundation in regards to the AED grant. Bakovka has also applied for a grant through the American Hospital Foundation in case the other one does not work out. Bakovka and Faith are registered for the ALA conference in Chicago. Sarah will be due for her 90-day evaluation in early March.

- b. Monthly Statistics were reviewed. The door count was up about 1500 from last January. There were 541 total program attendees, up almost 300 from last January.
- c. The Youth Services report was reviewed. Behavior has been an issue at after school art; Becky has tried a social contract and will try eliminating snacks. A suggestion was made to partner with Wayland Union Schools, potentially offering NHS volunteer hours for teens interested in helping during the busy after school art days. A Community in Action playgroup was offered, will try again in the future. Becky is supplying sock bear kits to students at the high school. STEM kits are now available to be checked out.
- d. The Adult Services report was reviewed. Cat Café continues to be incredibly popular. A series of informal Spanish lessons was offered by a Spanish-speaking library patron; may investigate trying again with a different time offering. Faith is back to offering programs at Green Acres and was interviewed for a spotlight on their Facebook page. Spice club will be held next month, featuring turmeric. Henika has been awarded a Library of Michigan mini grant for acting as a stop on the 2023 Notable Books Author Tour; date not set yet.
- e. The Circulation report was reviewed. Special collection circulation has doubled since 2019 and games are circulating four times more than 2019. Twenty new library cards were added last month. Adult print, tween, juvenile print, games, and special collection circulation are all up.

VII. Committee Reports

- a. Building and Grounds Committee 2/6
  - i. Made a draft wants vs. needs list. Will plan to meet again soon.

VIII. Unfinished Business: no unfinished business.

IX. New Business

- a. Budget Amendment #1
  - i. The amendment will fix a mathematical error, combine Copies and Faxes line items into one line item, and make small adjustments to various line-item amounts.
  - ii. Adoption of Budget Amendment #1 as presented motioned by Augustin and seconded by Musgrave. A roll call vote was conducted. All yes, motion passed.
    - 1. Simmons YES
    - 2. Marsh YES
    - 3. Musgrave YES
    - 4. LeFevre YES
    - 5. Byville YES
    - 6. Fryling YES
    - 7. Augustin YES

8. Kuhn YES

- b. Jay's Metal Art Proposal: The artist who made the read/learn/explore art piece out front wants to add additional words to it. He has also offered to permanently loan the art piece previously displayed at McDuff's to display on the outside of the building. Tabled until more information is available.

X. Around the Table

- a. Simmons thought the Lonely Hearts Killers presentation was really good.
- b. Marsh is anxious to have another finance committee meeting, need information from building and grounds committee to make progress on finances.
- c. Musgrave is impressed with the number of kids coming for after school art; while happy it is being utilized, it should not be a care system. Opening our eyes that there is a need for after school activities in the community, also a need for space.
- d. LeFevre loves the new STEM boxes, thinks the youth area looks great, and loves the staff being involved in the community. Was hoping to come to the Spanish lessons; Bakovka working with Faith to determine whether to revamp and offer again. Planning committee to meet before April board meeting. Planning to connect with Aviv to see if he is interested in heading FOTL.
- e. Bakovka shared that there are plans for a library advocacy day at the state capitol in April to talk about library issues (book challenges, funding, etc) and expressed interest in participating.
- f. Byville had nothing to add. Building committee to plan next meeting.
- g. Fryling shared that her granddaughter went to a Griffin's game with her father using the summer reading prize tickets; Griffins won, so they get to go to another game for free!
- h. Augustin is enjoying the new furniture and loves how it can be moved for different activities. Really hoping the situation with Pine Street kids can be figured out; feels bad that it is falling onto Henika's shoulders. Will plan next building committee meeting.
- i. Kuhn praised the staff and hopes there is a solution found for helping the staff manage the behavior of unsupervised children in the library.

- XI. Adjournment of the meeting motioned by Augustin and seconded by Kuhn. Meeting adjourned at 7:57 pm.



February 2023 Statement

Open Date: 01/14/2023 Closing Date: 02/13/2023

Account: [REDACTED]



Visa® Business Cash Card  
HENIKADISTRICTLIBRARY [REDACTED]

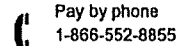
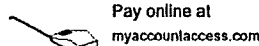
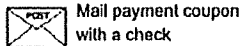
Cardmember Service ( 1-866-552-8855  
BUS 30 ELN 8 9

|                            |                   |
|----------------------------|-------------------|
| <b>New Balance</b>         | <b>\$1,329.73</b> |
| <b>Minimum Payment Due</b> | <b>\$14.00</b>    |
| <b>Payment Due Date</b>    | <b>03/10/2023</b> |

|                            |                          |
|----------------------------|--------------------------|
| <b>Activity Summary</b>    |                          |
| Previous Balance           | + \$448.57               |
| Payments                   | - \$448.57 <sup>CR</sup> |
| Other Credits              | \$0.00                   |
| Purchases                  | + \$1,329.73             |
| Balance Transfers          | \$0.00                   |
| Advances                   | \$0.00                   |
| Other Debits               | \$0.00                   |
| Fees Charged               | \$0.00                   |
| Interest Charged           | \$0.00                   |
| <b>New Balance</b>         | <b>= \$1,329.73</b>      |
| <b>Past Due</b>            | <b>\$0.00</b>            |
| <b>Minimum Payment Due</b> | <b>\$14.00</b>           |
| Credit Line                | \$15,500.00              |
| Available Credit           | \$14,170.27              |
| Days in Billing Period     | 31                       |

|  |        |
|--|--------|
| <b>Reward Points</b>                   |        |
| Earned This Statement                  | 1,498  |
| Reward Center Balance                  | 14,767 |
| as of 02/13/2023                       |        |
| For details, see your rewards summary. |        |

Payment Options:



Please detach and send coupon with check payable to: Cardmember Service CPN 001910551



24-Hour Cardmember Service: 1-866-552-8855

- ( to pay by phone
- ( to change your address

|                     |            |
|---------------------|------------|
| Account Number      | [REDACTED] |
| Payment Due Date    | 3/10/2023  |
| New Balance         | \$1,329.73 |
| Minimum Payment Due | \$14.00    |

Amount Enclosed \$ \_\_\_\_\_

HENIKADISTRICTLIBRARY  
ACCOUNTS PAYABLE  
149 S MAIN ST  
WAYLAND MI 49348-1208

Cardmember Service  
P.O. Box 790408  
St. Louis, MO 63179-0408

### What To Do If You Think You Find A Mistake On Your Statement

If you think there is an error on your statement, please call us at the telephone number on the front of this statement, or write to us at: Cardmember Service, P.O. Box 6335, Fargo, ND 58125-6335.

In your letter or call, give us the following information:

- ▶ Account information: Your name and account number.
- ▶ Dollar amount: The dollar amount of the suspected error.
- ▶ Description of Problem: If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake. You must contact us within 60 days after the error appeared on your statement. While we investigate whether or not there has been an error, the following are true:
  - ▶ We cannot try to collect the amount in question, or report you as delinquent on that amount.
  - ▶ The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
  - ▶ While you do not have to pay the amount in question, you are responsible for the remainder of your balance.
  - ▶ We can apply any unpaid amount against your credit limit.

### Your Rights if You Are Dissatisfied With Your Credit Card Purchases

If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase.

To use this right, all of the following must be true:

1. The purchase must have been made in your home state or within 100 miles of your current mailing address, and the purchase price must have been more than \$50. (Note: Neither of these are necessary if your purchase was based on an advertisement we mailed to you, or if we own the company that sold you the goods or services.)
2. You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify.
3. You must not yet have fully paid for the purchase.

