



Library

**Board Report
May 14, 2020**

AGENDA

JOHNSON COUNTY LIBRARY BOARD OF DIRECTORS
REGULAR MEETING, MAY 14, 2020
4:00 p.m.

To reduce the spread of COVID-19, the Johnson County Library Board of Directors will meet using Zoom, an online meeting tool, to conduct the meeting. Please watch the broadcast of the meeting on the Johnson County Library [Facebook page](#) for a live feed or later when the video is posted to the Library's website.

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

- I. Call to Order
- II. Citizen Comments will be accepted in writing and made part of the record of the meeting.
- III. Remarks
 - A. Members of the Johnson County Library Board of Directors
 - B. Board Chair, Amy Ruo
 - C. Friends of the Library; written report4
 - D. Johnson County Library Foundation; written report6
 - E. Liaison, Board of County Commissioners, Janeé Hanzlick
- IV. Reports
 - A. Board Counsel – Fred Logan
 - a) Governor Kelly’s Plan to Reopen Kansas, Order 20-29; other draft guidelines: legal support for Library plan
 - b) A briefing on the Kansas Open Meetings Act in a digital environment
 - B. County Librarian Report – Sean Casserley, County Librarian
 - 1. Finances and Statistics – Dave Vratny, Finance Director7
 - a) Financial projection for Johnson County
 - b) Digital services usage statistics, Adam Wathen, Associate Director of Systemwide Services and Lacie Griffin, Collection Development Manager13
 - 2. Comprehensive Library Master Plan – Scott Sime, Project Coordinator
 - a) Central Staff Space Consolidation (CSSC)22
 - b) Lenexa Holds Lobby26
 - 3. Updates – Sean Casserley
 - a) Staff furloughs, Tamiko House, Human Resources
 - b) Status of the buildings, Jennifer Mahnken, Associate Director of Branch Services28
 - c) Everyy easement and KDHE update
 - d) Reopening33
 - e) New Library services in a digital world
- V. Consent Agenda
 - A. Action Items:
 - 1. Minutes of the April 9, 2020, Library Board meeting39
 - B. Information Items
 - 1. Financial and Personnel
 - a) The County Librarian and the Finance Director certify those payment vouchers and personnel authorizations for

March 2020 were handled in accordance with library and County policy.

- b) The March 2020 Revenue and Expenditure reports produced from the County's financial system reflect the Library's revenues and expenditures

C. Gift Fund Report

1. Treasurer's Report46

VI. New Business

- A. Informational Item: Review of Memorandum of Understanding between Johnson County Library and the office of Treasury and Financial Management for payroll services.47
- B. Informational Item: Parking agreement with the Lenexa Baptist Church52

VII. Adjournment

2. Internet Sales Factoids

Prior to temporary closure, 786 items were sold in March, sales by selling site were Amazon – 74%, eBay – 13%, AbeBooks – 9%, Alibris – 4%, Biblio – negligible.

Significant sales:

- ***World Book Encyclopedia 2018***, 22 Volume Set 5 sets sold for a total of \$979.42
- ***A Jewel of Mughal India: The Mausoleum of I'timad*** \$100.85

International orders were shipped to Canada.

3. Status of PPP Loan

The Friends have been approved for a PPP Loan under the Cares Act. The Finance Committee is meeting with Operations Manager to discuss allocation of funds to maximize potential for forgiveness. Friends staff have been paid from reserves during the temporary closures of bookstores, sales and online sales.

4. Draft Re-Open Plan

The Operation Manager, in consultation with the Executive Committee and JCL staff, is finalizing a reopen plan for the Friends operations. In general we seek to firstly re-establish online sales and other functions that can be managed without volunteers. As volunteers are approved by County / Library for re-assignment, and buildings may be occupied, Bookstores and Sales will come back on line. The Friends are working to align plans with the Library's / County's own protocols.

5. Revenue Alternatives

The Friends are eager to initiate revenue-generating activities asap. We are developing sale alternatives such as enhanced membership revenues, drive-by pick ups etc. A current campaign has encouraged 30% of membership renewals to upgrade, and we're eager to provide further opportunities for Friends and others to satisfy their urge to support our efforts during this crisis.

Respectfully submitted, Jennifer Curtiss

To: Library Board of Directors
From: Stephanie Stollsteimer
Date: May 5, 2020
Re: Johnson County Library Foundation update

Donor Appreciation

The Foundation hosted a virtual 1952 Society/Readers Circle appreciation event, April 19.

- We are conducted it remotely on the ZOOM platform!
- 1952 Society: Writing the Library's Next Chapter, is recognition for planned giving.
- Readers Circle recognizes individual and couples for their cumulative giving starting at \$10,000.
- It was exciting to welcome guests from nearly 50 emails join in and many were couples.
- We sent out a survey and had positive feedback!
- This kicks off our plans to show our appreciation and we'll follow up with email, calls and notes.

Grant Applications

We continue to apply for grants from area foundations and funders to support many programs that the Library is planning to go online. Feedback from conversations with funders is they are not pulling back, so we are continuing to apply for grant funding.

Library Lets Loose Fundraising Event Goes Virtual

Library Lets Loose plans are continuing to be a virtual event. We are exploring ways to have live and pre-recorded elements. We learned a lot by coming out early with our appreciation event in April and are on track to pull together a meaningful and fun fundraising experience!

Finance

- The 2019 audit is being finalized and will begin preparing the 990 tax return.
- We have been monitoring the endowment investments at the Greater Kansas City Community Foundation. The value of these funds impacts the annual disbursement to the Library for the collection.

Board of Directors and Committees

The Foundation Board of Directors and committee members have been remarkable in how they are pivoting with our new challenges and continue to provide leadership and support.

Johnson County Library: Summary of Expenditures by Cost Category (.75 increase only)

March 2020
25% of year lapsed

OPERATING FUND

| Programs | 2020 Budget |
|----------|----------------|
| Revenue | 3,973,236 |

Administrative Services
Information Technology
Collection Development
Branch/Systemwide Services
Transfer to Capital Projects
Interfund Transfers

| | |
|-----------------------------------------------------|----------------------------------|
| TOTAL OPERATING FUND EXPENDITURES | <u>\$0</u> |
| TOTAL .75 INCREASE FUNDS REMAINING OPERATING | <u><u>\$3,973,236</u></u> |

SPECIAL USE FUND

| | 2020 Budget |
|----------|----------------|
| Revenue: | 2,728,376 |

Expenses:

| | |
|--------------------------------------------|---------|
| Contractual Services (General Maintenance) | |
| Commodities (Capital Equipment) | |
| Transfer to Debt Payment | |
| Transfer to Debt Payment - CLMP | 496,252 |
| Transfer to Capital Projects | |

| | |
|--------------------------------------------|-------------------------|
| TOTAL SPECIAL USE FUND EXPENDITURES | <u>\$496,252</u> |
|--------------------------------------------|-------------------------|

| | |
|-------------------------------------------------------|----------------------------------|
| TOTAL .75 INCREASE FUNDS REMAINING SPECIAL USE | <u><u>\$2,232,124</u></u> |
|-------------------------------------------------------|----------------------------------|

| | |
|-----------------------------------------------------|----------------------------------|
| TOTAL .75 INCREASE FUNDS REMAINING ALL FUNDS | <u><u>\$6,205,360</u></u> |
|-----------------------------------------------------|----------------------------------|

Expenditure of Friends of the JCL Donations 2020

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

JOHNSON COUNTY LIBRARY TOTAL REVENUE REPORT

March 2020
25% of Year Lapsed

| REVENUE ALL FUNDS | 2020 Year to Date | 2020 Budget | % Budget Year to Date | % Budget YTD Prior Year |
|--------------------------------------|----------------------|-------------------|--------------------------|----------------------------|
| Ad Valorem | 19,978,433 | 34,859,880 | 57% | 58% |
| Ad Valorem Delinquent | -26,409 | 306,306 | -9% | 32% |
| Motor Vehicle | 883,878 | 3,291,677 | 27% | 27% |
| Library Generated - Copying/Printing | 20,987 | 101,241 | 21% | 27% |
| Library Generated - Overdues / Fees | 112,256 | 746,421 | 15% | 21% |
| Sale of Library Books | 0 | 50,000 | 0% | 0% |
| Misc Other | 549 | 19,703 | 3% | 2% |
| Reimbursement | 15,125 | 330,043 | 5% | 5% |
| Library Generated - Other Charges | 0 | 3,641 | 0% | 0% |
| Investment | 137,510 | 352,221 | 39% | 61% |
| Unencumbered Balance Forward | 0 | 10,000 | 0% | 0% |
| Recreational Vehicle Tax | 7,216 | 11,883 | 61% | 67% |
| Commercial Vehicle Tax | 45,806 | 60,438 | 76% | 66% |
| Heavy Trucks Tax | 3,269 | 3,261 | 100% | 135% |
| Rental Excise Tax | 18,832 | 38,669 | 49% | 49% |
| State and Federal Grants | 129,518 | 257,901 | 50% | 0% |
| TOTAL REVENUE | 21,326,969 | 40,443,285 | 53% | 53% |

| Expenses ALL FUNDS with Collection Encumbrance | 2020 Year to Date | 2020 Budget | % Categories Expended |
|------------------------------------------------|----------------------|-------------------|--------------------------|
| Salaries and Benefits | 4,794,502 | 21,720,354 | 22% |
| Contractual Services | 1,651,285 | 5,726,581 | 29% |
| Commodities | 2,664,755 | 4,662,343 | 57% |
| Risk Management Charges | 31,350 | 142,737 | 22% |
| Capital / Maintenance / Repair | 520,333 | 2,728,376 | 19% |
| Transfer to Debt Payment | 4,859 | 334,718 | 1% |
| Transfer to Capital Projects | 0 | 4,367,527 | 0% |
| Grants | 129,518 | 257,901 | 50% |
| Interfund Transfer | 0 | 502,748 | 0% |
| TOTAL EXPENDITURES | 9,796,602 | 40,443,285 | 24% |

