



**Board Report
May 9, 2024**

AGENDA

JOHNSON COUNTY LIBRARY BOARD OF DIRECTORS
REGULAR MEETING, MAY 9, 2024
Central Resource Library
Carmack Community Room
9875 W 87th St Overland Park, KS 66212
4:00 p.m.

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

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

- I. Call to Order
- II. Citizen Comments.....4
- III. Remarks
 - A. Members of the Johnson County Library Board of Directors
 - B. Board Chair, Kelly Kilgore
 - C. Development Department: Written reports presented by Shelley O’Brien, Development Director.....5
 - D. Liaison, Board of County Commissioners, Shirley Allenbrand
- IV. Reports
 - A. Board Counsel – Fred Logan and Andrew Logan
 - a) Review of contract for sale of Lackman Library property
 - B. County Librarian Report – Tricia Suellentrop, County Librarian
 - 1. Finances and Statistics
 - a) Financial Report, Dave Vratny, Finance Director.....8
 - b) Quarterly Core statistics, Adam Wathen, Associate Director for Branch Services.....13
 - i. Learning and Development, Laura Blair, Learning and Development Training Manager.....17
 - 2. Comprehensive Library Master Plan, Scott Sime, Lead Project Coordinator
 - a) Board Liaisons to Capital Projects.....23
 - b) Capital Projects: Timeline Summary.....27
 - 3. Updates – Tricia Suellentrop, County Librarian
 - a) Volunteer Appreciation Celebration, Amber Bourek Slater, Volunteer and Friends Engagement Coordinator, and Adam Wathen, Associate Director for Branch Services..30
 - b) Prairie Village Survey Update, Elissa Andre, Marketing and Communications Manager and Kinsley Riggs, Deputy County Librarian.....32
 - c) Civic Engagement Update, Ashley Fick, Reference Librarian.....36
 - d) Public Library Association Conference highlights, Nate Hohl and Marley Killgore, Branch Operation Managers.....38

V.	Consent Agenda	
	A. Action Items:	
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	2. Minutes of the April 11, 2024 Joint Board of County Commissioner and Library Board meeting.....	48
	B. Information Items	
	1. Financial and Personnel	
	a) The County Librarian and the Finance Director certify those payment vouchers and personnel authorizations for March 2024 were handled in accordance with library and County policy.	
	b) The March 2024 Revenue and Expenditure reports produced from the County’s financial system reflect the Library’s revenues and expenditures	
	C. Gift Fund Report	
	1. Treasurer’s Report.....	54
VI.	Old Business	
	A. Action item: 2025 Library Budget Proposal, Dave Vratny, Finance Director.....	55
VII.	New Business	
	A. Action Item: Consider contract for sale of Lackman (updated 05/09/2024).....	63
	B. Action Item: Consideration of temporary closure of Corinth Library for Geotechnical Excavation.....	76
	C. Action Item: Consideration of temporary closure of Cedar Roe Library for electrical infrastructure replacement.....	77
VIII.	Executive Session – Preliminary discussion of the possible acquisition of real property	
IX.	Adjournment	

CITIZEN COMMENTS

May 2024

April 23, 2024

Upon our story time visit today at the Oak Park library, I was very disheartened to hear that story times are now discontinued. I was directed to the upcoming activities that require registration. They are all more than a month away and already full. As a mom of two little ones, this service was one of our favorite activities that met the needs of all ages in our family. Now my kids will not have these types of activities due to the registration limitations. Story times are also such a pivotal resource for early childhood kids as they build relationships with the librarian and other kids who come, who are often regulars every week. One highlight of living in Johnson County and paying such a high price to do so is the wonderful resources of our library system. I was told there is a restructuring going on within the JCL organization, and I am very disappointed by those decisions and how it is impacting the community.



Monthly Report of the
Volunteer & Friends Engagement Coordinator to the
Board of Directors of Johnson County Library
May 2024

Volunteer Appreciation

National Volunteer Appreciation Week was April 21-27. We had a record breaking 112 people in attendance for this year volunteer recognition luncheon. Two Friends and one branch volunteer were inducted into the Club 2080 for sharing the equivalent of 1 full time year of service (2080 hours) in their volunteer lifetime. We also recognized 10 volunteers for their Above and Beyond Service. This group included four circulation, two English Language Learners facilitators, two sorting, one Internet sales, and one puzzle testing/ book sale volunteer.

Fifty percent of Johnson County Library volunteers are teenagers. We are recognizing eight outstanding teen volunteers with the Points of Light Presidential Service Award or Volunteer Leadership Awards for their service in the last 12 months. Honorees include: Audrey Fullerton, Indraneel Kasuba, Mia Maciula, Oliva Moore, Karunya Nimmagadda, Anna Shanklin, Aurora Straight, and Mahad Zamir.

Volunteer Engagement Survey

Each year, we survey our volunteers to gauge feedback about their volunteer experience. The survey was sent to volunteers ages 14+ who served 6 or more hours in the last twelve months. This year, 157 volunteers participated. We noticed more diversity in length of service, age, gender, and race of this year's participants. Results were very positive with 93% saying they enjoyed volunteering at the library; 86% feeling like they are valued members of the Library team; and 93% saying they would recommend volunteering at the library. No surprise that library volunteers are also some of our biggest advocates with 78% saying they have told others about library programs and services.

Friends Database Update

The Friends new database migration to Bloomerang is almost complete. Two rounds of database testing have occurred. In early May, Bloomerang will pull final data and the new membership database will be live. Then they will work on setting up segmented email groups as well as creating forms to capture email contact for people visiting the Friends website or attending pop-up book sales.



Monthly Report
of the Friends of Johnson County Library
to the Board of Directors of Johnson County Library
May 2024

New Website

If you've visited <https://friendsofjcl.org/> in the past few weeks, you may have noticed something: it looks fantastic! Our new website went live on Friday, April 5th. We've moved away from the e-commerce focus in-favor of providing visitors with information about our community engagement and advocacy work, including our beloved Annual Bookmark Design Contest. We also provide a deeper dive into why library advocacy is so important and how our supporters can become more involved in this essential work.

By the end of May, the membership portion of the site will integrate with our new database, reducing clicks and offering auto-renewal options for our members and donors. We'll also add a digital toolkit for individuals and businesses to use when they host book drives. This toolkit will provide a Friends-branded flyer template and shareables to drop into emails and social media channels.

Learning & Development

One of the most effective ways to run a highly functioning organization is to keep staff engaged, and one of the best ways to do this is by providing them with opportunities to grow and challenge themselves. If this can be accomplished while also stretching the budget, even better! Over the next several months, members of my staff will attend classes at Johnson Community College at a significantly reduced rate through Johnson County Community College's CE Cares Program. In March, we received approval for the 2024 Continuing Education Training Award, which provides the opportunity to enroll employees in up to \$25,000 of Continuing Education classes by October 31 of this year (we are responsible for paying 20% of the total training costs). Additionally, I have been awarded a continuing education grant from Kansas Library Association Educational Foundation in the maximum amount of \$250.00 to apply towards the cost of my enrollment in Nonprofit Connect's Executive Director Institute.

Membership Value Proposition

At the April meeting, our board of directors approved a Friends Membership value proposition as proposed by our Membership Committee. I am delighted to share it with you here:

- Elevate library and literacy advocacy with a unified voice
- Learn more about Johnson County Library and literacy movements in our communities
- Receive the Library Guide by mail three times a year
- Enjoy 20% off regularly priced items at our used book sales
- Receive Members-only access to events and special sales
- Give used books another chance to be loved

Shanta Dickerson (she/her)
Executive Director

Libraries for all. All for libraries.



Monthly Report of the
Johnson County Library Foundation to the
Board of Directors of Johnson County Library
May 2024

Matt Eicheldinger Charmed Audience during 1952 Society Reception

On April 17th over 100 people spent the evening listening to teacher and author Matt Eicheldinger at the 1952 Society reception in Carmack. Eicheldinger's new book is called, "Matt Sprouts and the Curse of Ten Broken Toes" is for children of all ages. Also, the reception highlighted the three new members of the 1952 Society who have placed the library in their estate plans: Mel and Alice Hawk, Chris and Bonnie Limbird, and Leigh Anne and Bill Neal. A big thank you to Andrews McMeel Universal for sponsoring and super volunteer Caroline McKnight for planning a fun evening for everyone.

Development Department Hosted Crestview Elementary 3rd Graders

On May 1st, the development department and the Merriam Plaza Library hosted the Crestview Elementary 3rd graders for a tour and story time. This neighborhood school is within one mile of the new library. All the children who participated got a free book, book bag, and an application for a library card. We hope that the 3rd graders will come back in a couple weeks for summer reading. Next year, the development department hopes to expand this program to an additional school.