If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at: Cardmember Service, P.O. Box 6335, Fargo, ND 58125-6335. While we investigate, the same rules apply to the disputed amount as discussed above. After we finish our investigation, we will tell you our decision. At that point, if we think you owe an amount and you do not pay we may report you as delinquent.

### Important Information Regarding Your Account

**1. INTEREST CHARGE: Method of Computing Balance Subject to Interest Rate:** We calculate the periodic rate or interest portion of the INTEREST CHARGE by multiplying the applicable Daily Periodic Rate ("DPR") by the Average Daily Balance ("ADB") (including new transactions) of the Purchase, Advance and Balance Transfer categories subject to interest, and then adding together the resulting interest from each category. We determine the ADB separately for the Purchases, Advances and Balance Transfer categories. To get the ADB in each category, we add together the daily balances in those categories for the billing cycle and divide the result by the number of days in the billing cycle. We determine the daily balances each day by taking the beginning balance of those Account categories (including any billed but unpaid interest, fees, credit insurance and other charges), adding any new interest, fees, and charges, and subtracting any payments or credits applied against your Account balances that day. We add a Purchase, Advance or Balance Transfer to the appropriate balances for those categories on the later of the transaction date or the first day of the statement period. Billed but unpaid interest on Purchases, Advances and Balance Transfers is added to the appropriate balances for those categories each month on the statement date. Billed but unpaid Advance Transaction Fees are added to the Advance balance of your Account on the date they are charged to your Account. Any billed but unpaid fees on Purchases, credit insurance charges, and other charges are added to the Purchase balance of the Account on the date they are charged to the Account. Billed but unpaid fees on Balance Transfers are added to the Balance Transfer balance of the Account on the date they are charged to the Account. In other words, billed and unpaid interest, fees, and charges will be included in the ADB of your Account that accrues interest and will reduce the amount of credit available to you. To the extent credit insurance charges, overlimit fees, Annual Fees, and/or Travel Membership Fees may be applied to your Account, such charges and/or fees are not included in the ADB calculation for Purchases until the first day of the billing cycle following the date the credit insurance charges, overlimit fees, Annual Fees and/or Travel Membership Fees (as applicable) are charged to the Account. Prior statement balances subject to an interest-free period that have been paid on or before the payment due date in the current billing cycle are not included in the ADB calculation.

**2. Payment Information:** We will accept payment via check, money order, the internet (including mobile and online) or phone or previously established automatic payment transaction. You must pay us in U.S. Dollars. If you make a payment from a foreign financial institution, you will be charged and agree to pay any collection fees added in connection with that transaction. The date you mail a payment is different than the date we receive the payment. The payment date is the day we receive your check or money order at Cardmember Service, P.O. Box 790408, St. Louis, MO 63179-0408 or the day we receive your internet or phone payment. All payments by check or money order accompanied by a payment coupon and received at this payment address will be credited to your Account on the day of receipt if received by 5:00 p.m. CT on any banking day. Payments sent without the payment coupon or to an incorrect address will be processed and credited to your Account within 5 banking days of receipt. Payments sent without a payment coupon or to an incorrect address may result in a delayed credit to your Account, additional INTEREST CHARGES, fees, and/or Account suspension. The deadline for on-time internet and phone payments varies, but generally must be made before 5:00 p.m. CT to 8 p.m. CT depending on what day and how the payment is made. Please contact Cardmember Service for internet, phone, and mobile crediting times specific to your Account and your payment option. Banking days are all calendar days except Saturday, Sunday and federal holidays. Payments due on a Saturday, Sunday or federal holiday and received on those days will be credited on the day of receipt. There is no prepayment penalty if you pay your balance at any time prior to your payment due date.

**3. Credit Reporting:** We may report information on your Account to Credit Bureaus. Late payments, missed payments or other defaults on your Account may be reflected in your credit report.



**Business Cash**

|   |        |
|---|--------|
| <b>Rewards Center Activity as of 02/13/2023</b> |        |
| Rewards Center Activity*                        | 0      |
| Rewards Center Balance                          | 14,767 |

\*This item includes points redeemed, expired and adjusted.

|  | This<br>Statement | Year<br>to Date |
|--|-------------------|-----------------|
| <b>Rewards Earned</b>                    |                   |                 |
| Points Earned on All Purchases           | 1,330             | 1,778           |
| 2 Extra Points - Telecom & Office Supply | 168               | 200             |
| 1 Extra Point - Restaurants & Gas        | 0                 | 5               |
| <b>Total Earned</b>                      | <b>1,498</b>      | <b>1,983</b>    |

**Important Messages**

Paying Interest: You have a 24 to 30 day interest-free period for Purchases provided you have paid your previous balance in full by the Payment Due Date shown on your monthly Account statement. In order to avoid additional INTEREST CHARGES on Purchases, you must pay your new balance in full by the Payment Due Date shown on the front of your monthly Account statement.

There is no interest-free period for transactions that post to the Account as Advances or Balance Transfers except as provided in any Offer Materials. Those transactions are subject to interest from the date they post to the Account until the date they are paid in full.

**Transactions** XXXXXXXXXX CIERRA Credit Limit \$15500

| Post Date                         | Trans Date | Ref # | Transaction Description                | Amount          | Notation     |
|-----------------------------------|------------|-------|--|-----------------|--------------|
| <b>Purchases and Other Debits</b> |            |       |  |                 |              |
| 01/20                             | 01/20      | 8386  | AMERLIBASSOC ECOMMERCE 866-746-7252 IL | \$175.00        | MEM'S Train  |
| 01/23                             | 01/21      | 0689  | WHENIWORK.COM WHENIWORK.COM MN         | \$20.00         | CS           |
| 01/24                             | 01/23      | 1901  | ZOOM.US 888-799-9666 WWW.ZOOM.US CA    | \$15.89         | CS           |
| 01/24                             | 01/24      | 7231  | AMERLIBASSOC ECOMMERCE 866-746-7252 IL | \$93.00         | MEM'S Train  |
| 01/30                             | 01/27      | 3147  | SQ *NB OUTLET Allendale Cha MI         | \$137.80        | YP           |
| 01/31                             | 01/30      | 0346  | WIX.COM 1-415-6399034 CA               | \$14.95         | Ad's Promo   |
| 02/01                             | 01/31      | 7428  | ZAZZLE INC 888-892-9953 CA             | \$28.13         | Ad's Promo   |
| 02/02                             | 02/01      | 2690  | STICKER MULE STICKERMULE.C NY          | \$68.00         | Ad's Promo   |
| 02/07                             | 02/06      | 6232  | DOLLAR TREE JENISON MI                 | \$9.28          | 6.25 AP      |
|                                   |            |       | <b>Total for Account</b>               | <b>\$562.05</b> | 303 Supp Pts |

**Transactions** XXXXXXXXXX FAITH Credit Limit \$2000

| Post Date                         | Trans Date | Ref # | Transaction Description                 | Amount   | Notation |
|-----------------------------------|------------|-------|---|----------|----------|
| <b>Purchases and Other Debits</b> |            |       |   |          |          |
| 01/23                             | 01/22      | 5235  | AMZN MKTP US*9J20H43Q3 AMZN.COM/BILL WA | \$132.98 | AP       |
| 01/27                             | 01/26      | 2591  | JOANN STORES*JOANN.COM 888-739-4120 OH  | \$4.50   | AP       |





February 2023 Statement 01/14/2023 - 02/13/2023  
 HENIKADISTRICTLIBRARY [REDACTED]