Revenue - Expenses as of March 31, 2020 **11,530,367**

| RESERVES ALL FUNDS | As of 12/31/19 |
|---------------------------|--------------------------|
| Reserves Operating Fund | 9,557,491 |
| Reserves Special Use Fund | 1,572,099 |
| Total JCL Reserves | <u>11,129,590</u> |

Scheduled Replacement Plan Funding

REVENUE RECEIVED TO DATE

| | |
|--------------------|-----------|
| 2015 Fund Transfer | 350,000 |
| 2016 Fund Transfer | 699,000 |
| 2017 Fund Transfer | 1,130,250 |
| 2018 Fund Transfer | 1,147,850 |
| 2019 Fund Transfer | 1,131,100 |

Total Revenue **4,458,200**

2020

| | |
|----------------------------------|-------------------------|
| Contractual Services | 1,566,997 |
| Building Repair | 597,546 |
| Architectural Services | 68,820 |
| Furnishings and Office Equipment | 73,032 |
| HVAC | 176,308 |
| Sorter Parts and Labor | 4,113 |
| Security System Maint & Repair | 33,549 |
| Vehicles | 66,488 |
| AED Equipment | 9,613 |
| | <u>2,596,466</u> |

Budget Remaining **1,861,734**

GRANTS*

| Expenditures through 3/31/2020 | Source | Received | Expenditures | Grant Award | Budget Remaining |
|--------------------------------|--------|-----------|--------------|--------------|------------------|
| 285000085 State Aid 2020 | State | 2/21/2020 | \$50.14 | \$129,518.04 | \$129,467.90 |

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

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category
March 2020
25% Year Lapsed

| OPERATING FUND | 2020 | 2020 | % Program |
|------------------------------------------|---------------------|-------------------|------------------|
| Programs | Year to Date | Budget | Expended |
| Administrative Services | 803,203 | 6,339,004 | 13% |
| Information Technology | 581,433 | 3,192,515 | 18% |
| Collection Development | 754,613 | 3,399,711 | 22% |
| Branch/Systemwide Services | 4,201,286 | 19,168,068 | 22% |
| Risk Management Charges | 31,351 | 143,587 | 22% |
| Grants * | 50 | 257,901 | 0% |
| Transfer to Capital Projects | 0 | 4,367,527 | 0% |
| Interfund Transfer | 0 | 180,573 | 0% |
| TOTAL OPERATING FUND EXPENDITURES | 6,371,936 | 37,048,886 | 17% |

| SPECIAL USE FUND | 2020 | 2020 | % Budget |
|--------------------------------------------|---------------------|------------------|-----------------|
| | Year to Date | Budget | Expended |
| Contractual Services (General Maintenance) | 0 | 16,305 | 0% |
| Commodities (Capital Equipment) | 0 | 315,000 | 0% |
| Transfer to Debt Payment | 4,859 | 334,718 | 1% |
| Transfer to Capital Projects | 496,252 | 2,728,376 | 18% |
| TOTAL SPECIAL USE FUND EXPENDITURES | 501,111 | 3,394,399 | 15% |

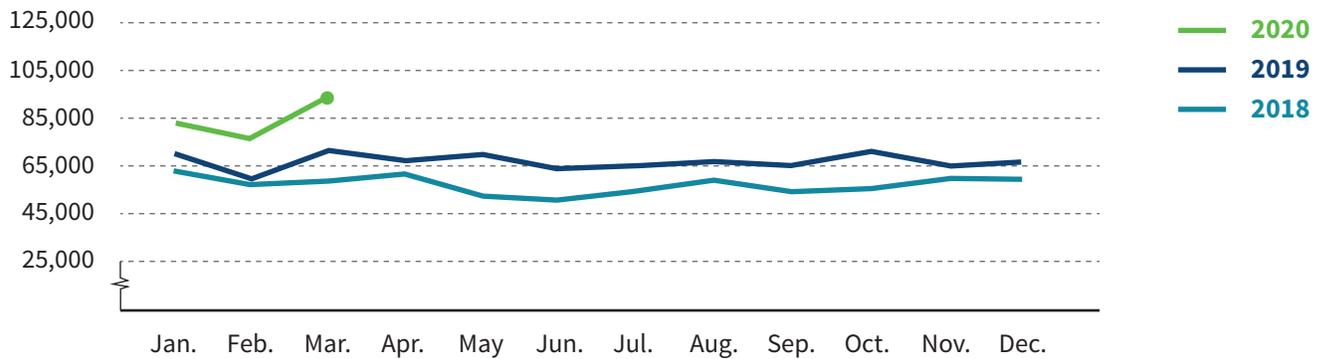
| | | | |
|---------------------------|------------------|-------------------|------------|
| TOTAL EXPENDITURES | 6,873,047 | 40,443,285 | 17% |
|---------------------------|------------------|-------------------|------------|

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Type
March 2020
25% Year Lapsed

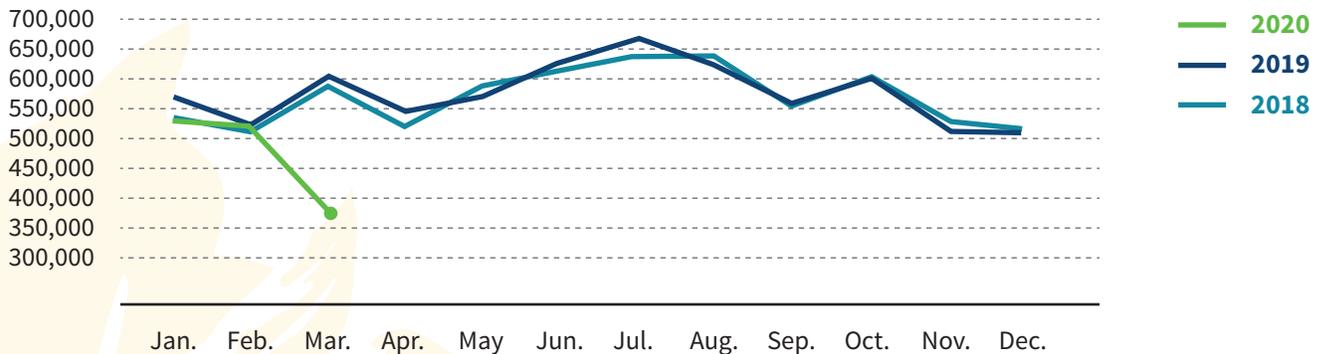
| ALL FUNDS | 2020 | 2020 | % Categories |
|--------------------------------|---------------------|-------------------|---------------------|
| Categories | Year to Date | Budget | Expended |
| Salaries and Benefits | 4,794,503 | 21,720,354 | 22% |
| Contractual Services | 814,964 | 5,725,731 | 14% |
| Commodities | 706,988 | 4,662,343 | 15% |
| Risk Management Charges | 31,351 | 143,587 | 22% |
| Capital / Maintenance / Repair | 496,252 | 4,367,527 | 11% |
| Transfer to Debt Payment | 4,859 | 334,718 | 1% |
| Transfer to PBC Capital Leases | 24,081 | 2,728,376 | 1% |
| Grants | 50 | 257,901 | 0% |
| Interfund Transfer | 0 | 502,748 | 0% |
| TOTAL EXPENDITURES | 6,873,047 | 40,443,285 | 17% |