Summer Trainings

Shelley O'Brien will be attending Five Day Leadership Empowers All People training in May at County. Steph Neu is going to attend the International Public Library Fundraising Conference in Washington D.C. in June. This is the only conference specific to public library fundraisers.

Library Lets Loose Theme

Library Lets Loose announced their theme for 2024 -- Top Secret: An Evening of Espionage. Join us on Saturday, September 21st for a fun evening at the Central Resource Library with a spy twist. Early bird tickets go on sale May 15th for \$85 per person.

As of the end of April, Library Lets Loose 2024 has raised over \$40,000 on the way to meeting a goal of raising \$135,000 this year. Staff and volunteers are focusing on sponsorships to get us closer to our goal.

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category (.75 Increase Only)
March 2024
25% of Year Lapsed

OPERATING FUND	Programs	2024 Budget
	Revenue	5,054,089
	Administrative Services	
	Information Technology	
	Collection Development	
	Branch/Systemwide Services	308,524
	Transfer to Capital Projects	8,283,290
	Interfund Transfers	
TOTAL OPERATING FUND EXPENDITURES		<u>\$8,591,814</u>
TOTAL .75 INCREASE FUNDS REMAINING OPERATING		<u>(\$3,537,725)</u>
SPECIAL USE FUND		2024 Budget
	Revenue:	2,920,125
	Expenses:	
	Contractual Services (General Maintenance)	
	Commodities (Capital Equipment)	32,215
	Transfer to Debt Payment	
	Transfer to Debt Payment - CLMP	427,593
	Transfer to Capital Projects	
TOTAL SPECIAL USE FUND EXPENDITURES		<u>\$459,808</u>
TOTAL .75 INCREASE FUNDS REMAINING SPECIAL USE		<u>\$2,460,317</u>
TOTAL .75 INCREASE FUNDS REMAINING ALL FUNDS		<u>(\$1,077,408)</u>

JOHNSON COUNTY LIBRARY TOTAL REVENUE REPORT

March 2024
25% of Year Lapsed

REVENUE ALL FUNDS	2024 Year to Date	2024 Budget	% Budget Year to Date	% Budget YTD Prior Year
Ad Valorem	25,780,912	45,612,939	57%	58%
Ad Valorem Delinquent	87,295	151,009	58%	56%
Motor Vehicle	935,997	3,387,672	28%	26%
Library Generated - Copying/Printing	23,861	108,206	22%	17%
Library Generated - Overdues / Fees	14,217	38,000	37%	16%
Sale of Library Books	0	50,000	0%	25%
Misc Other	287	18,703	2%	2%
Reimbursements	91,891	740,000	12%	8%
Library Generated - Other Charges	0	0	0%	0%
Investment	434,075	825,000	53%	46%
Unencumbered Balance Forward	0	6,499,696	0%	0%
Transfer from Capital Projects	0	0	0%	0%
Recreational Vehicle Tax	9,800	16,922	58%	60%
Commercial Vehicle Tax	46,672	63,117	74%	79%
Heavy Trucks Tax	3,548	4,733	75%	64%
Rental Excise Tax	29,046	66,002	44%	56%
Payment in Lieu of Taxes	217,349	0	0%	0%
State and Federal Grants	132,886	273,607	49%	50%
TOTAL REVENUE	27,807,836	57,855,606	48%	54%

Expenses ALL FUNDS with Collection

Encumbrance	2024 Year to Date	2024 Budget	% Categories Expended
Salaries and Benefits	6,627,355	27,178,537	24%
Contractual Services	2,264,693	7,374,266	31%
Commodities	5,195,053	5,295,453	98%
Risk Management Charges	58,764	266,103	22%
Capital / Maintenance / Repair	8,301,277	10,399,696	80%
Transfer to Capital Projects	427,593	3,640,620	12%
Grants	0	273,607	0%
Interfund Transfer	66,989	3,427,324	2%
TOTAL EXPENDITURES	22,941,724	57,855,606	40%

Revenue - Expenses as of March 31, 2024 4,866,112

RESERVES ALL FUNDS	As of 12/31/22
Reserves Operating Fund	17,438,848
Reserves Special Use Fund	2,464,433
Total JCL Reserves	<u><u>19,903,281</u></u>

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category
March 2024
25% Year Lapsed

OPERATING FUND	2024	2024	% Program
Programs	Year to Date	Budget	Expended
Administrative Services	1,479,935	7,406,324	20%
Information Technology	1,266,475	4,906,803	26%
Collection Development	954,479	4,063,002	23%
Branch/Systemwide Services	5,714,243	23,259,611	25%
Risk Management Charges	58,764	266,103	22%
Grants *	0	273,607	0%
Transfer to Capital Projects	8,283,290	10,399,696	80%
Interfund Transfer	66,989	3,360,335	2%
TOTAL OPERATING FUND EXPENDITURES	17,824,177	53,935,481	33%

SPECIAL USE FUND	2024	2024	% Budget
	Year to Date	Budget	Expended
Contractual Services (General Maintenance)	0	152,505	0%
Commodities (Capital Equipment)	32,215	127,000	25%
Transfer to Debt Payment	0	0	0%
Transfer to Capital Projects	427,593	3,640,620	12%
TOTAL SPECIAL USE FUND EXPENDITURES	459,808	3,920,125	12%

TOTAL EXPENDITURES	18,283,985	57,855,606	32%
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JOHNSON COUNTY LIBRARY: Summary of Expenditures by Type
March 2024
25% Year Lapsed

ALL FUNDS	2024	2024	% Categories
Categories	Year to Date	Budget	Expended
Salaries and Benefits	6,627,355	27,178,537	24%
Contractual Services	1,692,397	7,374,266	23%
Commodities	1,109,610	5,295,453	21%
Risk Management Charges	58,764	266,103	22%
Capital / Maintenance / Repair	8,301,277	10,399,696	80%
Transfer to Debt Payment	0	0	0%
Transfer to PBC Capital Leases	427,593	3,640,620	12%
Grants	0	273,607	0%
Interfund Transfer	66,989	3,427,324	2%
TOTAL EXPENDITURES	18,283,985	57,855,606	32%

GRANTS*	Expenditures through 02/29/2024	Source	Received	Expenditures	Grant Award	Budget Remaining
285000091	2023-State Aid	State	3/29/2023	\$132,233.29	\$132,568.53	\$335.24
285000092	2024-State Aid	State	3/12/2024		\$132,886.40	