Cardmember Service ☎ 1-866-552-8855

**Transactions** [REDACTED] FAITH Credit Limit \$2000

| Post Date                           | Trans Date | Ref # | Transaction Description           | Amount          | Notation |
|-------------------------------------|------------|-------|-----------------------------------|-----------------|----------|
| 01/30                               | 01/28      | 3141  | HARDING'S MARKET #3 WAYLAND MI    | \$72.96         | AK       |
| 01/30                               | 01/28      | 4524  | DOLLAR-GENERAL #9954 WAYLAND MI   | \$28.69         | AK       |
| 01/31                               | 01/30      | 4663  | WALMART.COM 800-966-6546 AR       | \$133.13        | AK       |
| 02/01                               | 01/30      | 4138  | HARDING'S MARKET #3 WAYLAND MI    | \$1.09          | AK       |
| 02/01                               | 01/30      | 7470  | DOLLAR-GENERAL #9954 WAYLAND MI   | \$3.18          | AK       |
| 02/13                               | 02/10      | 0089  | GOODWILL INDUSTRIES GR JENISON MI | \$10.59         | AK       |
| <b>Total for Account</b> [REDACTED] |            |       |                                   | <b>\$387.12</b> |          |

**Transactions** [REDACTED] REBEKAH Credit Limit \$2000

| Post Date                           | Trans Date | Ref # | Transaction Description                | Amount          | Notation |
|-------------------------------------|------------|-------|--|-----------------|----------|
| <b>Purchases and Other Debits</b>   |            |       |  |                 |          |
| 01/19                               | 01/17      | 1170  | HARDING'S MARKET #3 WAYLAND MI         | \$10.47         | YK       |
| 01/19                               | 01/17      | 9353  | DOLLAR-GENERAL #9954 WAYLAND MI        | \$60.58         | YK       |
| 01/26                               | 01/24      | 2645  | HARDING'S MARKET #3 WAYLAND MI         | \$83.15         | YK       |
| 01/27                               | 01/26      | 3969  | JOANN STORES*JOANN.COM 888-739-4120 OH | \$49.82         | YK       |
| 02/03                               | 02/02      | 2901  | FAMILY DOLLAR #4630 WAYLAND MI         | \$26.65         | YK       |
| 02/09                               | 02/07      | 7932  | ELLISON EDUCATIONAL EQ 800-253-2238 CA | \$27.54         | YK       |
| 02/13                               | 02/12      | 0720  | MEIJER # 021 877-363-4537 MI           | \$119.79        | YK       |
| 02/13                               | 02/10      | 1603  | WAL-MART #2061 PLAINWELL MI            | \$2.56          | YK       |
| <b>Total for Account</b> [REDACTED] |            |       |  | <b>\$380.56</b> |          |

**Transactions** BILLING ACCOUNT ACTIVITY

| Post Date                           | Trans Date | Ref # | Transaction Description | Amount            | Notation |
|-------------------------------------|------------|-------|-------------------------|-------------------|----------|
| <b>Payments and Other Credits</b>   |            |       |                         |                   |          |
| 02/06                               | 02/05      | 0047  | PAYMENT THANK YOU       | \$448.57CR        |          |
| <b>Total for Account</b> [REDACTED] |            |       |                         | <b>\$448.57CR</b> |          |

| 2023 Totals Year-to-Date       |        |
|--------------------------------|--------|
| Total Fees Charged in 2023     | \$0.00 |
| Total Interest Charged in 2023 | \$0.00 |



## ACCOUNTANTS' COMPILATION REPORT

To The Board  
Henika District Library  
Wayland, MI

The Board is responsible for the accompanying financial statements of Henika District Library, a nonprofit organization, which comprise the Statement of Financial Position as of February 28, 2023, and the related Statements of Activities for the one month and two months then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by the Board. We do not express an opinion, a conclusion, nor provide any assurance on these financial statements.

The Board has elected to omit substantially all the disclosures ordinarily required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Henika District Library.

**Walker, Fluke & Sheldon, PLC**  
Hastings, Michigan  
March 2, 2023

**Henika District Library  
Statement of Financial Position  
As of February 28, 2023**

**ASSETS**

**Current Assets:**

|                                    |                 |
|------------------------------------|-----------------|
| Cash-Checking                      | \$ 251,722.45   |
| Cash-Savings                       | 504,196.20      |
| Certificate of Deposit - 740       | 52,127.35       |
| Certificate of Deposit - 090       | 5,364.04        |
| Certificate of Deposit - 104       | 5,364.04        |
| Certificate of Deposit - 112       | 5,364.04        |
| Certificate of Deposit - 120       | 5,364.04        |
| Certificate of Deposit - 139       | 5,364.04        |
| Certificate of Deposit - 344       | 1,021.39        |
| Building Fund 171                  | 3,076.46        |
| Savings - Building Fund            | 101,944.35      |
| Property Taxes Receivable          | 331,103.06      |
| Due from Other Units of Government | <u>2,072.78</u> |

**Total Current Assets**

**\$ 1,274,084.24**

**Total Assets**

**\$ 1,274,084.24**

Henika District Library  
Statement of Financial Position  
As of February 28, 2023

LIABILITIES AND NET ASSETS

**Current Liabilities:**

|                               |                   |
|-------------------------------|-------------------|
| Due to the Federal Government | \$ (205.95)       |
| Accrued Payroll               | 4,110.00          |
| Deferred Property Taxes       | <u>331,103.06</u> |

**Total Current Liabilities** \$ 335,007.11

**Net Assets:**

|                           |                   |
|---------------------------|-------------------|
| Fund Balance-Unrestricted | <u>762,554.00</u> |
|---------------------------|-------------------|