Core Operational Statistics

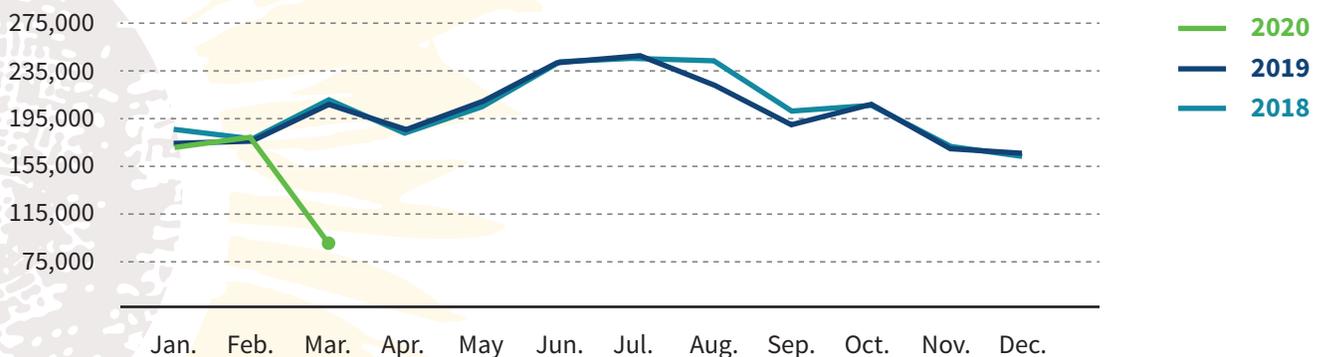
3 Year Digital Usage Trend



3 Year Physical Circulation Trend



3 Year Visitation Trend



Digital Collection Usage

Lacie Griffin

Collection Development Manager

JOHNSON COUNTY
KANSAS

Library

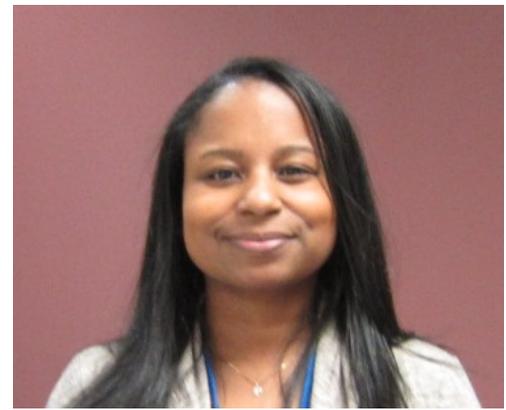
Our team:



Lacie Griffin
Manager



Matt Fuegen
Adult Nonfiction
and Music



Beth Atwater
Adult Fiction and
Film



Hope Harms
eResources



Elena McVicar
Youth and Teen



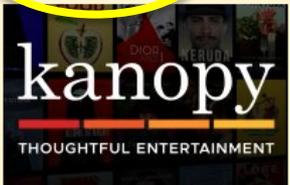
Rachel Fair
Senior Clerk and
Periodicals

JOHNSON COUNTY LIBRARY

returns and distribute holds through our drive-thru locations at Blue Valley, Lenexa City Center

services, eBooks and eAudiobooks, streaming videos and more »

Explore ▾ **eLibrary ▾** Research ▾ Using the Library ▾ Locations ▾ Events ▾



Living Room Film Fest

Stream film festival favorites, classic and indie movies, kid-approved shows and more on **Kanopy**.

- eLibrary
- eBooks
- eAudiobooks
- eLearning
- eMagazines
- eMusic
- ★ eNewspapers
- Streaming Video
- Mobile App



What makes up our Digital Collection?

Explore ▾ eLibrary ▾ **Research ▾** Using the Library ▾ Locations ▾ Events ▾



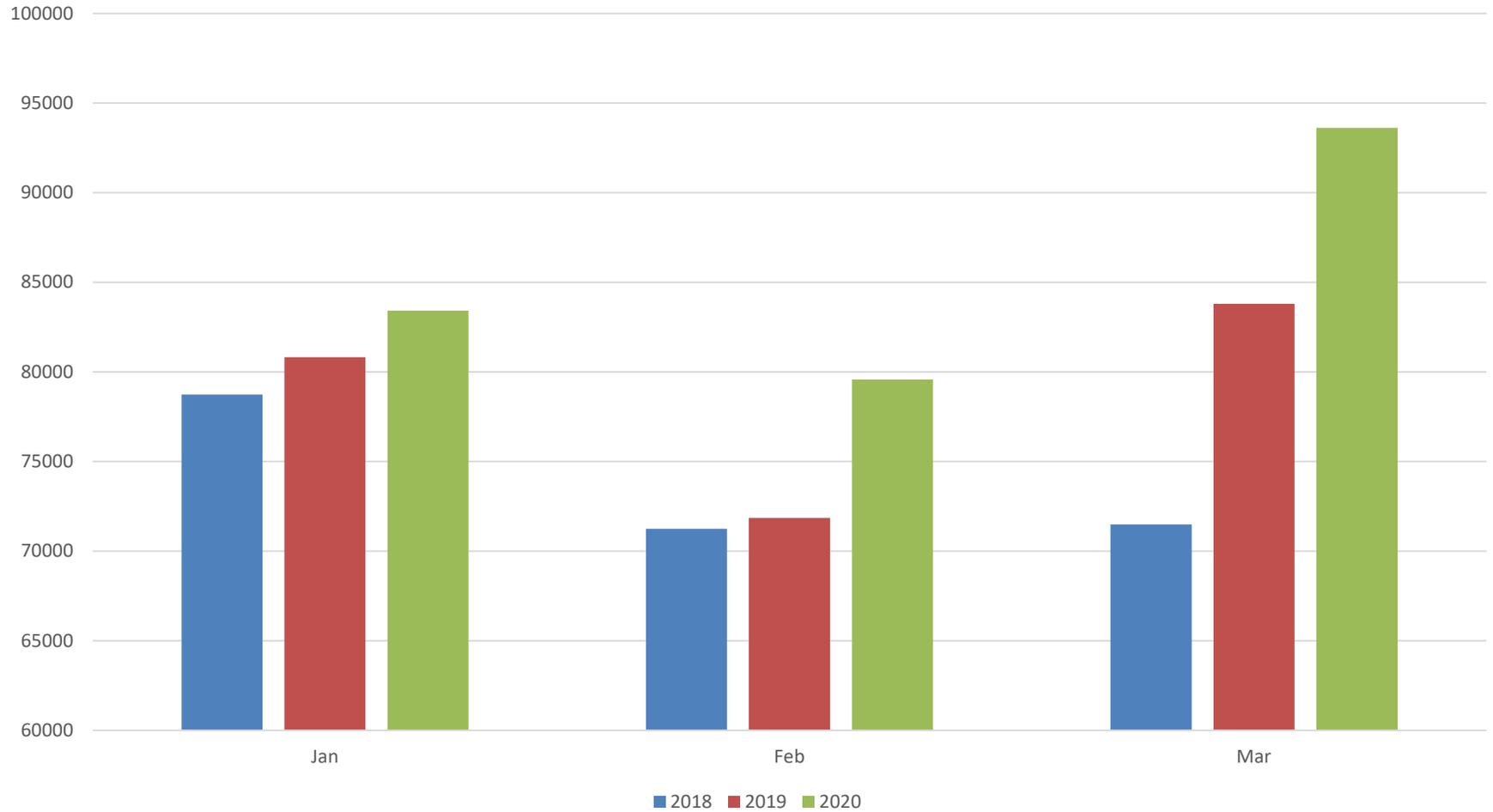
Family History

Research your family history in **Ancestry Library Edition**, available from home for a limited time.

- All Topics
- Business
- Career Planning and Jobs
- Consumer Information
- Genealogy
- Homework Help for Kids
- Homework Help for Teens
- Databases A-Z