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

Expenditure of Friends of the JCL Donations 2024

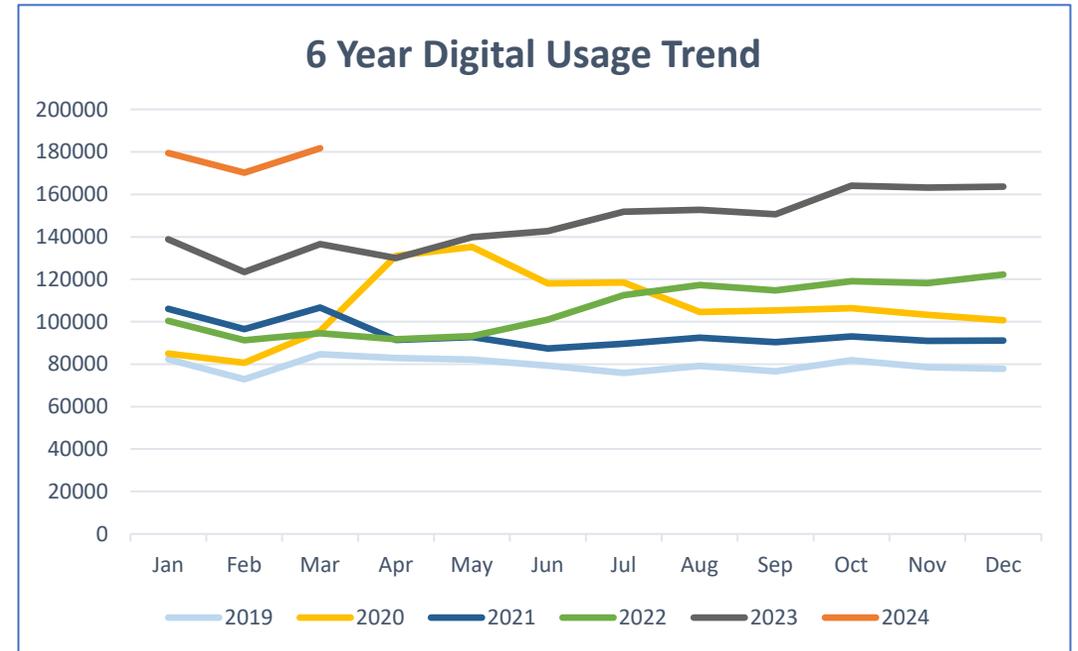
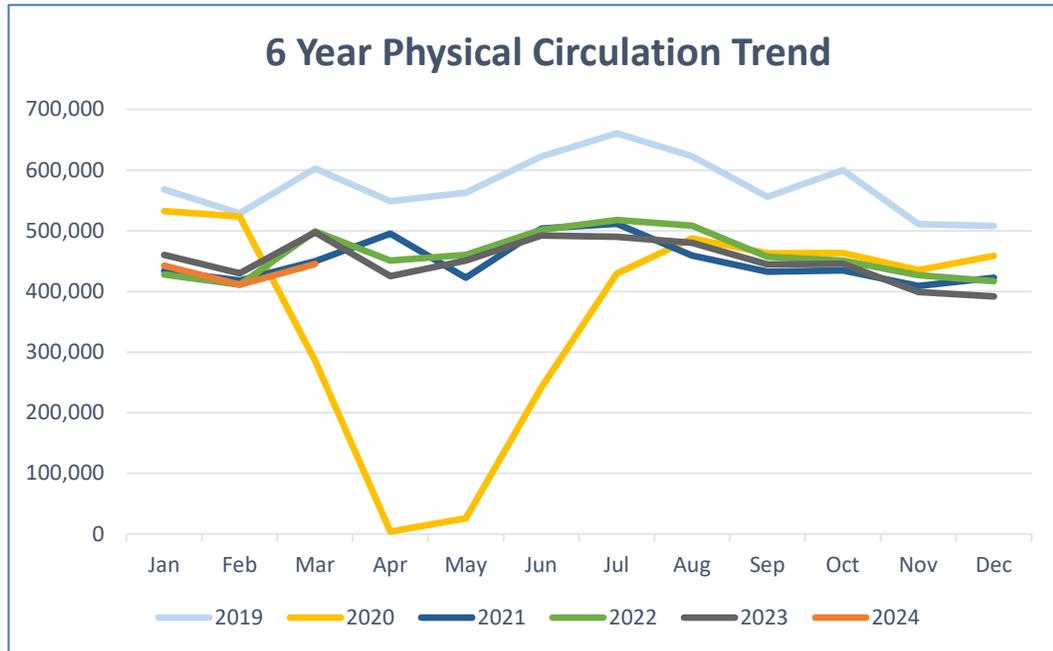
<i>Expenditure Details</i>	<i>March</i>	<i>YTD</i>
Volunteer Recognition	\$0.00	\$0.00
Advertising/Promotion	0.00	0.00
Collection Materials	0.00	0.00
Professional Development/Staff Recognition	0.00	0.00
Technology/Recruitment Consulting & Expenses	0.00	0.00
Strategic Planning meeting supplies	0.00	0.00
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	\$ -	\$ -