**Total Net Assets-Beginning** 762,554.00

Change in Net Assets 176,523.13

**Total Net Assets** 939,077.13

**Total Liabilities and Net Assets** \$ 1,274,084.24

**Henika District Library**  
**Statements of Activities**  
For the 1 Month and 2 Months Ended February 28, 2023

|                                | <u>Total Year<br/>Budget</u> | <u>1 Month Ended<br/>Feb. 28, 2023</u> | <u>2 Months Ended<br/>Feb. 28, 2023</u> | <u>Year-To-Date<br/>Variance</u> |
|--------------------------------|------------------------------|--|---|----------------------------------|
| <b>Revenues:</b>               |                              |  |   |                                  |
| Township Revenue               | \$ 205,000.00                | \$ 79,271.99                           | \$ 128,448.82                           | \$ (76,551.18)                   |
| City Revenue                   | 178,000.00                   | 101,229.74                             | 112,930.50                              | (65,069.50)                      |
| State Aid                      | 10,000.00                    | 0.00                                   | 0.00                                    | (10,000.00)                      |
| Penal Fines                    | 30,000.00                    | 2,819.45                               | 5,638.90                                | (24,361.10)                      |
| Copier & Fax Income            | 550.00                       | 382.51                                 | 759.56                                  | 209.56                           |
| Fines                          | 100.00                       | 42.45                                  | 87.80                                   | (12.20)                          |
| Interest Income                | 800.00                       | 805.24                                 | 1,588.16                                | 788.16                           |
| Memorial Donations             | 75.00                        | 0.00                                   | 5.00                                    | (70.00)                          |
| Book Sales                     | 50.00                        | 20.91                                  | 56.91                                   | 6.91                             |
| Federal E-Rate                 | 4,000.00                     | 0.00                                   | 404.25                                  | (3,595.75)                       |
| Miscellaneous Income           | 10,000.00                    | 27.25                                  | 32.25                                   | (9,967.75)                       |
| <b>Total Revenues</b>          | <u>438,575.00</u>            | <u>184,599.54</u>                      | <u>249,952.15</u>                       | <u>(188,622.85)</u>              |
| <b>Employee Expenses:</b>      |                              |  |   |                                  |
| Wages                          | 200,000.00                   | 14,334.40                              | 33,235.62                               | 166,764.38                       |
| Employee Benefits              | 35,000.00                    | 2,958.75                               | 6,885.29                                | 28,114.71                        |
| FICA Expense                   | 15,000.00                    | 1,096.59                               | 2,741.87                                | 12,258.13                        |
| State Unemployment Tax         | 0.00                         | 22.91                                  | 50.59                                   | (50.59)                          |
| <b>Total Employee Expenses</b> | <u>250,000.00</u>            | <u>18,412.65</u>                       | <u>42,913.37</u>                        | <u>207,086.63</u>                |
| <b>Operating Expenses:</b>     |                              |  |   |                                  |
| Memberships & Training         | 7,000.00                     | 268.00                                 | 268.00                                  | 6,732.00                         |
| Bank Charges                   | 50.00                        | 0.00                                   | 0.00                                    | 50.00                            |
| Insurance & Bonds              | 3,000.00                     | 0.00                                   | 0.00                                    | 3,000.00                         |
| Programming                    | 16,000.00                    | 2,058.02                               | 3,270.83                                | 12,729.17                        |
| Office Supplies                | 10,000.00                    | 935.67                                 | 1,482.80                                | 8,517.20                         |
| Furnishings                    | 10,000.00                    | 3,115.21                               | 4,219.60                                | 5,780.40                         |
| Equipment                      | 14,025.00                    | 636.27                                 | 982.56                                  | 13,042.44                        |
| Materials                      | 35,100.00                    | 2,665.90                               | 6,294.59                                | 28,805.41                        |
| Accounting                     | 14,000.00                    | 106.10                                 | 1,189.75                                | 12,810.25                        |
| Contractual Services           | 35,000.00                    | 1,555.06                               | 6,458.22                                | 28,541.78                        |
| Communications                 | 3,000.00                     | 225.64                                 | 484.00                                  | 2,516.00                         |
| Technology Support             | 4,000.00                     | 0.00                                   | 285.00                                  | 3,715.00                         |
| Advertising                    | 2,000.00                     | 111.08                                 | 231.08                                  | 1,768.92                         |
| Postage                        | 400.00                       | 0.00                                   | 69.55                                   | 330.45                           |
| Utilities                      | 11,000.00                    | 795.18                                 | 1,699.78                                | 9,300.22                         |

See Accountants' Compilation Report

**Henika District Library**  
**Statements of Activities**  
For the 1 Month and 2 Months Ended February 28, 2023

|                                 | <u>Total Year<br/>Budget</u> | <u>1 Month Ended<br/>Feb. 28, 2023</u> | <u>2 Months Ended<br/>Feb. 28, 2023</u> | <u>Year-To-Date<br/>Variance</u> |
|---------------------------------|------------------------------|--|---|----------------------------------|
| Maintenance-Building/Grounds    | 20,000.00                    | 2,535.00                               | 3,506.89                                | 16,493.11                        |
| Maintenance-Equipment           | <u>4,000.00</u>              | <u>73.00</u>                           | <u>73.00</u>                            | <u>3,927.00</u>                  |
| <b>Total Operating Expenses</b> | <u>188,575.00</u>            | <u>15,080.13</u>                       | <u>30,515.65</u>                        | <u>158,059.35</u>                |
| <b>Total Expenses</b>           | <u>438,575.00</u>            | <u>33,492.78</u>                       | <u>73,429.02</u>                        | <u>365,145.98</u>                |
| <b>Change in Net Assets</b>     | <u>\$ 0.00</u>               | <u>\$ 151,106.76</u>                   | <u>\$ 176,523.13</u>                    | <u>\$ 176,523.13</u>             |

See Accountants' Compilation Report



## Home

## Alerts

You have no alerts.

## Accounts

|   |  |
|---|--|
| <b>PUBLIC FUND CASH MANAGEMENT CHECKING</b><br>XXXX7152 | Current balance<br><b>\$262,603.70</b> |
| <b>PUBLIC FUNDS HIGH-YIELD SAVINGS</b><br>XXX013        | Current balance<br><b>\$501,983.87</b> |
| <b>BUILDING FUND</b><br>XXX212                          | Current balance<br><b>\$101,987.55</b> |
| <b>CONTINGENCY FUND</b><br>XXX740                       | Current balance<br><b>\$52,162.71</b>  |
| <b>BUILDING FUND</b><br>XXX090                          | Current balance<br><b>\$5,365.18</b>   |
| <b>BUILDING FUND</b><br>XXX104                          | Current balance<br><b>\$5,365.18</b>   |
| <b>BUILDING FUND</b><br>XXX112                          | Current balance<br><b>\$5,365.18</b>   |
| <b>BUILDING FUND</b><br>XXX120                          | Current balance<br><b>\$5,365.18</b>   |
| <b>BUILDING FUND</b><br>XXX139                          | Current balance<br><b>\$5,365.18</b>   |
| <b>BUILDING FUND</b><br>XXX171                          | Current balance<br><b>\$3,077.50</b>   |
| <b>BUILDING FUND</b><br>XXX344                          | Current balance<br><b>\$1,022.86</b>   |

### United Bank

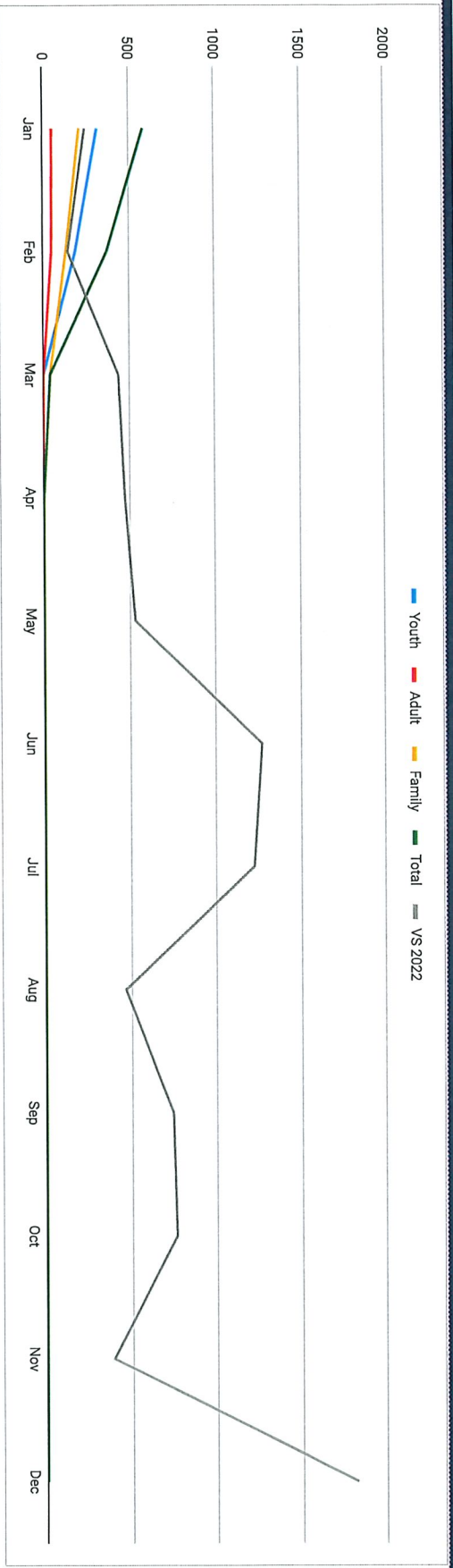
900 East Paris Ave SE | Grand Rapids, MI 49546 | 616.559.7000 | 800.968.1990