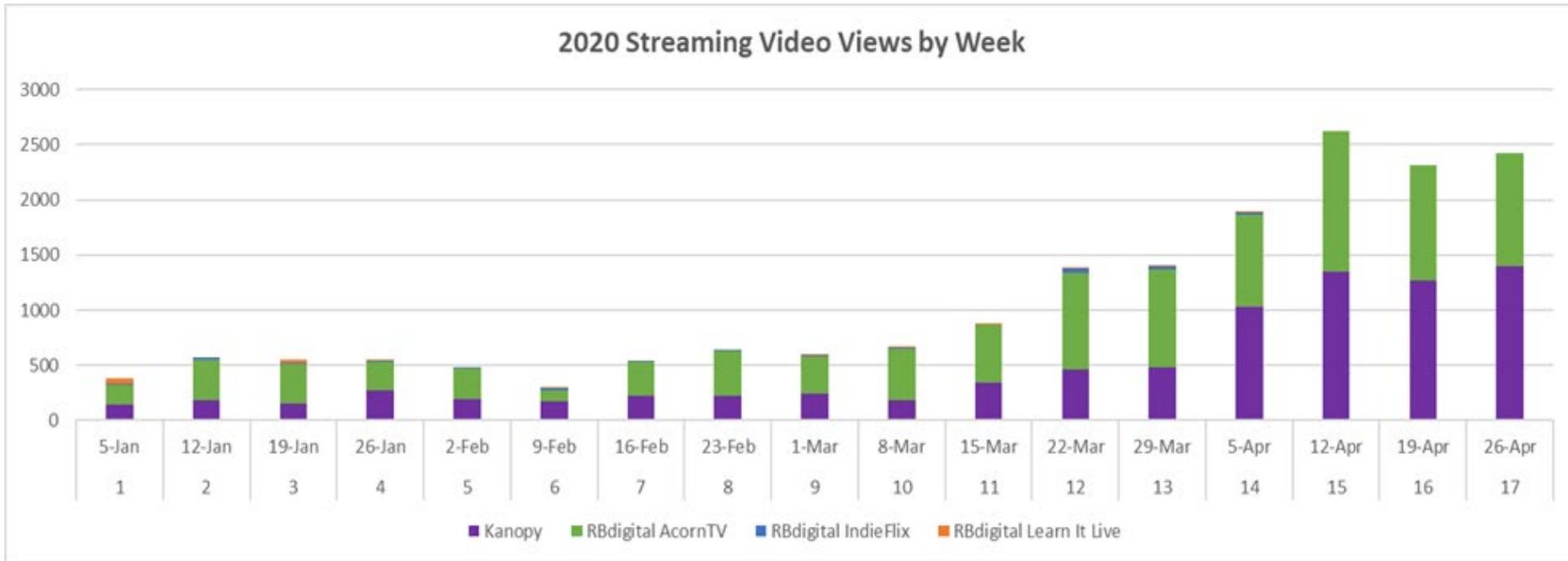


Total Digital Collection Usage

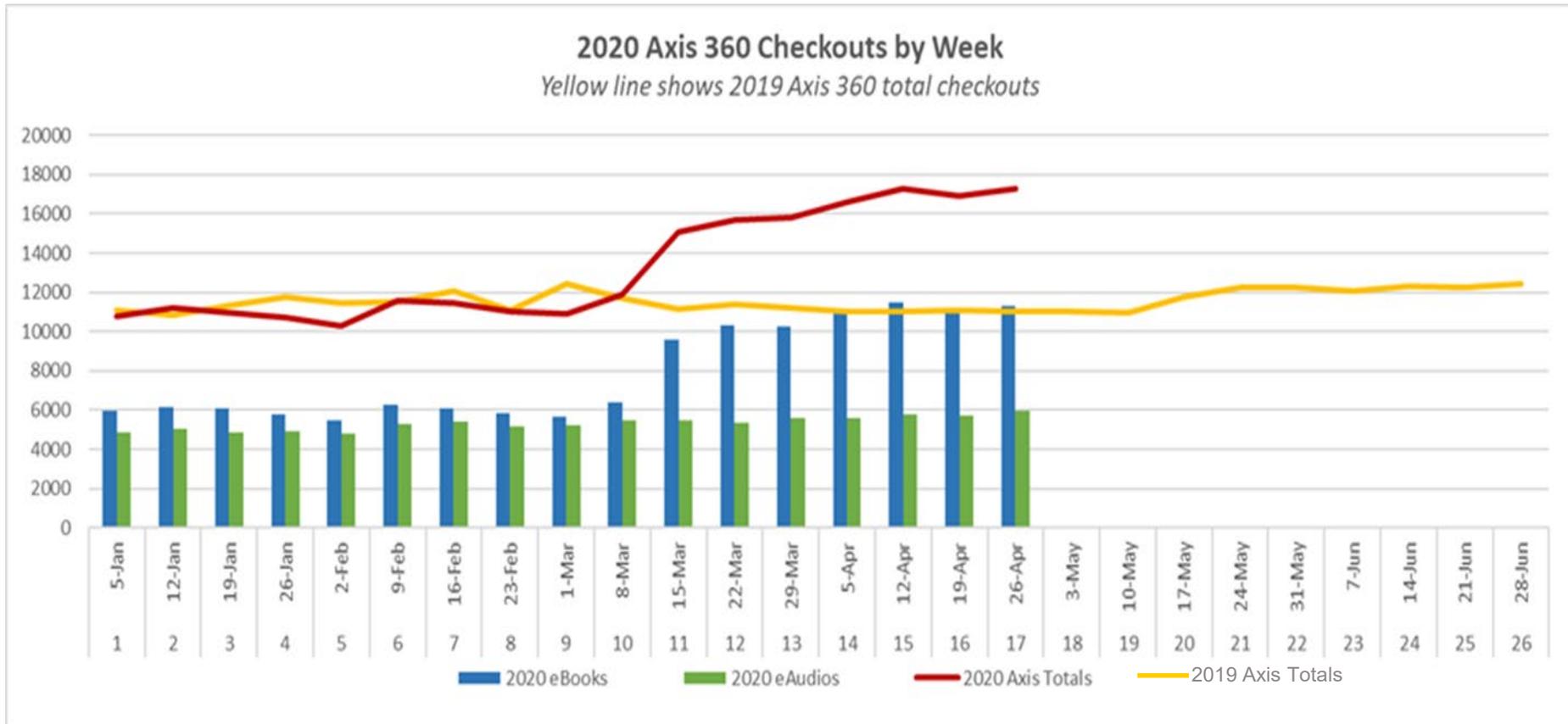




New eResource Content



eBook and eAudio Usage



What are we working on?



Questions?



Central Building Upgrade, Part 2 (CSSC)

Update – May 2020



Library

Updates

- Design update
- Next Steps
- Timeline

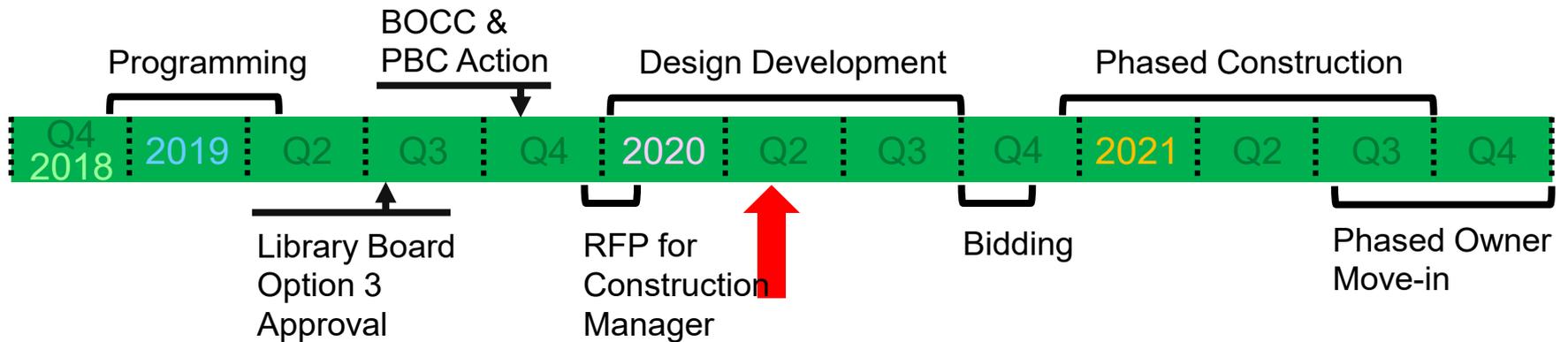


Next Steps

- Design continues
- Begin planning for moving staff out



Central Staffing & Space Consolidation (CSSC) Anticipated Timeline



Lenexa City Center Library: Holds Lobby Improvements

Update – May 2020



Updates

- Background
- Construction update



Johnson County Library Facilities Update

May 2020



Library

MOU between FAC and JCL

- Meet quarterly with Facilities partners
- Review communication channels and make necessary changes
- Review and refine our Service Level Agreement



Building Maintenance

Building Engineer hired – Brad Morgan

- Bringing fire panel inspections up to date
- Updating backflow inspections and making repairs
- Scheduling and making repairs to fire sprinkler system at Central
- Assessing HVAC conditions in Corinth, Cedar Roe, Blue Valley
- Working with PDC and Contractors on roof repairs
- Working with ACS on building control issues
- Working on Archibus documentation and teamwork
- Cleaning and organizing all mechanical rooms



Custodial Services

Chay Her – Custodial Supervisor

- Deep cleaning of each location
- Carpet Cleaning
- Hardwood cleaning
- Dusting
- Disinfecting of surfaces
- Prep for Re-opening



Questions?



Johnson County Library Re-Opening

May 2020



Project Scope

- Get our physical collection in the hands of our patrons
- Re-opening our physical buildings to the staff and public
- Getting our Circulation & Service staff back in the buildings, including bringing staff back from furlough



Project Focus Areas

- **Collection Readiness** – This team will plan and implement tasks to return access of physical materials to the public – one model being considered is drive through or curbside delivery
- **Reintroduction of services** – this team will plan, communicate, and implement tasks to prepare for operating the reduced hours and or services
- **Physical Buildings** – This team will plan, communicate, and implement tasks to prepare the physical buildings for staff to safely execute new workflow and services



Project High-level Risks

- COVID-19 – risk of catching or spreading disease in a pandemic
- Resurgence of the disease
- Directives outside of Library Control (i.e. Kansas Governor Kelly, BOCC...)
- Facilities staff not able to meet demands or have the resources to perform sanitizing tasks
- Shifting timeline – there are many tasks that need to be completed in short amount of time, and these dates will flex as we go
- Staff on furlough resign and we don't have them to bring back
- Unrealistic Patron Expectations



Project Team

- Project Manager – Nancy Birmingham, Assistant Branch Manager
- Representatives from the following areas:
 - Collections and Tech Services
 - Circulation
 - Technology
 - Facilities
 - Branches
 - Development
 - Other Metro Libraries



Questions?



**MINUTES JOHNSON COUNTY LIBRARY BOARD
REGULAR MEETING**

April 9, 2020

Online through Go To Meeting

4:00 p.m.

BOARD: Wayne Burke, Brandy Butcher, Bethany Griffith, Amy Ruo, Fabian Shepard, David Sims
Absent: Donna Mertz

BOARD ATTORNEY: Fred Logan, Andrew Logan

BOCC: Commissioner Hanzlick

STAFF: Elissa Andre, Amy Barclay, Michelle Beesley, Brian Berrens, Chris Carleton, Sean Casserley, Abby Giersch, Lacie Griffin, Hope Harms, Linda King, Juan Lopez-Tamez, Jennifer Mahnken, Alice Pierson, Michaela Scruggs, Scott Sime, Stephanie Stollsteimer, Tricia Suellentrop, Ben Sunds, David Vratny, Adam Wathen, Ashley Whitham, Spencer Zelle

GUESTS:

The Library Board of Directors meeting will be conducted online this month due to the stay at home order.