Quarterly Statistical Report

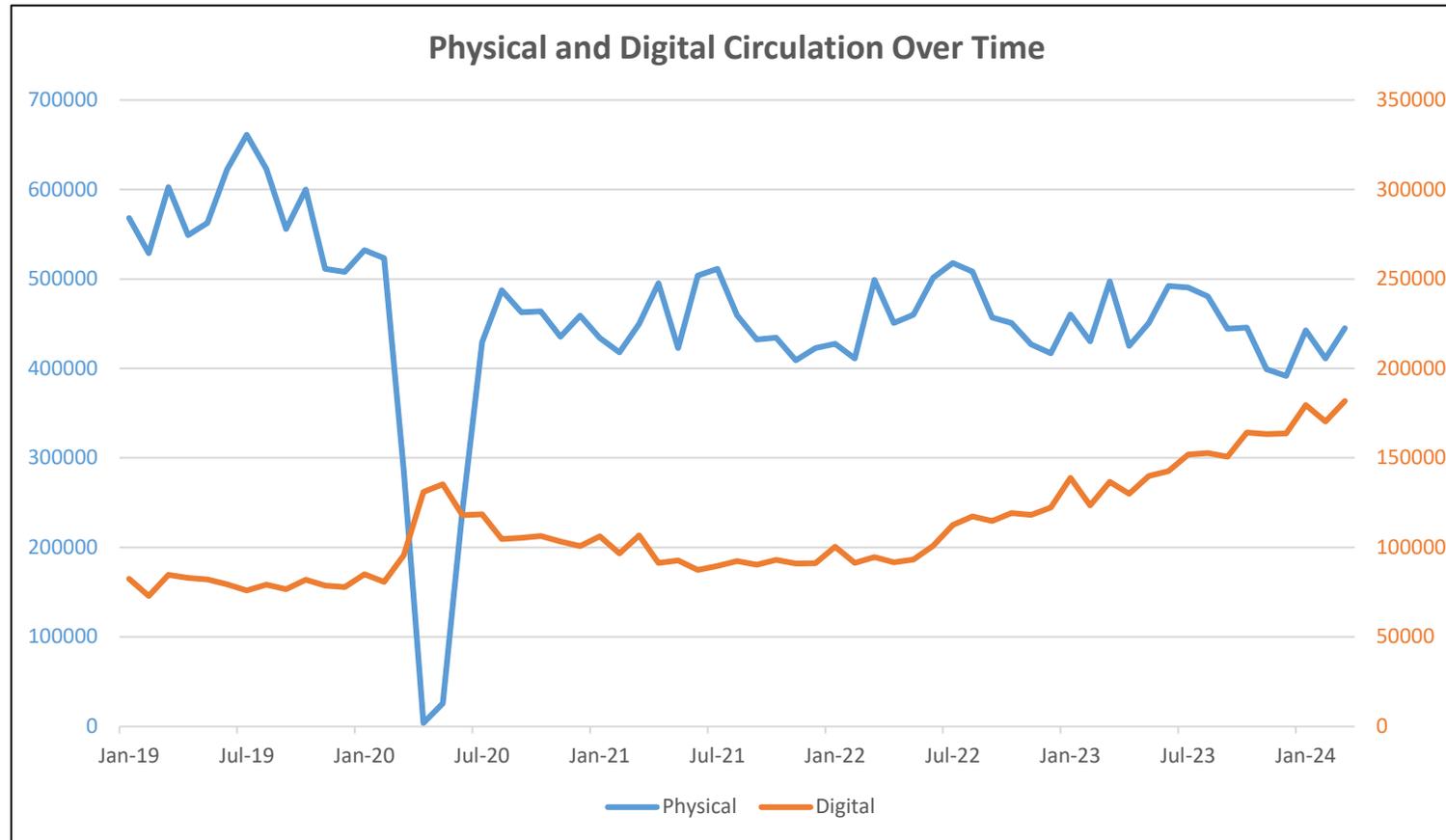
1st Quarter 2024

JOHNSON COUNTY LIBRARY

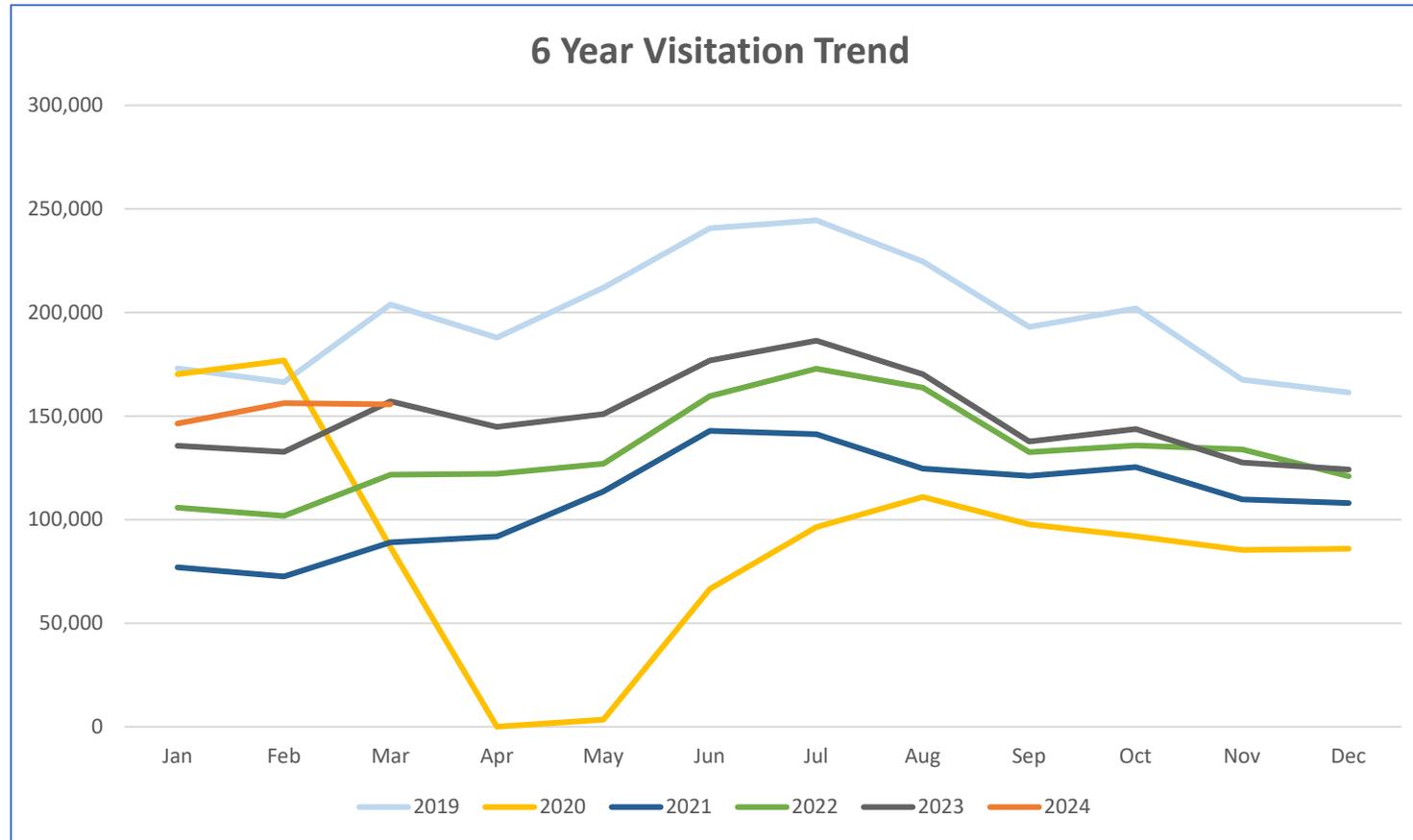
Quarterly Statistics



Quarterly Statistics



Quarterly Statistics



Learning & Development

2023 Report



Conferences & External Events



Instructor Led & eLearning Classes



Cybersecurity Awareness Training



New Employee Orientation





Conferences & External Events

Conferences



In 2023, the Learning & Development Department was able to send 56 employees to conferences across the nation. These conferences included the American Library Association (ALA), Public Library Association (PLA), Kansas Library Association (KLA), Unbound Book Festival, Urban Libraries Council, Youth Services Leadership Summit, PMI Global Summit and more!

External Events



71 employees were able to attend external events online and locally. These external events included Trauma-Informed Library Services virtual event, MidContinent GenreCon 2023, MALAPro Library Outreach: Effective Materials Delivery, Cyber Security Summit KC 2023, KC STEM Summit 2023, Fundamentals of Cataloguing 2023 and many more!

Presentations



15 staff members had professional level involvement by either serving on a committee or presenting at a conference. Our very own Julie Timmins and Laura Blair presented on Platinum Rule to 50+ attendees at KLA.





Instructor Led & eLearning Classes



Instructor Led Classes

JCL has many talented staff members that offer to share their knowledge and expertise on a variety of topics. With the help of our staff, we can offer internal classes covering Interlibrary Loans, Intellectual Freedom, Readers' Advisory, Telephone Reference, LibAnswers, Collection Development (physical and digital), Crucial Conversations and more!

In 2023, we held 37 different classes over 91 sessions with 868 attendees.



eLearning Classes

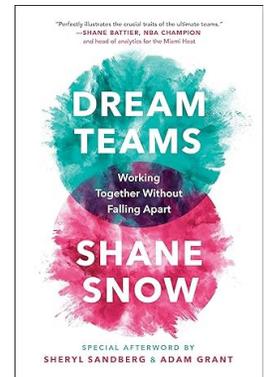
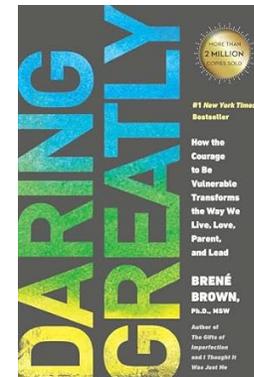
The learning & development team has designed and developed numerous eLearning classes. JCL staff can learn about Platinum Rule, Clifton Strengths, Active Shooter Response and Preparedness, Understanding your Trauma Bag, Incident Report Writing, Career Explorations Workbook and more.

In 2023, L&D offered 62 classes with 1490 attendees.



Leadership Book Club

L&D facilitated two book club opportunities for 34 attendees.





Cybersecurity Awareness Training

Cybersecurity Awareness training is required by all JCL employees. October is cybersecurity awareness month and is the month we send out our annual baseline training. We had 100% completion!

L&D utilized InfoSEC IQ training software to send out monthly microlearning and phishing simulations to ensure that all staff stay secure against cyber threats.

November 2023 - L&D, along with the IT department, made the switch over to KnowBe4 as our new training platform.

Monthly microlearning topics

- Physical Security
- Social Engineering
- Phishing vs. Spam
- ChatGPT
- Public Wi-Fi
- Travel Security

Monthly Phishing Simulations

- Travel Scam
- H&R Block – File Your Taxes
- Social Engineering Huge Favor
- Bitcoin Sweepstakes Winner
- ChatGPT Suspicious Login
- Zoom – Meeting recorded
- Travelocity Rewards
- Chase Password Reset





New Employee Orientation

27 New Hires

19 Promotions

1 Guest Observer





New Employee Orientation

3 Days

20 Sessions

3 Tours

Library Philosophy
JCL Operations
Org. Structure & Public Service
Customer Experience
Branch Services & Strategic Plan
Finance
Development

Physical Security
Learning & Development
Programs, Outreach and
Information Services
Project Management
Information Technology
Staff Technology Resources
Connecting with Patrons
Facilities
Human Resources

Central Resource Library
Makerspace
Materials Handling



Board Liaisons to Capital Projects

May 2024



Agenda

- Past Projects and Liaisons
- Role of Board Liaisons
- Spring Hill and De Soto



Past Projects and Liaisons

Project	Date	Liaisons
CLMP Study	2014-2015	Neil Shortlidge, Pam Robinson, Nancy Hupp
Monticello	2016-2018	Nancy Hupp, Amy Ruo
Lenexa City Center	2017-2019	Bethany Griffith, JR Riley
Central Renovation	2019-2021	Amy Ruo, JR Riley, David Sims
Merriam Plaza	2021-2024	Brandy Butcher, Kelly Kilgore, David Sims
Spring Hill / De Soto	2024-2026	



Board Liaison Role

1. Monthly Touchbases with Director and Library Project Manager
2. Learning about the details and components that go into a library building project
3. Championing the project with the rest of the Board
4. Offering your valuable perspective
5. Ideally pairing newer and 'seasoned' Board members