NOTICE: United Bank is not responsible for and has no control over the subject matter, content, information, or Member FDIC. Equal Housing Lender 

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### Summary

|                 | Jan  | Feb  | Mar | Apr | May | Jun   | Jul   | Aug | Sep | Oct | Nov | Dec   | Total |
|-----------------|------|------|-----|-----|-----|-------|-------|-----|-----|-----|-----|-------|-------|
| Youth           | 317  | 188  | 0   | 0   | 0   | 0     | 0     | 0   | 0   | 0   | 0   | 0     | 505   |
| Adult           | 54   | 50   | 0   | 0   | 0   | 0     | 0     | 0   | 0   | 0   | 0   | 0     | 104   |
| Family          | 214  | 134  | 39  | 0   | 0   | 0     | 0     | 0   | 0   | 0   | 0   | 0     | 387   |
| Total [1]       | 585  | 372  | 39  | 0   | 0   | 0     | 0     | 0   | 0   | 0   | 0   | 0     | 996   |
| VS 2022 [2]     | 247  | 145  | 439 | 474 | 531 | 1,270 | 1,222 | 467 | 741 | 761 | 392 | 1,826 | 8515  |
| Yearly Increase | 237% | 257% | 9%  | 0%  | 0%  | 0%    | 0%    | 0%  | 0%  | 0%  | 0%  | 0%    | 12%   |

### Program Types

|                  | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Average |
|------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|---------|
| Youth In-Person  | 307 | 183 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 490   | 41      |
| Youth Reading    | 10  | 5   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 15    | 1       |
| Youth Take-Home  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0     | 0       |
| Adult In-Person  | 45  | 50  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 95    | 8       |
| Adult Reading    | 9   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 9     | 1       |
| Adult Take-Home  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0     | 0       |
| Family In-Person | 118 | 12  | 39  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 169   | 14      |
| Family Take-Home | 96  | 122 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 218   | 18      |

**February 2023**

**Youth Services Report**

**Becky Butler, Youth Services Librarian**

The Love Month! The displays were Heartstopper Readalikes and Black American Biographies.

**Preschool Storytime:** 23 attendees across 3 storytimes.

**Afterschool Art:** 91 attendees across 3 weeks. After sending a couple kids home and having a week with no snacks, we are seeing improvements in behavior. The most encouraging thing we've noticed is kids occasionally calling each other out for snacking at computers and leaving trash. However, I haven't seen an appreciable difference. I've emailed Jill Terrell, the media literacy specialist over at Pine Street, to get some advice on how they handle behavior issues there.

**Lego Club:** 10 attendees.

**Toddler Lil Wiggles:** 0 attendees. This was on a very icy day, so I wasn't surprised we had no attendees.

**Preschool Sensory Playtime:** 23 attendees! This is our largest indoor playtime so far. I was SO, SO thankful to have the ability to push all my mobile shelving over to allow for more room to spread out.

**Henika Pokemon Trainers:** 6 attendees.

**Family Fun: Cookie Decorating:** 12 attendees. This one was frustrating because I had 30 people registered. Of that number, only 2 showed; I recruited the other 10 participants. It was a gorgeous day, so I understand. However, I think I will not require registration for the next Family Fun and see what happens to attendance.

**STEM Club:** 8 attendees practiced basic fingerprinting, decoding, and logical thinking through spy skills. It was Ms. Sarah who stole the owl!!

**Storytime for Every Kid:** 5 attendees. We read the Lion, the Witch, and the Wardrobe by kid vote.

**Family Take and Makes: Fleece Hearts:** 56 kits taken.

**Teen Take and Makes: Sock Bears:** 15 kits brought over to the high school to support their Fiber Arts Day and 15 more set out at the library. Thank you to Ms. Faith for collaborating on this!

**Reading Dragons:** 2 new sign-ups.

**1000 Books before Kindergarten:** 3 new sign-ups.

**School Visits:** I attended the book club at the high school to discuss romance books. There were 18 attendees.

St. Therese continued their biweekly visits to the library on Tuesday mornings.

**Looking forward:**

Preschool Storytime will be held 3/2, 3/9, 3/23, and 3/30 at 11. After-School Art will be on the same days from 2:30 to 5:30. Lego Club is on 3/1 at 5:30. I will be doing a workshop to provide caregivers with tips for reluctant readers at Baker Elementary on 3/6. Pokemon Club will be on 3/8 at 5:30. Family Fun: Stone Handprints is on 3/4 at 11:30. Preschool Sensory Playtime will be on 3/14 at 11. STEM Club: Food Science will be on 3/15 at 4. I will have a Tween/Teen event on 3/10 at 11 making cloud slime (rescheduled from a snow day!). Lil Wiggles will be 3/27 at 11. Storytime for Every Kid will be the same day at 4. The Family Take and Make are Clay Snails. I'll be visiting the Baker preschool playgroup to read a story on the 21st. Finally, I have a painting craft that I'll lead at the middle school on the 24th.

**FEBRUARY 2023**

**Adult Services Report**

**Faith Fetty, Adult Services Librarian**

### Programs & Attendance

#### **Strokes of Genius (In-Person): 14**

Strokes of Genius went well! I tried a new format for a very colorful piece this time around and it had very few hiccups. Lots of questions about when the next class would be and when voting would open up for our next piece. Considering adding a "mini" Strokes of Genius painting on small canvases for families/adults who can't attend on Mondays.

#### **Lonely Hearts Killers w/Tobin Buhk (In-Person): 10**

A great presentation from Mr. Buhk! Glad I got to meet him this time since I was out with COVID last time he was in. Very engaged with his audience, we were actually there a little after close because of the discussions his presentation sparked. Definitely a patron favorite who we will have back again.

#### **Canva for Small Businesses (In-Person): 0**

Unfortunately, this program failed to fly. I do think being scheduled during the week made it a tad difficult to attend. Would like to try and host this program again on a Saturday.

#### **Seniors @ Sawmill Estates (Out of Library In-Person): 20**

What a boost in attendance! I now visit Sawmill twice a month: every first Tuesday to host bingo and then once for a craft/activity. Bingo is a huge hit!

#### **Sock Bears (Take-&-Make): 50**

One of the more difficult take-&-makes we've offered (hence the assistance event), but those who attempted the bear have been sharing their creations and seem to have really enjoyed it! Becky also took some to Wayland high school students.

#### **Sock Bear Assistance (In-Person): 2**

A simple program, had a few show up for help with their sock bear take-&-makes. Went well.

#### **Total Program Attendees/Registrants: 96**

### Reflection

A slower month for me for sure. I was trying to do more non-craft centered events, but patrons repeatedly asked me for more crafting events – oops! My visit to Green Acres was cancelled due to a snow day, but I look forward to seeing them next month.

On another positive note – we've seen a lot more patrons checking out power tools from the special collection! I am so happy they are being used by the community.

## Looking Forward

Spice Club is happening in March and will be featuring turmeric in a creamy turmeric pasta dish (gluten free, contains dairy).

The seed library will be opening March 15<sup>th</sup> and we have a great selection of seeds this year! I've received an assortment of interesting seeds from the Seed Saver's Exchange and some Grand Rapids Lettuce from the Library of Michigan. These (along with my purchases) have some new and interesting varieties coming to Wayland!

I submitted an application a few months ago to the Library of Michigan for a chance to host one of the 2023 Notable Books authors during the 2023 tour and we were selected! We are one of two Lakeland libraries to be hosting an author from the tour. Our assigned author is Sharon Emery who wrote *It's Hard Being You: A Primer on Being Happy Anyway*. She will be visiting us on Friday, June 16<sup>th</sup> at 6:30pm.