Board Chair Bethany Griffith called the meeting to order at 4:00 p.m. and asked that Library Board members identify themselves. Mr. Burke, Ms. Butcher, Ms. Griffith, Ms. Ruo, Mr. Shepard and Mr. Sims were present.

Board counsel Fred Logan suggested that speakers identify themselves before speaking for those who may be listening in.

CITIZENS COMMENTS:

There were none.

BOARD OF DIRECTORS COMMENTS:

Board Chair Bethany Griffith opened the Board of Directors comments by sharing a quote from Thomas Payne, "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman."

Ms. Griffith stated that although he was speaking about the American Revolution his words feel apt in the current situation. As a community in Johnson County, as Kansans, as Americans and as global citizens we have seen so many individuals who have refused to shrink back from service whether on the medical front lines or getting essential stuff done. This time has been trying for all of us. Some of us have effortlessly adjusted to a new cozy normal full of Zoom meetings and baking. For others this has been a time of enormous anxiety and distress. Ms. Griffith stated, no matter what kind of storm you find yourself in, in the coming months the Johnson County Library will be there for you – whether you are a patron or an employee. We will do whatever we can to ensure we all weather this storm together. A common question we have received is, "Why is the Library closed?". The answer is simple, the County and State government told us to close for public safety.

If this lockdown continues past the end of April, Ms. Griffith will encourage both the state and Board of County Commissioners to include the Library on the list of essential services. Ms. Griffith stated that if having food and drink delivered to her car curbside is essential to life, so is access to ideas and information. We have a million students learning at home and their greatest resource is operating at minimum capacity. She is certain that the fantastic administrative team and branch staff can come up with a way to get materials into the hands of patrons that complies with the necessities of prudence and safety. Ms. Griffith stated she understands that

some may not agree with the risk, but in times like these being able to turn to art as a comfort or distraction is essential to mental well-being and in times like these the truth is essential to good decision making. In all times, the Library and all it contains and represents is essential to good life. That is what we all strive for.

FRIENDS OF THE LIBRARY:

The Friends of the Library provided the following written report to the Library Board.

Software replacement

We are pursuing software replacement for scanning / pricing / listing of online sales. Current vendor discontinuing service per June 30, 2020.

Membership Sales focus

Friends are refocusing sales and promotions attention to Membership sales and renewals, safely conducted at a distance.

Cabin Fever Book Sale

First day tally exceeded \$4,000 – impressive when we consider the average price of \$1 for most items. The sale was closed early as part of JCL COVID-19 response protocols.

Online Sales

Online sales continued robust until suspended when Stay-at-Home Order was issued for Johnson County and the State of Kansas. The Friends could have squeaked through a loophole in the guidelines yet prefer to align with Library / County practices in place to safeguard well-being of volunteers, staff and the book- buying public.

Internet Sales Factoids:

- **World Book Encyclopedia 2018**, 22 Volume Set – 2 sets sold @ \$182.00 each
- **The Wrightsman Galleries** for French Decorative Arts – \$100.00

International orders were shipped to Canada, Italy, United Kingdom.

Sizzlin' Summer Book Sale

Planning for this major sales effort is on hold pending timeline of national, state and local emergency orders. Friends team will confer on possible alternative approaches to this effort once permitted to conduct business publicly.

Book Stores

Book stores sales activities have been temporarily suspended at branches per COVID-19 response protocols.

Book Donations

Book donation receipt has been temporarily suspended at branches and at the Friends Pine Ridge HQ per COVID-19 response protocols.

JOHNSON COUNTY LIBRARY FOUNDATION:

The Foundation provided the following written report to the Library Board.

We shared last month that we have formed the Development Department that included volunteers, community partners and outreach, Friends and Foundation.

The Development Department team has unlimited work to do to keep our community engaged and ready to mobilize as needed.

The Foundation's 1952 Society/Readers Circle event is April 19, 3-4 pm.

- We are conducting it remotely on the ZOOM platform!
- 1952 Society for planned giving
 - Recognizing the Charter members: 22
 - Estimated amount \$1.3 million
- Readers Circle to recognize individual (couples) donors and their cumulative giving starting at \$10,000.
 - We have about 40 active donors
 - The want to continue to make annual donations and we want to show our appreciation.

Library Lets Loose is moving forward. Clearly the messaging and call to support is altered by our new reality. We have every indication that it will have support and we'll continue on this new adventure.

- Honorary hosts are committed: Cindy Wallis-Lage and Kent Lage
- We are timing sponsor asks for early May
- Note changes: Date: September 12, 2020 at Central, Time: 7-10, Patron Party: for sponsors: 6-7 pm

Black & Veatch MakerSpace makers are doing some amazing work producing CDC approved masks for front line workers. They've assembled sewing kits from donated fabric from a company called Twirl Connect. In addition, they are making face shields from laser cut plastic and 3D printer plastic with supplies purchased by Black & Veatch.

COUNTY COMMISSIONER REPORT

Commissioner Hanzlick reported that the Board of County Commissioners has started meeting twice a week due to the Covid-19 situation. The meetings are available online and are being live streamed. The Commission is meeting on Mondays at 3:00 to receive Covid-19 updates. They meet on Thursdays at 9:30 for the regular meeting. They have been working on budget information. In expectation that the County's revenue will drop they have taken some measures to reduce unnecessary hiring and expenses at the County. The Commission and County management staff are working on this closely.

Commissioner Hanzlick shared that she is so grateful for the eResources at Johnson County Library. She is currently reading an eBook copy of Erik Larson's *The Splendid and the Vile*.

Commissioner Hanzlick encouraged everyone to stay safe. Positive cases of Covid-19 are predicted to peak in Johnson County between April 23 and 30. Now is the time to stay at home and stay safe.

BOARD COUNSEL REPORT

Board Counsel, Fred Logan, stated that on March 20 Kansas Attorney General Derek Schmidt issued written guidance on conducting open meetings during this extraordinary time. The Library Board meeting is being conducted in way that follows the written guidance. It isn't possible to have public comments; however, the meeting has been publicized in advance and the public can join and listen. The Library Board meeting is a public meeting under the open meetings act and we are in compliance.

Library response to Covid-19 and how we are moving forward; emergency authority

Mr. Logan addressed how the Library has responded during this unique time. Just prior to Sunday, March 15, the County Librarian exercised his emergency authority under statute and directed that Libraries be closed for

public safety purposes effective Sunday, March 15. Mr. Casserley received praise from County leaders for this decision and staff have been working closely with County to follow County guidelines since that time. Mr. Logan observed that the Library and County officials have done a superb job working together to create a safe environment for staff and the public.

COUNTY LIBRARIAN REPORT

Finance Report

Finance Director David Vratny reported to the Library Board. The total revenue amount through February was \$19,955,195, this is as expected. Total expenditures through February were in the amount of \$4,675,807, this is also as anticipated. The Library has obligated a larger portion to commodities due to collections.

Library response to Covid-19 and planning for reopening

County Librarian, Sean Casserley reported. After the buildings closed, Library staff began to work from home and meet virtually. A team has been working on bringing story times and programs to a digital platform online. We are also providing eBooks, eAudio books and other materials digitally. A team has been tasked to start planning for reopening the Library.

Construction projects

The Library has taken advantage of this time to work on the holds lobby at Lenexa City Center. The project will be completed by the time the building is reopened.

The Library is continuing with the Central Staff Space Consolidation program and is currently in the design phase.

In collaboration with the City of Merriam, the Antioch Library project has been paused at this time.

Budget planning: preparing for reduced revenue

At the request of the County, Library administration has completed a budget reduction exercise using the scenarios of a 10% revenue reduction and a 25% revenue reduction. These plans have been submitted to the County Manager's Office for their review.

The majority of the Library's revenue is from ad valorem. We anticipate there may be a reduction in property taxes and the County anticipates a reduction in revenue from other sources.

JCL staff: supporting the county

Some Library staff members have been supporting other county departments. Library couriers have been supporting the Meals on Wheels program. Branch Manager, Tad Twidwell is serving as a project manager for the Emergency Operations Center. Our courier vans are being used to disperse materials around the County. Mr. Casserley thanked staff for their willingness to use their skills and assist wherever there has been need.

Commissioner Hanzlick asked if Mr. Casserley would share how the Library is supporting the need for masks and face shields for healthcare and emergency workers.

Mr. Casserley shared that early in the crisis the Library became aware that there was a shortage of personal protective equipment for staff and hospitals. The Black and Veatch MakerSpace Makers developed two teams to make fabric masks and face shields. One team has been using the 3D printers to create protective face shields. The other team has been sewing fabric masks using fabric and supplies donated by local company,

Twirl Connect. Over 35 staff members have made over 500 masks since April 7 and we have fabric for 1,000 masks.

JCL: operating digitally

Mr. Casserley shared that the administrative team decided every staff member should have a device to be able to work remotely. Mr. Casserley thanked the IT department for their diligence in identifying and distributing devices to staff. The purpose of this initiative was to give staff the ability to work in a digital environment and to ensure a consistent way to communicate with all staff.