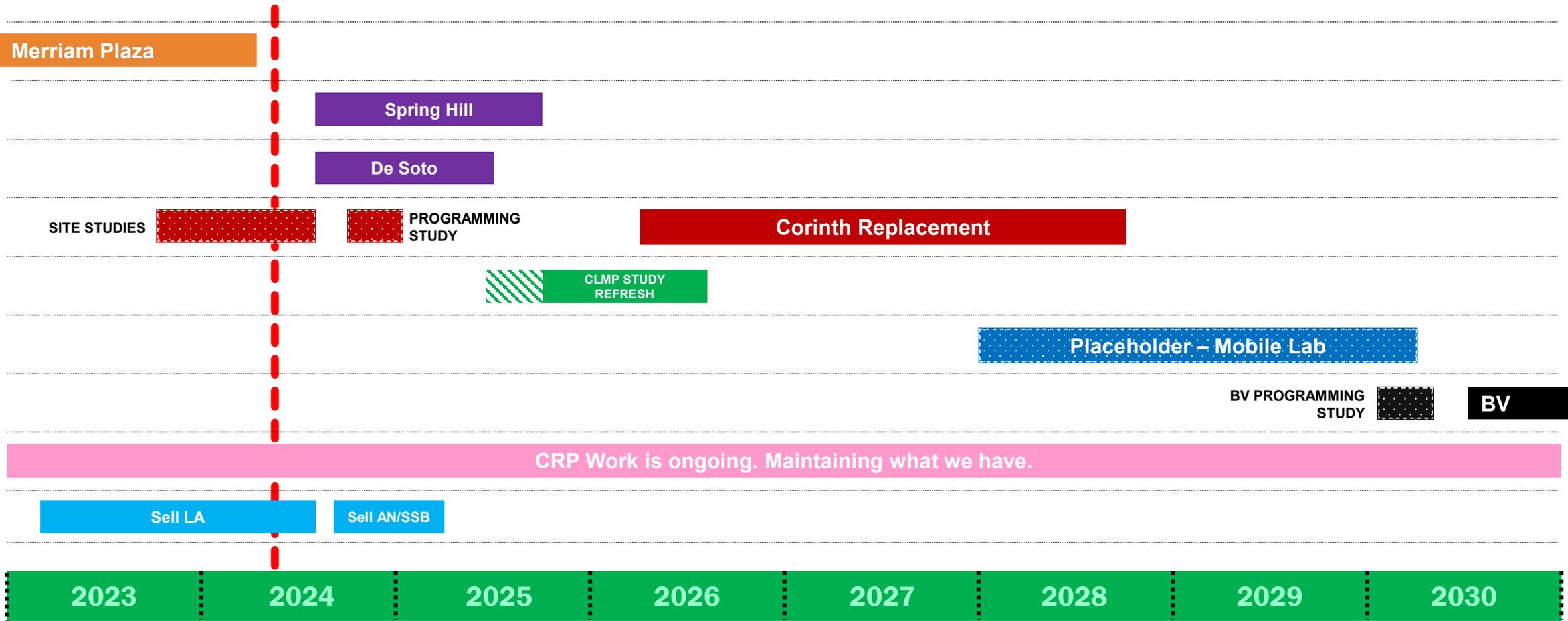


Capital Projects: Timeline Summary

May 2024



Capital Improvement Projects: Anticipated Timeline

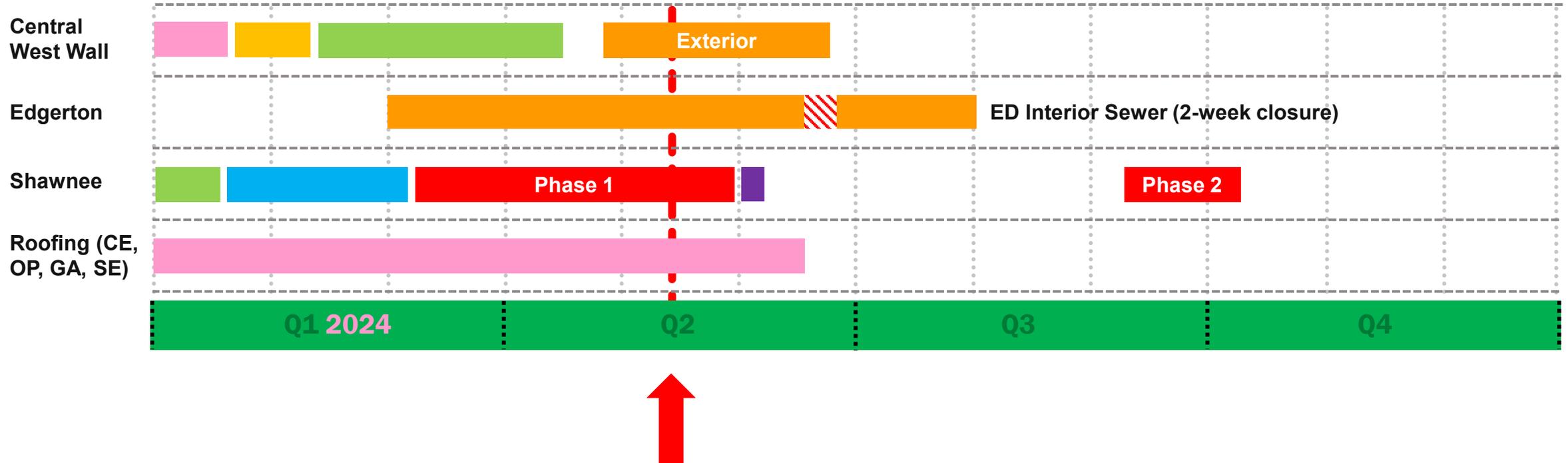


This visual is shown as an illustration with anticipated dates and may change.



2024 CRP Anticipated Timeline

- Proposals / Design
- Bidding
- Contracts / Board Action
- Product / Material Submittals / Lead Time
- Building Closure
- FAC Activity / No Closure
- Substantial Completion / Move-in / Punch List Completion



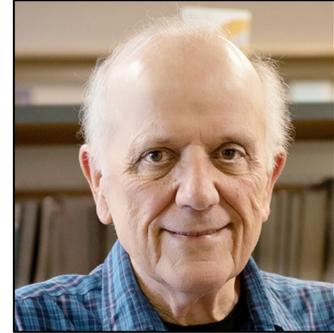
This visual is shown as an illustration with anticipated dates and may change.



Volunteer Appreciation Week

- **Club 2080**

- Sue Walston, Chris Koetting, & Jorge Carballeira



- **Above & Beyond Awards**

- *Branch*

- Sue Bond, Glenda Carden, Barbara Dukes, & Chris Koetting



- *English Language Learners*

- Jessica Kueker & Madhavi Menon

- *Friends*

- Cindy Cox, Marshall Ellis, Joy Mae Johnson, & Katie Savage



Teen Presidential & Leadership Service Awards

- Audrey Fullerton
- Indraneel Kasuba
- Mia Macicula
- Olivia Moore
- Karunya Nimmagadda
- Anna Shaklin
- Aurora Straight
- Mahad Zamir



Prairie Village Conceptual Study Update

Part 2 Summary:

- In-Person Meeting:
 - April 4, 2024 @ Meadowbrook Park Clubhouse
 - Promoted in-person and online through email and web
 - 250+ attendees
 - Reaction boards + paper questionnaires
- Online Option:
 - Open April 4-April 19, 2024 on PVKansas.com.
 - Promoted in-person and online through email and web
 - 463 respondents
 - Reaction boards as images, open-ended questionnaire



Prairie Village Conceptual Study Update

- Public Preference

- Respondents preferred Option B – North Site (42%)
 - Option A – South Site (25%)
 - Option C – Community Center only on North Site (7%)
 - Option D – Do Nothing (26%)

- Library-specific feedback

- Most-selected reasons for choice:
 - Keep Corinth Library in PV (53%)
 - Keep the YMCA in PV (45%)
 - Colocation of both entities (44%)
 - Best use of land (41%)
 - Ease of access (33%)
- Feedback was supportive of the Library regardless of location.

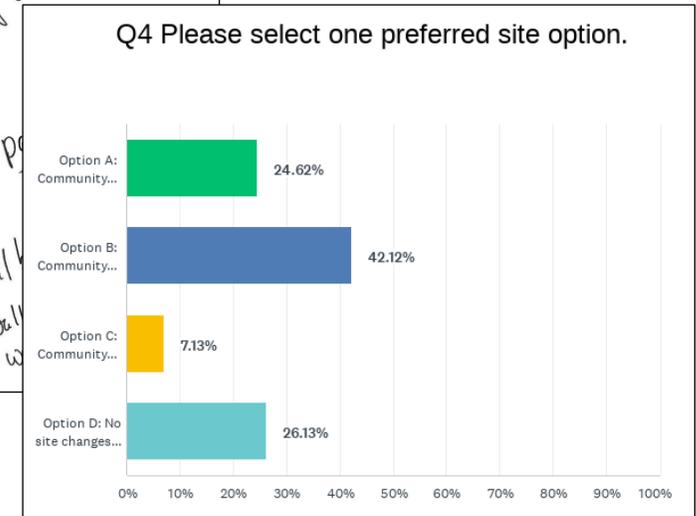
① I like the idea of placing the CC + the Library in close proximity. Smart - just like the Merriam facility.

② It's important to me, a longtime YMCA member, that there's a seamless transition from old to new bldg. without a stop. Fearful members may not return after a long construction period.

③ Make sure there's plenty of parking for YMCA, pool + library!

④ Worried Corinth owners will move from pickleball love + w...