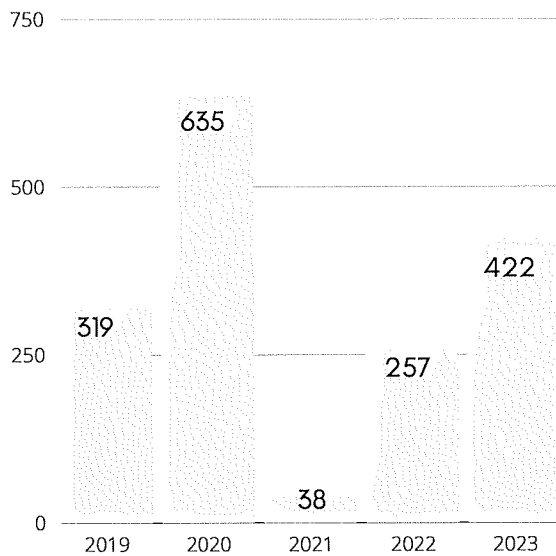
Patti Smith, another Michigan author, will be visiting us in March to present on her book *Michigan Beer: A Heady History* on Saturday, March 25<sup>th</sup> at 11am.

# February 2023

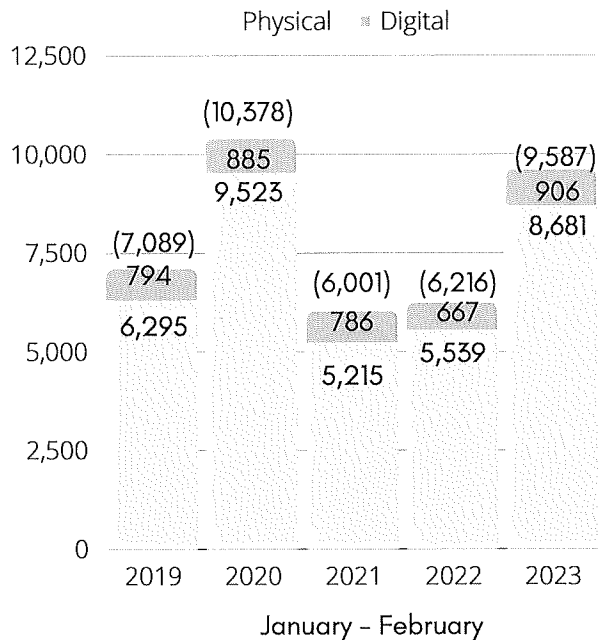
Overall, our circulation numbers are continuing to show improvement. All of our print categories including: Adult Print, Teen Print, Tween Print, and Juvenile Print have surpassed pre-pandemic circulation levels. Most notably, our Special Collection circulation rates have more than doubled since before the pandemic began! I attribute this jump in circulation rates to our wide selection of desirable Nintendo Switch games, our gaming consoles, and our mobile hotspots. These items continue to circulate the most out of all of our Special Collection items. Other standout categories include: MeL items, Juvenile Audiobooks, Teen Audiobooks, Adult eAudiobooks, Adult eBooks, and Board Games, which have all surpassed pre-pandemic levels. Our Circulation YTD numbers have almost reached pre-pandemic levels, which is a good sign! I anticipate our circulation numbers will continue to improve.

Courtney Schenkuizen - Circulation Supervisor

## Computer Sessions



## Circulation YTD:



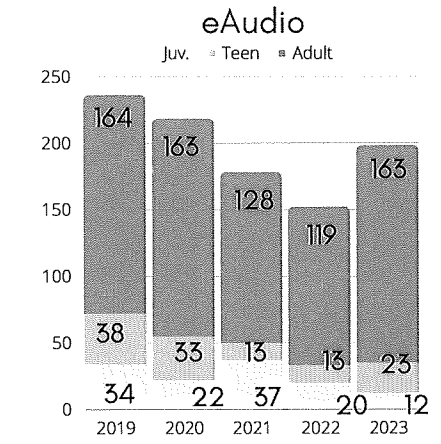
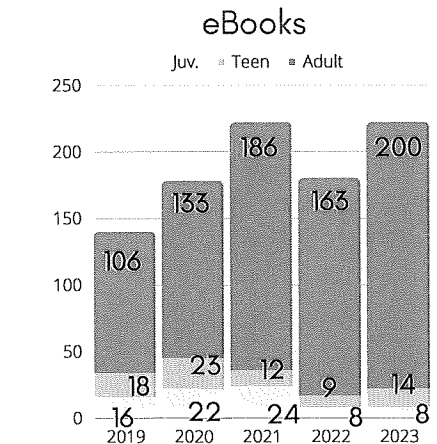
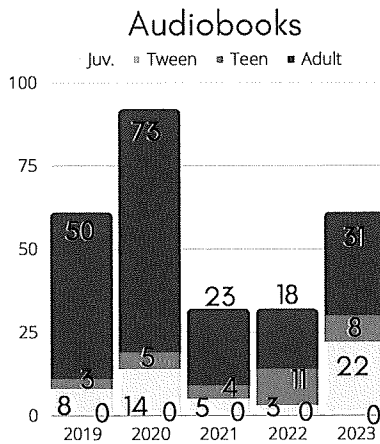
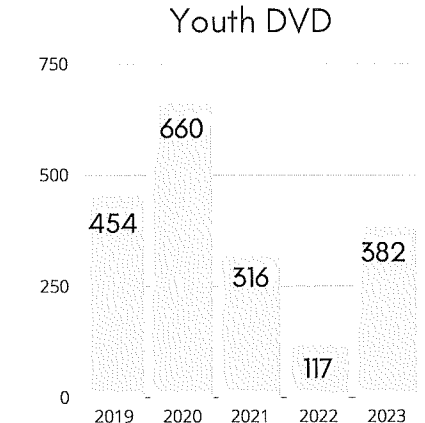
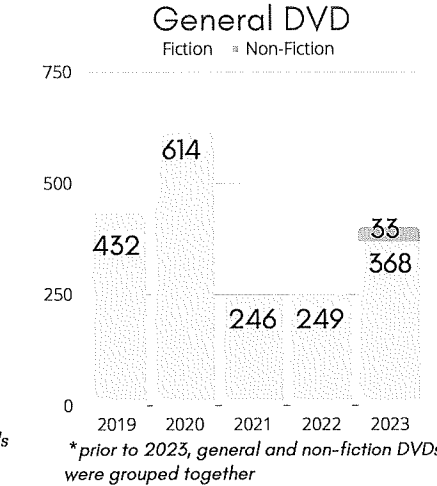
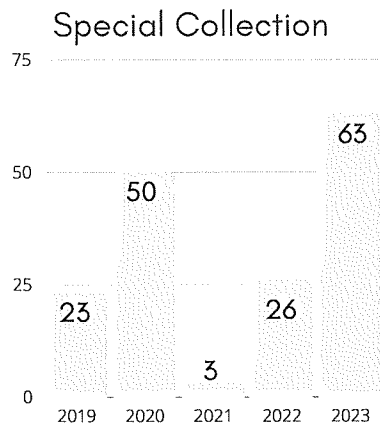
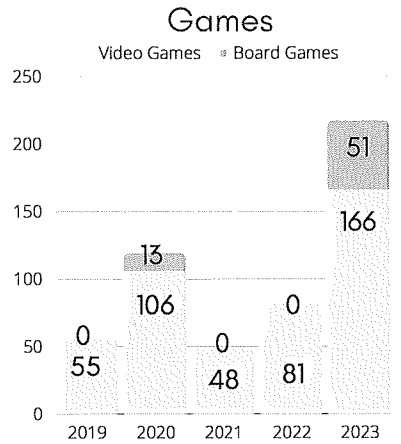
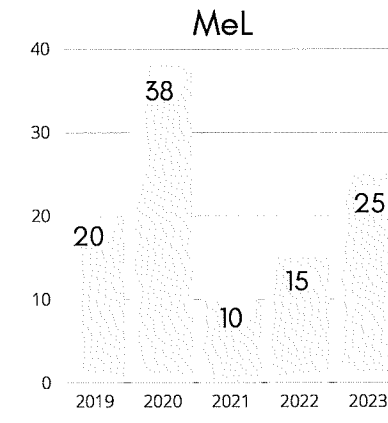
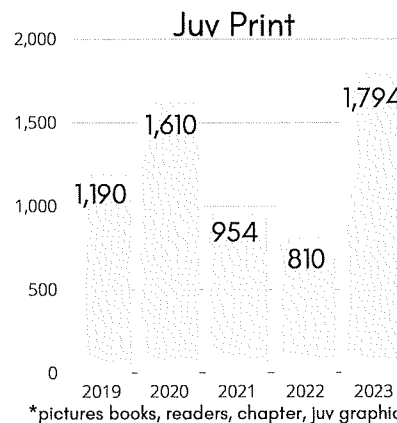
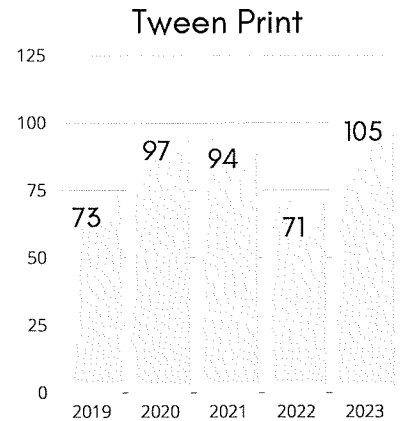
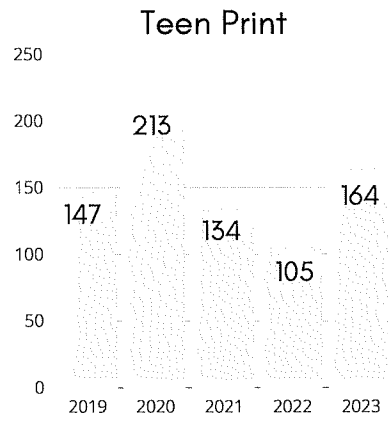
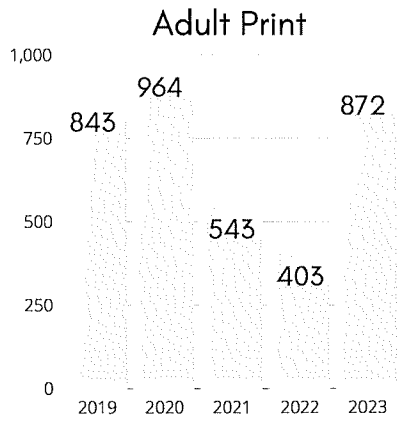
Henika has 2,921 total patron accounts. 426 of these accounts are active\* (not expired). Most expiration dates are set for 3 years upon renewal.