Prairie Village Memorandum of Understanding

Legal counsel completed the memorandum of understanding with the City of Prairie Village. Mr. Casserley spoke with the City Manager. Due to the current situation and the possibility of an economic downturn, the City has decided to pause the project at this time. The Library has budgeted for the project, but we do not anticipate it will go forward at this time.

Freeze on fines and fees

When the Library closed many patrons still had materials. The Library has instituted a hold on fines and fees and have asked patrons to keep physical materials until we reopen. The current data available indicates that the Covid-19 virus can live on surfaces for up to 14 days.

Shooting on Library property

Mr. Casserley reported that there was a shooting on Library property last night. The shooting occurred at 8:55 p.m. in the second to last row of the parking lot at Central Resource Library. Library staff have been working with Overland Park police to provide video footage. The person who was shot was in critical condition. We do not have any additional information about the situation.

Furloughing staff

Mr. Casserley reported the County Manager's Office and County Human Resources have discussed furloughing staff. Furloughed staff are eligible for unemployment benefits. They remain county employees and maintain their benefits. At this time 84 Library pages have been furloughed. The Library is currently undergoing a second round of furloughs and more information will be forthcoming.

eResources report

Hope Harms, Library Collections Specialist, reported to the Library Board. Ms. Harms is part of the Collections Development team and the caretaker of the research databases, platforms for digital resources and online learning services.

Ms. Harms shared that one of the phrases we hear a lot is, "I didn't know the Library had that, the Library is such a hidden gem!". We invest a lot of time to navigate a complicated landscape of intellectual property rights, technical systems integration and patron privacy to bring exciting digital resources. Our customer experience team and staff systemwide are working together to promote our eResources to patrons.

eResources can be found on the Johnson County Library website. Ms. Harms shared many of digital resources that can be found on the site. In addition to eBooks and eAudio books we also have entertainment options. We have streaming video, Kanopy, Kanopy Kids and AcornTV. We offer digital periodicals, like the Kansas City Star, the New York Time and the Shawnee Mission Post. We offer eMagazines in a variety of languages. We have the library edition of ancestry.com. We also have great business and investment resources including Value Line and Morningstar. We also offer resources for job seekers, homework help for students, as well as

lifelong learning opportunities. Ms. Harms encouraged everyone to find an eResource they are excited about and share it with a friend. Word of mouth is powerful and by sharing we hope to change the phrase “hidden gem” to “gem”.

Mr. Shepard commended Library staff for their efforts to create masks and face shields. He thanked Mr. Logan for the update regarding the Attorney General’s statement. He thanked Mr. Casserley for the update on the tragedy that occurred on Library property and hopes the Library’s video helps the police apprehend the perpetrator of the offense.

Commissioner Hanzlick commended the Library for making masks. She asked Ms. Harms if she could send some information that can be shared on social media to remind people about eResources at the Library.

Ms. Harms and the Library’s communication team will send information on eResources to Commissioner Hanzlick and the Library Board.

CONSENT AGENDA

Minutes of the March 12, 2020, Library Board Meeting

Motion: Amy Ruo moved the Library Board approve the consent agenda.

Second: Fabian Shepard

Motion approved unanimously

NEW BUSINESS

Consideration of approval of an easement at Oak Park Library for natural gas facilities and appurtenances between Johnson County Library and Kansas Gas Service

Mr. Casserley reported that the Library received a request from the Kansas Gas Service for an easement at Oak Park. The Library land subject to the easement consists of approximately 1,019 square feet along Bluejacket Drive. The Library would grant this easement to Kansas Gas Service for \$1.00. Kansas Gas Service will be installing an above ground valve in this location. This agreement has been reviewed by legal counsel.

Motion: Wayne Burke moved the Library Board of Directors approve the Easement for Natural Gas Facilities and Appurtenances between the Library and Kansas Gas Service on the Oak Park Library branch property.

Second: Brandy Butcher

Motion approved unanimously

Election of Library Board Officers

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

The Johnson County Library nominating committee, Brandy Butcher, Fabian Shepard and David Sims, submits the following nominations for officers:

Chair: Amy Ruo

Vice-Chair/Secretary: Bethany Griffith

Treasurer: Donna Mertz

Motion: Brandy Butcher moved the Library Board of Directors elect the recommended slate of officers for the 2020-2021 term.

Second: David Sims

Motion approved unanimously

ADJOURNMENT

Motion: Fabian Shepard move the Library Board of Directors adjourn.

Second: Wayne Burke

Motion approved unanimously

Meeting adjourned at 4:51 p.m.

SECRETARY _____
Amy Ruo

CHAIR _____
Bethany Griffith

SIGNED _____
Sean Casserley

**JOHNSON COUNTY LIBRARY
GIFT FUND
TREASURER'S REPORT**
Period: MAR-2020

| | | Receipts | Payments | Balance |
|--|---------------------------------|----------|------------|--------------------|
| | Opening cash balance | | | \$76,606.08 |
| | Add Receipts | \$94.18 | | |
| | Less Payments | | \$1,068.24 | |
| | Ending Cash balance | | | \$75,632.02 |
| | Less Liabilities | | \$562.21 | |
| | Unobligated cash balance | | | \$75,069.81 |

APPROVED: _____

DATE: _____

To: Library Board of Directors
From: Sean Casserley, County Librarian
Date: May 14, 2020
Re: **Information Item:** Memorandum of Understanding Between Library Board of Directors and Johnson County Office of Treasury and Financial Management

Issue: Consider authorizing a Memorandum of Understanding (MOU) between the Board of Directors of the Johnson County Library and the Johnson County Office of Treasury and Financial Management for the provision of payroll services for 2020.

Suggested Motion: This is an information item only; no suggested motion is included at this time.

Background: Prior to December 2019, the Library's payroll function had been handled by an internal staff person. The departure of that staff and the lack of sufficient Library resources to handle the payroll function resulted in a temporary arrangement with Treasury and Financial Management assisting the Library in the provision of payroll services. This arrangement has provided for greater accuracy and efficiency of the payroll function.

The Library and Treasury and Financial Management now, through this MOU, intend to extend their current collaboration to achieve long-term efficiencies and to allow the Library to focus its attention on Library services by transfer of the Library's current vacant payroll position to Treasury and Financial Management along with the necessary financial resources to support such position.

Analysis: Library staff has evaluated the cost and benefits associated with this change in payroll services and has concluded that moving this function to Treasury and Financial Management would provide: better redundancies with the payroll functions, increased adherences to County payroll standards, closer connections to other payroll and Human Resources professionals, and provide the best opportunity to avoid liability risks from a Fair Labor Standards Act (FLSA) standpoint. Moving forward this partnership will also hopefully provide further improvements to the payroll process for the Library and look for better methods and technology solutions to payroll time keeping for Library staff.

Funding Overview: Sufficient budget authority for this comes from the previously budgeted position that provided this function for the Library and will require a slight modification of budget expenditure authority from personnel services to interfund transfers to accommodate this change.

Alternatives: The Library could continue to have the payroll function handled by an internal staff person and begin cross-training other Library staff on being able to perform the payroll function in cases of this position being absent.

Recommendation: Staff recommends the Board approve the Memorandum of Understanding (MOU) between the Board of Directors of the Johnson County Library and the Johnson County Office of Treasury and Financial Management for the provision of payroll services for 2020.

Purchasing Review: N/A

Budget Review: The budget authority necessary for this MOU is currently in the Library's 2020 Budget.

Legal Review: Reviewed and approved by legal counsel.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), effective the 26th day of June, 2020, memorializes the working relationship between the Board of Directors of the Johnson County Library and the Johnson County Office of Treasury and Financial Management.

RECITALS

A. The Johnson County Library (the Library) owns and operates library facilities in the Johnson County Library taxing district pursuant to K.S.A. 12-1223. It also establishes regulations for those facilities pursuant to K.S.A. 12-1225. It has over 400 staff positions to provide award-winning library services.

B. The Johnson County Office of Treasury and Financial Management is responsible for providing payroll services to Johnson County's departments, agencies, and offices and possesses expertise in best practices and compliance with applicable laws. Staff members of Treasury and Financial Management are noted for their commitment to professionalism and high-quality service.

C. Prior to December 2019, the Library's payroll function had been handled by an internal staff person. The departure of that staff and the lack of sufficient Library resources to handle the payroll function resulted in a temporary arrangement with Treasury and Financial Management assisting the Library in the provision of payroll services. This arrangement has provided for greater accuracy and efficiency of the payroll function.

F. The Library and Treasury and Financial Management now, through this MOU, intend to extend their current collaboration to achieve long-term efficiencies and to allow the Library to focus its attention on Library services by transfer of the Library's current vacant payroll position to Treasury and Financial Management along with the necessary financial resources to support such position.

The parties accordingly agree to the terms set forth below.