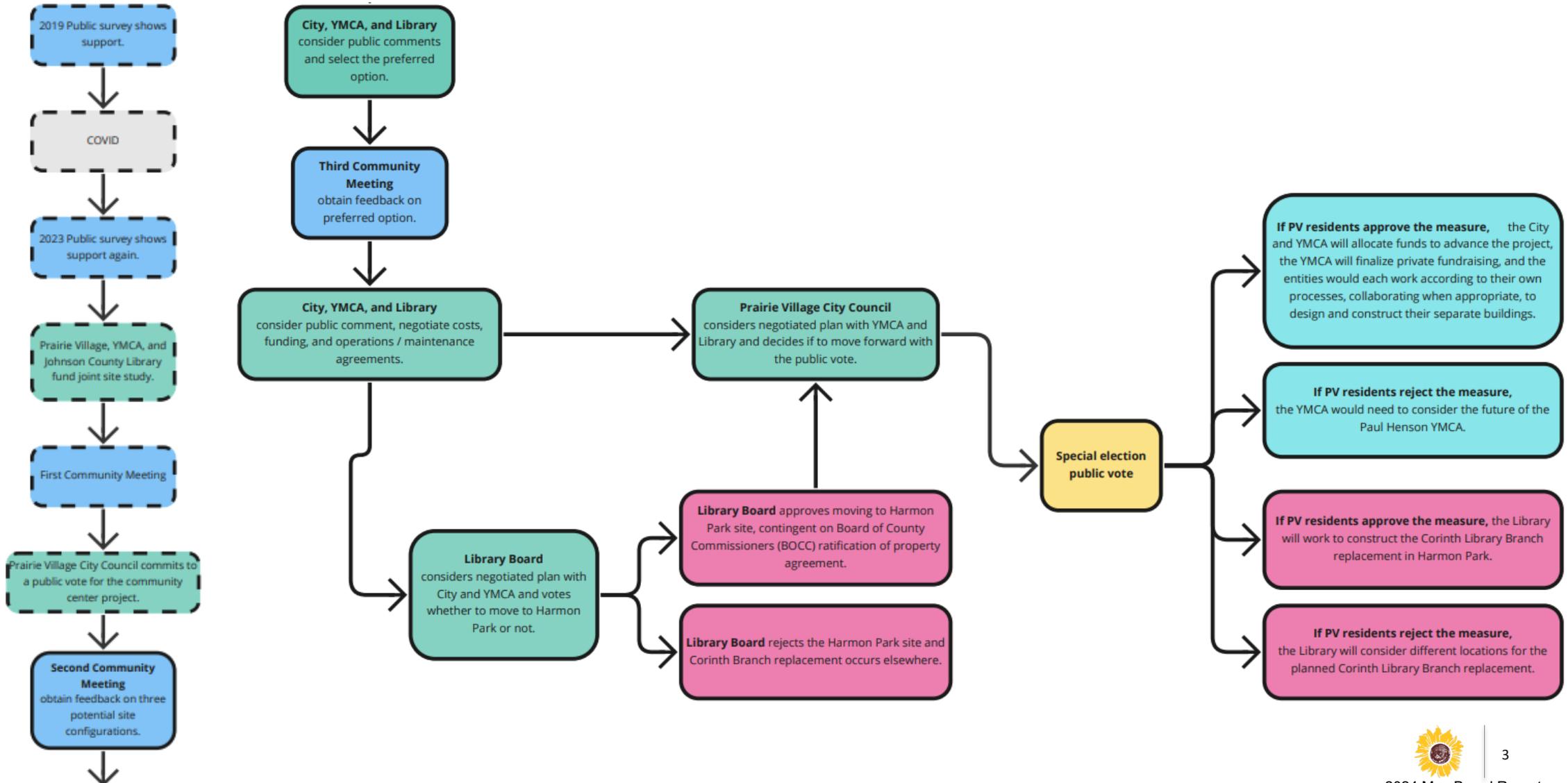
"Please incorporate a drive up book return for the library somewhere."



"Why can't the Corinth Library get renovated where it is?"



Prairie Village Conceptual Study Update



Prairie Village Conceptual Study Update

Future Public Feedback Opportunities:

- Meeting #3 – TBD, Summer 2024
 - Recommended conceptual site design/location based upon input from past public engagement sessions, Site Study Core team, and Prairie Village City Council.
 - Campus project cost specific to recommended site.
- Anticipated vote by PV residents – TBD, 2025
 - Vote determines funding for community center only.
 - Library project cost already funded through CLMP.



Presidential Primary & Early Voting Numbers

Branch	Voters
Blue Valley Library	63
Cedar Roe Library	74
Central Resource Library	198
Corinth Library	87
Monticello Library	1463
Oak Park Library	209



Legislative Coffees



Public Library Association(PLA) biennial conference 2024

-The Public Library Association (PLA) is the largest association supporting the unique and evolving needs of public library professionals. Founded in 1944, PLA serves nearly 10,000 members in public libraries large and small in communities across the United States and Canada, with a growing presence around the world.

-The Public Library Association (PLA) welcomed more than 7,500 public library workers, supporters, and vendors from across the country and around the world to celebrate all things public libraries at the PLA 2024 Conference, April 3–5, in the vibrant city of Columbus, Ohio.

-This three-day event offered more than 100 thoughtfully curated education sessions, inspiring speakers and authors, engaging networking opportunities, career services, micro-learning moments, and a bustling exhibits hall featuring the latest in products, services, and innovations.

-Nine staff members and one board member attended this year and learned about many exciting new innovations and ideas as well as sharing experiences and best practices with peers in our industry.



**MINUTES JOHNSON COUNTY LIBRARY BOARD
REGULAR MEETING**

April 11, 2024
at Central Resource Library
4:00 p.m.

BOARD: Bethany Griffith, Kelly Kilgore, David Sims, Anna Van Ophem, Mitra Templin, and Jeffrey Mendoza

ABSENT: Charles McAllister

BOARD ATTORNEY: Fred Logan and Andrew Logan

BOCC: Commissioner Allenbrand

STAFF: (All JCL, FAC staff) Tricia Suellentrop, Kinsley Riggs, Aaron Otto, Adam Wathen, David Vratny, Jennifer Mahnken, Ben Sunds, Shelley O'Brien, Patti Kangethe, Elissa Andre, Scott Sime, Megan Clark, Juan Lopez-Tamez, Lori Ross, Michelle Beesley, Ted Clemens, Lacie Griffin, Tristan Davis, Madeline Drum, Lucas Lowry, Elizabeth Wilson, Alison McIntosh, and Joyce Mitchell.

Board Chair Bethany Griffith called the meeting to order at 4:00 p.m.

CITIZENS COMMENTS:

No public comments. Public comments are included in the April Board Report.

REMARKS FROM THE LIBRARY BOARD OF DIRECTORS:

Apologies from Mr. McAllister, he was unable to attend this meeting.

Ms. Kilgore shared kudos to library staff for the legislative coffee that she was able to attend at Monticello Library and for the MakerSpace to utilize the vinyl cutter and heat press. She remarked that she had a great experience attending Public Library Association conference in Columbus, OH and will continue to explore numerous takeaways and opportunities.

Ms. Van Ophem commented on the March meeting minutes clarifying that on page 7 paragraph C. she also attended the Question-and-Answer sessions along with Mr. Sims. She also clarified that there were two motions made in March, one to approve \$375,000 and another to approve \$245,000, and she wanted to emphasize that the \$245,000 is part of the \$375,000.

Board Chair Griffith expressed gratitude and reflected on her time serving on the board, emphasizing her belief in the importance of libraries and literacy. She thanked her colleagues for their support and commended the staff for their dedication.

DEVELOPMENT DEPARTMENT REPORT

Shelley O'Brien, Development Director, presented on behalf of the Development Department combining the Friends of the Johnson County Library, the Johnson County Foundation, and the Johnson County Library Volunteers, this report is included in the April Board Report.

Ms. O'Brien reminded everyone about the upcoming events scheduled. Volunteers were encouraged to join for lunch on Friday, April 26th. The 1952 Society's annual reception was held on Wednesday, April 17th, featuring author Matt Eicheldinger. The event was sponsored by Andrews McNeal Universal. Ann and Bill Blessing were announced as honorary chairs for Library Lets Loose, with Ann having served on the Foundation Board since 2018. The Friends of Johnson County Library are exploring three options for a possible move due to long wait lines on Saturdays, which have now extended to Thursday nights and Saturday mornings. Lastly, Ms. O'Brien announced the Foundation Board donation of \$124,000 to the library for books and materials, with hopes for continued growth in funding.

Ms. Kilgore asked if the Friends have investigated selling anything other than books, like a museum shop. Ms. O'Brien shared that she has seen similar shops in other library systems, there has been discussions about selling more diverse materials and they would like to do that if they have more space.

COUNTY COMMISSIONER REPORT:

Commissioner Allenbrand shared business from the Board of County Commissioners (BOCC).

County Librarian Suellentrop introduced and welcomed Commissioner Allenbrand; Commissioner Allenbrand represents the Sixth District, joins us as a new liaison from the Board of County Commissioners. She is a Johnson County native with ties to various county government roles, including Parks and Rec, she brings a wealth of experience and community involvement. With a background in senior care facilities, business development, and consulting, Commissioner Allenbrand's diverse skills will undoubtedly benefit our community and the Library. Ms. Suellentrop warmly welcomed her as the new liaison.

Commissioner Allenbrand thanked the County Librarian and greeted the board and staff.

BOARD COUNSEL REPORT

Mr. Fred Logan, Board co-counsel, reviewed Budget Review and Approval Process and disposal of Library property.

Mr. Logan reviewed the library's budget review and approval process, emphasizing the board's function as the governing body of the Johnson County Library taxing district and submitting budgets to the Board of County Commissioners in accordance with their rules and in the prescribed format. The library's process, outlined in administration regulation 10-70-10, was highlighted for its detailed approach, including committee meeting agendas and timelines to review staff's budget proposal. Once approved by the Library Board, the budget is submitted to the County Commissioners as required by statute.

Mr. Logan reviewed disposal of surplus library property, emphasizing the careful process followed in collaboration with county partners when determining surplus items that cannot be used.