38 Patron accounts added YTD  
 18 Patron accounts added in February

- 9 Wayland City
- 8 Wayland Township
- 1 Non-Resident

\*Active refers to those physically checking out items. This does NOT include those who only borrow e-material.

# February Circulation, 2019-2023







- suitability of format
- relation to existing collections
- diversity

Written patron suggestions submitted are considered, and may be purchased based on the above criteria.

### **COLLECTION MAINTENANCE POLICY**

Henika District Library removes material from the collection based upon the following criteria:

- O – Obsolete or outdated
- A – Appearance, worn or dated
- C – Circulation statistics insufficient to warrant retention

Exceptions to this list may include items of significant historical value.

Items that have been removed from the collection are not automatically replaced. Decisions are based on need, demand, and budget.

### **BOOK AND AV DONATIONS**

Donations of library materials will not be added to the collection except for in unique cases at the consideration of the Collection Development Staff.

### **RECONSIDERATION OF MATERIALS**

The library believes that each patron, regardless of age, has the right to read, listen, or view any item of their choosing. Language, situations, or subjects, which may be considered inappropriate or offensive to some community members, do not disqualify materials that meet our selection criteria.

Anyone who wishes to request that a specific item be reconsidered for inclusion in the collection of materials must complete and sign the Request for Reconsideration of Library Materials Form. The form will be given to the Director. The Director, alongside the Selector and at least two members of the Board, will experience the material in its entirety. The Selector will explain how the item fits Henika District Library's selection criteria, and the Board will come to a decision as to whether or not the item should be kept in the library collection. Once a decision has been made regarding the retention or removal of the material, a letter will be sent to the person, explaining the decision.

The Henika District Library reserves the right to display any library materials in the collection in any location of the library. Patrons requesting changes to displays must complete the Request for Reconsideration of Library Materials Form and make a formal request to have it removed from the collection or accept the item as part of the collection and display.

## RECONSIDERATION OF MATERIALS

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Anyone who wishes to request that a specific item be reconsidered for inclusion in the collection of materials must complete and sign the Request for Reconsideration of Library Materials Form. The form will be given to the Director. The Director, with appropriate professional staff, will review the reconsideration form and the material in question, to consider whether its selection follows the criteria stated in the collection policy. Within 30 days, the Director will make a decision and send a letter to the concerned person who requested the reconsideration, stating the reasons for the decision.

If the individual is not satisfied with the decision, a written appeal may be submitted within 30 days to the Board of Trustees. If the board plans to address the appeal at their board meeting, the individual will be notified of when and where the meeting will be held. The Board of Trustees reserves the right to limit the length of public comments per their Bylaws. The decision of the board is final.

The Henika District Library reserves the right to display any library materials in the collection in any location of the library. Patrons requesting changes to displays must complete the Request for Reconsideration of Library Materials Form and make a formal request to have it removed from the collection or accept the item as part of the collection and display.

### PAY PERIODS AND TIME SHEETS

Library employees will be paid every two weeks. The time periods will close on Wednesdays and time sheets, which are kept on the shared database, will be sent to the accountant at end of day. Employees are responsible for entering their time each day that they work. Time sheets must be reviewed and signed by the director prior to being sent to the accountant. Paychecks will be deposited via direct deposit by the following Tuesday.

*Adopted: 12/12/13*

*Revised: 11/8/18*

*Revised: 2/8/22*

### SMOKE FREE ENVIRONMENT

The Henika District Library follows Public Act 188 of 2009 regarding smoke-free environments. It also bans the use of e-cigarettes and chewing tobacco.

*Adopted: 12/6/91*

*Revised: 8/12/98*

*Revised: 7/1/13*

*Revised: 11/8/18*

### NURSING MOTHERS

The Henika District Library follows Public Act 197 of 2014 regarding the protected civil right of mothers to breastfeed in public places.

*Adopted: 1/10/19*

### CONFIDENTIALITY

Henika District Library adheres to the Library Privacy Act. Information held on patron registration cards or on the Lakeland Library Cooperative database is held in confidence and may be obtained only through Freedom of Information Act Guidelines. Non-identifying statistical data does not apply.

The disclosure of names, addresses, telephone numbers, or library activities constitutes an unwarranted invasion of privacy.