TERMS OF UNDERSTANDING

1. The Recitals set forth above are incorporated by reference in these Terms.
2. Treasury and Financial Management shall provide all of the required, standard payroll services to the Library, and the Library agrees to utilize those services, including, but not

limited to, final review, processing, posting, charging, and adjustments to payroll. Treasury and Financial Management staff shall be responsible for Oracle Time Management (OTM) including the data pulled from OTM to the payroll module for payroll processing. Treasury and Financial Management shall also be responsible for all of the Labor Distribution (LD) entries along with any LD adjustments that might be necessary for Library positions. The Library shall remain responsible for time entry, review of time entries, and approval of that time for each payroll.

3. The Library agrees to transfer to Treasury and Financial Management its current 0.85 full-time equivalent (FTE) position that was previously utilized for the performance of payroll services. The Library also agrees to fully fund this position as a 1.00 FTE in recognition of the fact that the quantity and quality of the work warrants a fulltime position. Treasury and Financial Management shall utilize that position to provide payroll services dedicated to the Library.
 - a. "Payroll Services Dedicated to the Library," for purposes of this MOU, means that the position being transferred to Treasury and Financial Management shall be primarily responsible for providing payroll services to the Library. In addition, staff dedicated to the Library may also be given assignments and projects for the benefit of the Treasury and Financial Management or the County in general. After consultation with the County Librarian, Treasury and Financial Management may reassign staff dedicated to the Library at any time when reassignment is in the best interest of Treasury and Financial Management, the Library or Johnson County, but, at all times, there will be one full staff person responsible for providing services to the Library.
 - b. The Library shall be responsible for providing adequate funding to cover the full, budgeted costs for the full-time staff position that is being transferred to Treasury and Financial Management, and the Library agrees that such funding shall be transferred from the Library budgeted funds to the County General Fund for the benefit of Treasury and Financial Management pro-rated for the remaining budget year 2020. Such funding shall include the entire salary; benefits and other employment-related costs; professional expenses, including dues and educational expenses (to include possible training or additional professional association costs); information technology equipment as is typically utilized by Treasury and Financial Management for such positions; and office chair. Treasury and Financial Management will work with Human Resources and Library to determine the appropriate salary and appropriate professional expenses for the dedicated staff. None of these costs shall be prorated based upon time spent by dedicated staff on Treasury and Financial Management or County projects. Treasury and Financial Management at its expense shall provide the infrastructure in the form of office space and office supplies needed for the dedicated staff to perform the duties.
 - c. Treasury and Financial Management will work with the Library staff to provide periodic updates of how the payroll processing arrangement is going along with highlights of what has been performed or what is planned to be performed with regards to payroll services. This includes helping prepare a payroll processing update for the Library's trimester reports that are typically done in January, May, and September.

4. Treasury and Financial Management shall supervise the payroll services position dedicated to the Library. The Library is expected to provide timely feedback related to performance of payroll services staff assigned to the Library.
5. This MOU shall remain in effect through December 31, 2020, at which time it may be renewed by the parties.
6. Upon termination of this MOU, the position transferred from the Library to Treasury and Financial Management as part of this MOU shall be transferred back to the Library. In the event such transfer occurs prior to the end of a calendar year, the County shall transfer the funds budgeted for the positions from the County General Fund to the Library Operating Fund.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed and made effective the day and year first written above.

By _____
 Thomas Franzen
 Director, Treasury and Financial Management

By _____
 Sean Casserley
 Johnson County Librarian

By _____
 Penny Postoak Ferguson
 County Manager

By _____
 Amy Amos Ruo
 Chair, Board of Directors of
 Johnson County Library

Approved as to Form:

Approved as to Form:

By _____
 Denise M. Howard
 Assistant County Counselor

By _____
 Fred J. Logan, Jr.
 Counsel to the Board of Directors of the
 Johnson County Library

To: Library Board of Directors
From: Sean Casserley, County Librarian
Date: May 14, 2020
Re: Information Item: Parking Lease Agreement Between Library Board of Directors and Lenexa Baptist Church

Issue: Consider authorizing a Parking Lease Agreement between the Board of Directors of the Johnson County Library and the Lenexa Baptist Church.

Suggested Motion: This is an information item only; no suggested motion is included at this time.

Background: At the March 12, 2020, meeting of the Library Board of Directors, a representative of the Lenexa Baptist Church addressed the Library Board. The Lenexa Baptist Church had been using the Lackman Library parking lot on Sunday mornings and Wednesday evenings. Recently barriers were put up preventing unauthorized use of the Antioch and Lackman Library parking lots. The Lenexa Baptist Church would like to continue to use the parking lot and requested the Library Board consider entering into a shared parking agreement. The Church does have a liability policy.

At the request of the County Librarian and Board of Directors, legal counsel has drafted a parking lease agreement between the Board of Directors of the Johnson County Library and the Lenexa Baptist Church.

Analysis: The parking lease agreement would allow the Lenexa Baptist Church to use the Lackman Library parking lot for overflow parking during permitted parking periods of 7:00 a.m. to 2:00 p.m. on Sundays and 4:00 p.m. to 8:00 p.m. on Wednesdays. Vehicles would not be permitted to be stored or parked outside of the agreed upon hours. The Lenexa Baptist Church will be responsible for all setup and cleanup of the parking lot when in use by the Church.

The lease will expire after one year and may be renewed at that time. The lease amount will be \$1.00.

Alternatives: No alternatives to recommend at this time.

Recommendation: Staff recommends the Board consider approving the Parking Lease Agreement between the Board of Directors of the Johnson County Library and the Lenexa Baptist Church.

Legal Review: Reviewed and approved by legal counsel.

PARKING LEASE AGREEMENT

THIS PARKING LEASE AGREEMENT (“Lease”) is made and entered into by and between THE BOARD OF DIRECTORS OF THE JOHNSON COUNTY LIBRARY, Johnson County, Kansas (“**Lessor**”), and LENEXA BAPTIST CHURCH, INC., a Kansas Not For Profit Corporation (“**Lessee**”), as of this ____ day of _____, 2020.

RECITALS

- A. Lessor owns the improvements and underlying real estate having an address of 15345 W 87th Street Parkway, Lenexa, Kansas 66219 (“**Premises**”), which was the location of the former Lackman Library branch facility (“**Branch Building**”);
- B. The Premises contain a paved surface for parking automobile passenger vehicles comprised of approximately sixty-five (65) parking spaces (“**Leased Spaces**”);
- C. Lessee operates a church and affiliated facilities on the opposite side of 87th Street Parkway from the Premises with an address of 15320 W 87th Street Parkway, Lenexa, Kansas 66219 (“**Church**”);
- D. Pursuant to Lessor’s Administrative Regulations Manual Section 60-10-70, “Parking,” the Lessor’s County Librarian is authorized to establish “shared parking agreements with other organizations or agencies where appropriate” on Lessor’s properties, including the Premises; and
- E. Lessee wishes to lease the Leased Spaces for purposes of Church overflow parking, together with related rights of ingress and egress, on the terms and conditions more particularly set forth in this Agreement.

AGREEMENT

IN CONSIDERATION of the mutual covenants hereinafter stated and other good and valuable consideration, the existence and receipt of which is hereby mutually acknowledged, the parties agree as follows:

1. Lease. Lessor hereby leases to Lessee use of the Premises’ Leased Spaces during Permitted Parking Periods, as defined in section 4 below, together with any equipment, improvements, and appurtenances thereon related to the Leased Spaces, including, but not limited to, rights of ingress and egress onto the Premises by motor vehicles and pedestrians from existing streets for the purpose of pedestrian and vehicular ingress and egress, together with the parking of passenger vehicles, on, over and across the Property by Lessee and its Visitors and the vehicles of same. For purposes of this Lease, “**Visitors**” shall mean patrons, visitors, and other agents, contractors, licensees, and invitees of the Church operated by Lessee. Lessee shall have rights under this Lease solely for the purpose of utilizing the Leased Spaces for overflow parking from Church events to supplement Lessee’s parking lots at the Church property during the Permitted

Parking Periods. Lessee may not use the Leased Spaces to park or store vehicles owned by Lessee for extended periods of time or at any time not occurring during the Permitted Parking Periods.

2. **Term.** The term of this Lease shall commence on Friday, May 15, 2020 (“**Commencement Date**”) and shall expire on the date that is one (1) year thereafter, unless earlier terminated as provided herein (“**Lease Term**”). The parties may renew this Lease any time within the sixty days prior to the expiration of the Lease Term.
3. **Rent and Lessee Payments.** In consideration for this Lease, Lessee shall pay to Lessor rent in the amount of One Dollar (\$1.00) not later than the Commencement Date.

Lessee also shall pay all costs and expenses and reimburse Lessor for any damage, other than normal usage, caused directly or indirectly by the Lessee or Visitors to the Premises, and to any adjacent property, including but not limited to the Leased Spaces, road, signs, lighting, grass, sidewalks, guardrails, buildings, fences, utility services, and other structures.