COUNTY LIBRARIAN REPORT

Finance Report

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

At the end of February, the library had collected approximately \$26.8 million in total revenue, which accounted for about 45.4% of the year. Despite not tracking as well as the previous year, it was noted that the revenue estimates included nearly \$6.5 million in reserves, making the current performance slightly better than last year. Expenses year-to-date, including collections encumbrances, were allocated at about 33%, with \$8.3 million transferred to capital projects, which were considered one-time expenditures likely to moderate over time.

2023 Statistical Report

Adam Wathen, Associate Director of Branch Services, presented the 2023 Statistical Report, this report is included in the April Board Report.

Mr. Wathen provided an overview of the library's annual statistics. He noted the shift from monthly to quarterly reporting and explained that the first quarter of 2024 would be presented at the next meeting. The report covered 2023 trends and compared data with 14 peer library systems across the United States. Due to sparse data availability, comparisons for 2022 and 2023 were limited. Mr. Wathen highlighted the impact of COVID-19 on statistics, particularly in 2022, and noted that reliable post-COVID data might not be clear until full 2023 data is available. The presentation included comparisons in population served, number of branches, operating revenue, staff full-time equivalency, visitation, print and eBook circulation, and staffing trends. Mr. Wathen discussed how the library's performance compared to its peers and highlighted areas of favorable recovery and growth.

Ms. Van Ophem expressed fascination that we are leading in utilization and other areas we are more mid-line, and asked if there is data that points towards why.

Ms. Templin asked if there are any ideas about why we are lower in eBooks than other libraries. Mr. Wathen contemplated that Johnson County is highly educated and wealthy, meaning a higher level of literacy and usership. This can also mean that patrons are purchasing materials, rather than borrowing.

Ms. Van Ophem expressed her appreciation for these statistics and benchmarking.

Budget History

Dave Vratny, Finance Director, presented the Budget History, this report is included in the April Board Report.

Mr. Vratny highlighted expenditure trends alongside new budget considerations. Expenditures were analyzed across various areas, starting with the library's physical collection, noting a spike in 2018 related to outfitting the Monticello library. Growth in eBook and eAudiobook collections, especially during the pandemic, was highlighted, with success attributed to the adoption of the Libby app. Debt history was outlined, showing a transition to Public Building Commission financing and the payoff of older general obligation debt in 2020. Expenditures on library programming reflected growth, albeit with a dip in 2021 and 2022 due to COVID-19 impacts.

Ms. Kilgore asked how these metrics compare with others and what they are spending on programming, like per capita. Mr. Wathen confirmed he can investigate comparable expenses for programming.

Mr. Vratny highlighted increased spending on contracts, hardware, and software related to information technology was emphasized, recognizing the importance of modern technology in library

services. Building, custodial, and maintenance expenses reflected adjustments due to new facilities and partnerships with county facilities management. Staffing changes and salary expenditure increases were discussed, including adjustments for pay equity and market alignment. Other benefits were noted to have risen proportionally, particularly social security and healthcare costs, albeit with efforts to manage increases effectively.

COMPREHENSIVE LIBRARY MASTER PLAN

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

Merriam Plaza Project

Mr. Sime reported an update on the Merriam library's completion, highlighting the success of the Slater Street Storybook Relay event and the ribbon-cutting ceremony, which attracted around 1,100 visitors. He highlighted ongoing post-occupancy meetings to address any issues that arise during the warranty period and the closing down of project teams. Mr. Sime mentioned conducting lessons-learned sessions to document experiences for future projects and noted that the timeline is nearing its end, so it will not be discussed further in future meetings.

Ms. Kilgore asked if there was drone footage from that day. Ms. Elissa Andre shared that some drone footage has been shared in the last "How to build a building" video, and there were a few drones competing for footage.

Overall Timeline

The Capital Improvement Plan (CIP) timeline and Capital Replacement Plan (CRP) 2024 timeline are included in the April Board Report.

Scott Sime, Project Coordinator, provided the capital projects timeline summary including updates on various library renovation and construction projects, noting no significant changes since last month. Mr. Sime mentioned ongoing Prairie Village studies and upcoming design work for De Soto and Spring Hill. Additionally, he highlighted updates on CRP projects, including interior sewer work in Edgerton and renovations at the Shawnee Library. Staff anticipate more information on roofing packages in collaboration with the purchasing department and insurer.

Commissioner Allenbrand expressed appreciation for planning to renovate De Soto and Spring Hill'. She is hearing a lot of great feedback about refreshes for Spring Hill.

UPDATES – Tricia Suellentrop, County Librarian

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

Prairie Village Citizens Engagement Update

Scott Sime presented an update on the latest Prairie Village Citizen Engagement session.

Mr. Sime reviewed potential plans for relocating the library and turning the YMCA into a community center at Harmon Park in Prairie Village. He presented three options: Option A involves relocating the library to the south end of Harmon Park, Option B explores placing both the library and community center on the north side of the site, and Option C considers only building a community center. Mr. Sime mentioned ongoing citizen engagement sessions and surveys to gather preferences and indicate that further information will be provided to the board in May, including a comparison with staying at the current site.

Ms. Kilgore asked if the Corinth relocation would be the same as the current building. Mr. Sime shared that the current building is approximately 19,000 square feet and we would be looking at 20,000 square feet replacement.

County Librarian Suellentrop reminded everyone that the survey is still open online until April 19th. Ms. Kilgore clarified that any citizen could take part in the survey. County Librarian Suellentrop confirmed that the sessions and survey are open to all residents.

Mr. Sims shared that he has been asked why we are replacing the current Corinth building. County Librarian Suellentrop shared that Corinth is the oldest building in the system, from the mid-1960's. We operate a library differently regarding heating, infrastructure, and need for access to electricity. We continue to receive feedback that the citizens love Corinth building and location, and we will continue to wrap that feedback into the future relocation. Ms. Suellentrop continued to reassure public that there will be a library generally in that area.

Ms. Van Ophem asked about the Option C and how the library would address finding a location if this not co-located with the YMCA. Mr. Sime confirmed that we would need to look at other opportunities and often when needed those opportunities do arise.

County Librarian Suellentrop shared that in the next few months we will bring a comparison of the current site and the Harmon park site back to the board.

Campus / Co-location at Library Branches

Scott Sime, Project Coordinator and Adam Wathen, Associate Director for Branch Services, presented the Campus / Co-location at Library Branches report, this report is included in the April Board Report.

Mr. Sime reviewed buildings that stand alone, those that are adjacent, and intentional campus concepts. He started by exploring whether buildings are close to amenities, share programming and maintenance, or being part of an intentional campus concept. Examples include solo buildings, buildings adjacent to other city amenities, and intentional campus layouts with formal agreements for shared parking and maintenance.

County Librarian Suellentrop shared the usefulness of co-location, emphasizing the intentional model where we have worked with a city to make that a campus for the community. We have a few different flavors of libraries, and we really like that model as a one-stop shop in some ways for citizens, and there are shared costs, depending on exactly how big the campus is.

Mr. Sims asked if the library saw an increase in library card usage with the co-location at Lenexa and at Merriam in the future. County Librarian Suellentrop responded that we did not have this data and staff can investigate this.

County Librarian Suellentrop welcomed Commissioner Allenbrand and confirmed that she would receive onboarding along with new Library Board Members. She looks forward to hearing her updates in future months.

County Librarian Suellentrop updated that Library Board Member Mendoza would be taking tours this month and upcoming, other board members were invited if there is additional interest. She was happy to report that the Board of County Commissioners approved the use of Reserves for the West

Wall maintenance solution. Ms. Suellentrop then welcomed the new class of staff going through orientation and several Shawnee Mission West students attending the meeting.

County Librarian Suellentrop expressed appreciation for Bethany Griffith for her support and encouragement received on the board, particularly highlighting Bethany's leadership, and dedication. She commends her for steering the library through various challenges and for her ability to maintain focus on the big picture. She has always appreciated her sense of humor and willingness to engage in lively discussions, and acknowledged Bethany's role in facilitating technology changes and presented her with a book on travel as a token of appreciation for her service added to the collection in her honor. Ms. Suellentrop expressed hope to continue seeing her and presented her with flowers.

Board Chair Griffith expressed gratitude and shared a quote by Mark Twain about how travel helps one lose biases and understand others. She highlighted the importance of libraries in providing opportunities to explore different lives, worlds, and histories through books, regardless of one's ability to travel. Ms. Griffith thanked everyone for their kind words.

County Librarian Suellentrop expressed appreciation for Mitra Templin, she is filling out a term and we have not heard yet if she will be reappointed, so if not, she will need to come back to get the ceremonial book and comments.

Ms. Templin expressed gratitude for her time on the board, highlighting the joy it brought her to serve the citizens of Johnson County alongside the dedicated staff. She expressed surprise at being reappointed and considered it a bonus, emphasizing her appreciation for the experience.