Additionally, the Henika District Library will ensure the confidentiality of social security numbers in compliance with Michigan's Social Security Number Privacy Act (P.A. Act 454 of 2004) by not using more than four sequential numbers of a social security number. The exception to this rule is when filling out state and federally mandated employee paperwork, but only with prior approval from the subject.

Documents containing personal identifying information, including social security numbers, will be shredded when no longer needed.

The USA PATRIOT Act makes it possible for the Federal Bureau of Investigation to request the above protected information by subpoena of the federal courts. According to the USA PATRIOT

Act the Library may not disclose to anyone, including the patron about whom information is being requested, that such a subpoena has been issued.

Should the FBI approach library staff with a subpoena requesting the release of protected library records the director shall be summoned immediately, and the director shall insist that the library's attorney be present before any information is disclosed. If the director is unavailable, the appropriate designated supervisory staff shall insist that the library's attorney be present before any information is disclosed.

*Adopted: 12/16/91  
Revised: 8/12/98  
Revised: 1/10/19*

**HENIKA DISTRICT LIBRARY FREEDOM OF INFORMATION ACT - COMPLIANCE WITH REQUEST FOR INFORMATION**

To: \_\_\_\_\_

Attached is the information you requested under the Freedom of Information Act.

\_\_\_\_\_  
Name and Title of Person Honoring Request

\_\_\_\_\_  
Date

**HENIKA DISTRICT LIBRARY FREEDOM OF INFORMATION ACT - DENIAL OF REQUEST FOR INFORMATION**

To: \_\_\_\_\_

You are hereby notified that your request of \_\_\_\_\_ has been denied because the information requested is exempt from disclosure pursuant to MCL 15.243(1)(a). The public library maintains a policy of confidentiality of library patron records and will not release library patron names, addresses, or telephone numbers without the permission of the library patron.

Under Michigan law, you may commence an action in the Circuit Court to compel disclosure of public records (Freedom of Information Act, sec. 10. MCL 15.240). We have attached a copy of the Freedom of Information Act for a full explanation of your right to seek judicial review under section 10.

\_\_\_\_\_  
Name and Title of Person Honoring Request

\_\_\_\_\_

## HENIKA DISTRICT LIBRARY

### FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES

#### **I. PURPOSE.**

The Henika District 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:

Henika District Library  
Attn: FOIA Coordinator  
Address: 149 South Main Street  
Wayland, Michigan 49348

b. By e-mail: [waycb@llcoop.com](mailto:waycb@llcoop.com)

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 Henika District 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.

## HENIKA DISTRICT LIBRARY

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

The Henika District 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 149 South Main Street, Wayland, Michigan 49348 or on the website at [www.henikalibrary.com](http://www.henikalibrary.com).

#### **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:

Henika District Library  
Attn: FOIA Coordinator  
149 South Main Street  
Wayland, Michigan 49348  
E-Mail: [waycb@llcoop.com](mailto:waycb@llcoop.com)

- 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 Henika District 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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**HENIKA DISTRICT LIBRARY DETAILED ITEMIZATION**

| <b>LABOR CHARGES</b>   |   |
|--|---|
| <p><b>A. Cost for Searching for, Locating and Examining of Public Records</b></p> <p>1. <i>Determination of Hourly wage:</i><br/>           \$ _____<br/>           \$ _____ (Employee 2 ("E2"), if applicable)<br/>           \$ _____ (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:<br/>           _____<br/>           _____</p>  | <p>Hourly wage:<br/>           \$ _____<br/>           \$ _____ (E2)<br/>           \$ _____ (E3)</p> <p>Total time:<br/>           _____ hours<br/>           _____ hours (E2)<br/>           _____ hours (E3)</p> <p><b>A. Total Fee (hourly wage x total time):</b><br/>           \$ _____</p>  |
| <p><b>B. Cost for Separating Exempt Information, including Redaction of Documents.</b></p> <p>1. <i>For employees, determination of the Hourly wage:</i><br/>           \$ _____<br/>           \$ _____ (Employee 2 ("E2"), if applicable)<br/>           \$ _____ (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:<br/>           _____<br/>           _____</p> <p>2. <i>For Contracted Labor Costs:</i><br/> <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:<br/>           _____</p> | <p>Hourly wage:<br/>           \$ _____<br/>           \$ _____ (E2)<br/>           \$ _____ (E3)</p> <p>Total time:<br/>           _____ hours<br/>           _____ hours (E2)<br/>           _____ hours (E3)</p> <p><b>B1. Total Fee (hourly wage x total time):</b><br/>           \$ _____</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>B.2 Total Fee for contracted labor (hourly wage x hours):</b><br/>\$_____</p> |
| <p><b>C. Cost for Duplication and Publication.</b></p> <p>1. Determination of the Hourly wage:<br/>\$_____</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><b>C. Total Fee (hourly wage x hours)</b><br/>\$_____</p>   |
| <b>Other Actual Costs</b>  |   |
| <p><b>D. Costs for Paper Copies.</b></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:<br/>\$_____ per sheet x _____ number of sheets = \$_____.</p> <p>2. Other paper sizes:<br/>\$_____ per sheet x _____ number of sheets = \$_____.</p>  | <p><b>D. Total Fee (add totals for all sizes of paper):</b><br/>\$_____</p>   |
| <p><b>E. Costs for Nonpaper Physical Media.</b></p> <p>The actual and most reasonably economical cost of the computer disc, flash drives, computer tape or other similar media:<br/>\$_____ per item x _____ number of items .</p>   | <p><b>E. Total Fee:</b><br/>\$_____</p>   |
| <p><b>F. Cost of Mailing:</b></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><b>F. Total Fee: (add all 3 costs):</b><br/>\$_____</p>  |
| <p><b>Total Fee (If No Deposit)</b><br/><b>Fee paid on:</b>_____</p>   | <p>\$_____</p>  |

| <b>Deposit Required</b>   |  |
|---|--|
| <input type="checkbox"/> The Library requires a deposit of \$_____ (1/2 of the estimated fee) and this total estimated fee exceeds \$50.00.<br><br><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.<br><br>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:<br><br>\$_____<br><br>Deposit Paid on<br>_____ |
| <b>Total Fee</b> \$ _____<br>- <b>Deposit Amount</b> \$ _____<br>= <b>Remaining Fee Due of</b> \$ _____<br><br><b>Fee Paid on</b> _____   | Total Fee Due:<br><br>\$ _____                                 |

| <b>Costs for Providing Documents Available on the Website</b>   |                            |
|---|----------------------------|
| 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 \$_____. | <b>Total Fee:</b><br>_____ |

| <b>Reductions for Late Response</b>   |  |
|---|--|
| <b>Reduction for Late Response:</b> 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.<br>_____ days x 5% of labor costs = \$ _____ | Subtract<br>\$_____ of labor charges (up to 50% of labor costs). |

HENIKA DISTRICT 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 Henika District Library ("Library"), Allegan County, Michigan, held at the Library on the \_\_\_ day of \_\_\_\_\_, 2023 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;

WHEREAS, the Library adopted a FOIA policy;

WHEREAS, pursuant to 2018 PA 523 ("Act 523"), the Legislature amended the FOIA to require certain contact information from the requester and to clarify when a FOIA is considered abandoned if a requester has not paid a deposit;

WHEREAS, since Act 523 changes the requirement for submitting written requests and the deposit notice and payment requirements, the Library will be required to amend its Procedures and Guidelines and Written Public Summary; and

WHEREAS, in the interests of the health, safety and welfare of the Library, the Library Board desires to repeal and replace the Procedures and Guidelines, Written Public Summary and Detailed Itemization so that it is in compliance with the FOIA and may charge the fees permitted under the FOIA.



compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required under the Open Meetings Act.

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Library Board Secretary

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