4. **Permitted Parking Periods.** Lessee shall use the premises only during “**Permitted Parking Periods.**” The Leased Spaces may be occupied by Lessee and Lessee’s Visitors solely during the Permitted Parking Periods. Permitted Parking Periods means (1) from 7:00 a.m. Central Time to 2:00 p.m. Central Time on Sunday of each week during the Term and (2) from 4:00 p.m. Central Time to 8:00 p.m. Central Time on Wednesday of each week during the Term. Additional periods for use of the Leased Spaces, not during the Permitted Parking Periods, must be agreed to in advance in writing by Lessor. All parking activities of Lessee, including setup and cleanup, are to be completed by the Lessee during the Permitted Parking Periods, unless otherwise agreed to by Lessor in writing.
5. **Access to Premises.** At the vehicle entrance to the Leased Spaces and Premises are barriers installed by Lessor that stop unauthorized vehicle access to the Leased Spaces. The barriers may be unlocked and moved to obtain vehicle access to the Leased Spaces, including for Lessee’s authorized use of the Leased Spaces under this Lease. Lessor shall provide Lessee a key to unlock the barriers at the start of each Permitted Parking Period. Lessee shall only permit authorized employees to have access to such key and maintain it in a secure place at the Church. Lessee shall return the key upon termination of this Lease. At the end of each Permitted Parking Period, Lessee shall return the barriers to their locked and secure position to deter unauthorized vehicle access of the Leased Spaces and Premises.
6. **Lackman Branch Building.** Lessor owns the Brach Building on the Premises previously used as the Lackman Library branch facility. Under no circumstances does this Lease grant any right to the use of or access to the Branch Building by Lessee, Visitors, or any third party. Under no circumstances do the Leased Spaces include the Branch Building nor does this Lease grant right of access to the Branch Building. Lessee will not permit or encourage any of its Visitors or agents to attempt to gain access to the Branch Building.
7. **Additional Costs.** Lessee shall be solely responsible at Lessee's sole cost and expense for applying for and obtaining all city, county, state and other permits as necessary to utilize the

Leased Spaces and Premises as provided in this Lease, including but not limited to commercial driver's licenses for transport shuttles to the Church, municipal fees and costs to transport Visitors from the Premises to the Church, or costs for security or police traffic control.

8. Cleanliness and Restoration of Premises. Lessee shall leave the Premises in a condition of cleanliness equal to or better than before the Permitted Parking Period and shall properly dispose of all trash upon conclusion of the Permitted Parking Periods. Lessee may not permit any offensive use of the Premises by the Visitors or any third party during the Permitted Parking Period. Lessee shall keep the Leased Spaces in good order and in a clean and sanitary condition.
9. Traffic Control and Security. Lessee shall provide traffic control the Lessee reasonably deems necessary at its sole cost and expense during the Permitted Parking Periods and for a reasonable time before and after the Permitted Parking Periods, as necessary. Lessor will not provide any security or traffic control to or from the Premises during the Permitted Parking Periods. Lessee shall be solely responsible to Visitors for any loss or theft occurring during the Permitted Parking Periods.
10. As-Is Disclaimer. LESSOR FURNISHES THE PREMISES AND LEASED SPACES AND OTHER ACCESS TO THE EXTENT SET FORTH IN THIS LEASE ON AN "AS-IS" BASIS AND LESSOR DISCLAIMS ANY AND ALL REPRESENTATIONS AND WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY FOR GENERAL OR PARTICULAR USE. Lessee has examined the Leased Spaces and determined the Leased Spaces are suitable and acceptable for Lessee's activities under this Lease. Lessee acknowledges and agrees the Premises and Leased Spaces are provided by Lessor in "AS-IS" condition and that Lessor makes no representation whatsoever as to their fitness for Lessee's intended use. Lessee acknowledges and assumes all responsibility for and risk relative to the use of the Premises.
11. Legal Compliance. Lessee's occupancy and use of the Premises covered by this Lease are subject to, and the Lessee will comply with, all applicable laws and governmental rules and regulations, including Lessor's Administrative Regulations Manual. All Lessor or public warning signs, posted speed limits, other traffic signs and signals, and other warning signs and postings must be obeyed at all times. Enforcement of all such warning signs, postings and regulations is the responsibility of the Lessee. Parking of vehicles is only allowed on the marked, paved parking areas on the Leased Spaces. Lessee shall be responsible for enforcing parking restrictions and ensuring compliance with all law and rules by Lessee and Visitors.
12. Insurance. Lessee shall obtain and continuously maintain general liability insurance covering Lessee and Lessor from liability, which may arise from any activity undertaken pursuant to this Lease or actions pursuant to this Lease. Said policy shall be issued by a company duly authorized to do business in the State of Kansas and provide for general liability insurance coverage of not less than \$1 million per occurrence with an aggregate limit of not less than \$3 million and automobile liability coverage of not less than \$1 million per accident or occurrence. Any commercial vehicle, including shuttles or buses, utilized by the Lessee and operated on or from

the Leased Spaces shall also be covered by liability insurance in a form and amount acceptable to Lessor. The form of any applicable insurance policy shall be acceptable to Lessor. Before the Commencement Date, Lessee shall provide Lessor with a certificate evidencing the issuance of such policy naming The Board of Directors of The Johnson County Library as a certificate holder and additional insured. Lessee shall continuously supply Lessor with a current copy of the acceptable policy and proof of insurance as outlined above. Failure to provide such insurance coverage shall be grounds for the immediate termination of this Lease by the Lessor.

13. **Indemnification.** Lessee shall indemnify and hold Lessor harmless from any liability, loss, cost, damage, fines or expense, including attorney's fees, which Lessee, Visitors, and Lessee's agents, contractors, employees, shareholders, officers and subsidiaries may suffer or incur as a result of any claims which may be made by any person, including but not limited to Lessee, its agents, employees, and Visitors, that arise out of or result from any activities, acts or omissions relating in any way to this Lease or from Lessee's or Visitors' use or occupation of, or presence on the Premises, including but not limited to activities occurring during the Permitted Parking Periods. This obligation does not apply to the extent any claim is caused by the negligence or willful acts of Lessor.
14. **Termination.** Lessee and Lessor shall have the right to terminate the Lease in its entirety with or without cause upon not less than thirty (30) days prior written notice to the other at no penalty to Lessee or Lessor.
15. **Default.** Lessee understands and agrees that failure to comply with all provisions of this Lease will constitute an event of default of this Lease. The default will exist at the time the Lessee fails to comply with the provisions of this Lease, whether Lessor has notice of the default or not. The Lessee understands and agrees that Lessor, in addition to any legal remedies available, may at Lessor's discretion elect to impose any single remedy or penalty, or combination of remedies and penalties, or all remedies and penalties, as stated elsewhere in this Lease, including but not limited to Lease termination.
16. **Notices.** All notices and other communications under this Lease shall be in writing and shall be deemed to have been duly given or made (a) upon delivery if hand delivered; (b) one business day after transmittal by facsimile provided that facsimile transmission is verified or confirmed; (c) one business day after presented to a recognized overnight courier service (such as Federal Express), fee prepaid, for next business day delivery; or (d) three (3) days after deposit with the United States Postal Service as registered or certified mail, postage prepaid, and in each case addressed as follows:

| | |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To Lessor: | Johnson County Library 9875 W. 87th Street Overland Park, Kansas 66212 Attn: Sean Casserley, County Librarian Fax No.: 913-826-4730 Email: CasserleyS@jocolibrary.org |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

with a copy to: Fred J. Logan, Jr.
Logan Logan & Watson, L.C.
8340 Mission Road, Suite 106
Prairie Village, Kansas 66206
Fax No.: 913-381-6546
Email: flogan@loganlaw.com

To Lessee: Lenexa Baptist Church
15320 W 87th Street Parkway
Lenexa, Kansas 66219
Attn: Jim Fruth, Executive Pastor
Fax No.:
Email: jfruth@lenexabaptist.com

with a copy to:

17. Miscellaneous.

- a) Lessee agrees that it does not and will not claim at any time any interest or estate of any kind or extent whatsoever in the Premises by virtue of this Lease or occupancy and use thereunder.
- b) This Lease shall be deemed to be personal to Lessee and shall not be deemed to be appurtenant to Lessee's Church property. Lessee may not assign or sublease any of the Leased Spaces.
- c) The Lessee agrees that it will not exclude any person from participation in, deny anyone the benefits of, or otherwise subject anyone to discrimination on the grounds of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, veteran status, or for any other unlawful violation.
- d) Each party represents that the individual executing this Lease on its behalf has the authority to bind the entity and agree to the terms and conditions contained herein.
- e) Lessee shall be an independent contractor and all persons employed by Lessee in the exercise of the rights granted under this Lease will be Lessee's employees, servants and agents only.
- f) This Lease may not be amended or modified except by a written instrument signed by Lessee and Lessor.
- g) This Lease contains the entire agreement between Lessor and Lessee with respect to the subject matter hereof and supersedes all prior agreements, understandings, offers and negotiations, whether oral or written.

- h) This agreement shall be governed by and construed in accordance with the laws of the State of Kansas. The parties agree any dispute or claim arising from this Lease shall be subject to the exclusive jurisdiction of the District Court of Johnson County, Kansas.

IN WITNESS WHEREOF, Lessor and Lessee have caused this Lease to be executed as of the date above written.

[Remainder of page intentionally left blank; signature page follows.]

“LESSOR”

**Board of Directors of the
Johnson County Library**

By: _____
Name: Amy Amos Ruo
Title: Chair

Approved as to Form:

Name: Fred J. Logan, Jr.
Title: Board Counsel

“LESSEE”

Lenexa Baptist Church, Inc.

By: _____
Name: Jim Fruth
Title: Executive Pastor