County Librarian Suellentrop highlighted the results of the 2024 citizen satisfaction survey, indicating an improvement in library satisfaction from 86.4% to 87.9%. She commends the communication department for effectively utilizing various channels to disseminate information and thanked those who amplify the library's message on social media. Additionally, she noted that the library ranks among the top five most important services provided by the county, alongside MedAct and Wastewater services, and there are plans to share the detailed results with the board.

CONSENT AGENDA

A. Action Items:

1. Minutes of the March 14, 2024 Regular Library Board meeting

B. Information Items

1. Financial and Personnel

- a) The County Librarian and the Finance Director certify those payment vouchers and personnel authorizations for February 2024 were handled in accordance with library and County policy.
- b) The February 2024 Revenue and Expenditure reports produced from the County's financial system reflect the Library's revenues and expenditures

C. Gift Fund Report

1. Treasurer's Report

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

Second: Ms. Kilgore seconded this motion.

Motion was approved unanimously.

I. Executive Session – Attorney-Client Privileged Consultation

Motion: Mr. Sims moved pursuant to K.S.A. 75-4319(b)(2), that the Board of Directors of the Johnson County Library recess into executive session for a period of 20 minutes for consultation with Johnson County Library co-counsel that is deemed privileged in the attorney-client relationship. The subject of the executive session will be counsel’s review of the legal terms of a potential real estate transaction.

Those attending the executive session shall include members of the Library Board, Library staff – County Librarian Tricia Suellentrop, Finance Director Dave Vratny, Associate Director of Customer Experience Ben Sands, Project Coordinators Scott Sime and Megan Clark, designated members of the County Facilities staff – Project Manager Juan Lopez-Tamez, a designated representative of the Library’s real estate broker, Board of County Commission member Shirley Allenbrand, and Johnson County Library Co-Counsel Fred Logan and Andrew Logan.

The Library Board will reconvene in this meeting room at 5:26 p.m.

Second: Ms. Templin seconded this motion.

Motion was approved unanimously.

Board returned at 5:26pm.

Motion: Ms. Griffith moved that the Board of Directors of the Johnson County Library authorize the County Librarian to negotiate a contract of sale on the Lackman Library property with Newkirk Novak Construction Partners for the sum of \$2,050,000.00. The contract of sale shall, pursuant to K.S.A. 12-1223(b), be submitted to the Board of Directors of the Johnson County Library for approval, then to the Board of County Commissioners of Johnson County for ratification and approval.

Second: Ms. Kilgore seconded this motion.

Motion was approved unanimously.

II. Old Business

A. Action Item: 2025 Library Budget Proposal

Dave Vratny, Finance Director, presented the proposed 2025 budget briefing sheet, as included in the April Library Board Report.

Ms. Van Ophem asked if adjustments or changes would need to be made based on recent revelations regarding the supplemental fund and other categories.

Mr. Vratny shared that library is working with county budget and financial planning to address these charges. When employee leaves employment then there are separation payouts on sick and vacation time that we may need to look at paying moving forward.

This is a payment moving forward, it has not been addressed to pay back any amount from the past. Ms. Van Ophem asked for clarification since the Library is a separate taxing entity if there would need to be back payment for past expenses. County Librarian Suellentrop confirmed that back payment has not been part of our conversation, we are looking at adjusting to cover these expenses moving forward.

Mr. Sims asked where the funds from sale of Lackman would go towards.

Mr. Vratny shared that those funds would go to reserve and be earmarked towards the Corinth replacement project, and that would go to the Library board.

Motion: Ms. Kilgore moved to approve the County Librarian's Recommended FY 2025 Revenue and Expenditure Budget of \$55,274,960.

Second: Ms. Templin seconded this motion.

Motion was approved unanimously.

B. Action Item: Consideration for contract for Public Computer Reservation and Printing Management

Michelle Beesley, IT Manager, presented Public Computer Reservation and Printing Management briefing sheet, as included in the April Library Board Report.

Mr. Sims asked for clarification regarding the proposal to pilot a scanner before implementing throughout the entire system.

Ms. Beesley shared that there is a contingency built into the contract amount to determine if there is a good time to pilot this service.

Mr. Sims asked if this change is aligned with Olathe and would be shared cost with them. Ms. Beesley shared that goal is to work together with Olathe Public Library (OPL) and they are separate. OPL was part of the RFP process, so they could leverage the outcome of that process to create their own independent contract and management of these systems.

Board chair Griffith confirmed the goal is have patron experience that is similar throughout our systems. There was discussion confirming that this would maintain fees as they currently are, for expanded services. As discussed in March staff will return with additional information after implementing the new systems and provide a recommendation for fee structure updates.

Motion: Mr. Mendoza moved that the Johnson County Library Board of Directors authorize the contract with Today's Business Solutions, Inc. not to exceed the sum cost of \$187,322.30 and authorize the County Librarian to execute agreements with Verifone, Nayax, and Authorize.net the costs of which are incorporated in the sum cost of \$187,322.30.

Second: Ms. Kilgore seconded this motion.

Motion was approved unanimously.

III. New Business

A. Action Item: Election of Library Board Officers

Board Chair Griffith presented the proposed Election of Library Board Officers briefing sheet, as included in the April Library Board Report.

Motion: Ms. Griffith moved the Library Board of Directors elect the recommended slate of officers for the 2024-2025 term.

Chair: Kelly Kilgore

Vice-Chair/Secretary: Anna Van Ophem

Treasurer: Jeffrey Mendoza

Second: Ms. Templin seconded this motion.

Motion was approved unanimously.

ADJOURNMENT

Motion: Ms. Kilgore moved to adjourn the meeting.

Second: Mr. Mendoza seconded this motion.

Motion approved unanimously.

Meeting adjourned at 5:48 p.m.

SECRETARY _____
Kelly Kilgore

CHAIR _____
Bethany Griffith

SIGNED _____
Tricia Suellentrop, County Librarian

**MINUTES JOHNSON COUNTY LIBRARY BOARD AND
BOARD OF COUNTY COMMISSIONER
JOINT MEETING**

April 11, 2024
at Central Resource Library
6:00 p.m.

LIBRARY BOARD: Bethany Griffith, Kelly Kilgore, Mitra Templin, David Sims, Anna Van Ophem, and Jeffrey Mendoza

BOARD OF COUNTY COMMISSIONERS: Board Chairman Kelley, Commissioner Jeff Meyers, Commissioner Shirley Allenbrand, Commissioner Becky Fast, Commissioner Janeé Hanzlick, and Commissioner Charlotte O'Hara,

ABSENT: Commissioner Michael Ashcraft and Charles McAllister

STAFF: Penny Postoak Ferguson, Joe Connor, Aaron Otto, Tony Barron, Tricia Suellentrop, Kinsley Riggs, Adam Wathen, Ben Sunds, David Vratny, Jen Mahnken, Shelley O'Brien, Elissa Andre, Juan Lopez-Tamez, Scott Sime, Megan Clark, Lacie Griffin, Ted Clemons, and Patti Kangethe

Board of County Commissioners Chair Kelly called the meeting to order at 6:15 p.m.

I. Welcome/Introductions:

Mike Kelly, Chairman, Board of County Commissioners
Bethany Griffith, Chair, Library Board of Directors
Introduction of Commissioners, Board Members, and other attendees.

Chair Kelly welcomed and opened the meeting. He commended the Library on being the highest rated service from a satisfaction standpoint and highlighted the facility improvements made in the past year.

III. Comprehensive Library Master Plan (CLMP) Update

a. Current Projects: Merriam Plaza Library, DeSoto, Spring Hill, and Corinth Library Replacement Site Studies

Scott Sime, Project Coordinator, presented on the current building projects, this report is included in the 2024 April Joint Board Report.

He reviewed the recent opening of Merriam Plaza Library, highlighting being on time, on budget, showcasing fabulous public art, an innovative green roof, achieving LEED Silver, and partnership with City of Merriam. Next, he reviewed renovations coming up on the De Soto and Spring Hill libraries including mechanical and technology upgrades, shelving, and furnishing replacement, and modern community requested amenities. Spring Hill is slated to have an expansion from 3,000 square feet to about 4,000 square feet. Mr. Sime shared that the Library is engaged in a conceptual site study with the City of Prairie Village and the YMCA, and an existing site study for the Corinth Replacement project. Public feedback on conceptual options for the shared site study is still being solicited. He currently expects to bring recommendation for the Harmon Park and existing site to the library board later this year. Next steps in the

Corinth replacement project is a programming study to determine the services and spaces of a new building, while being site agnostic.

b. Future Projects: CLMP Refresh, Corinth Library Replacement Projects, Mobile Library, and Blue Valley Library – Tricia Suellentrop, County Librarian

County Librarian Tricia Suellentrop, presented on the future building projects, this report is included in the 2024 April Joint Board Report.

Ms. Suellentrop outlined a brief history of the Library's Comprehensive Library Master Plan, including that it was partially funded in 2016 and that the library has been partnering with Johnson County Facilities to complete much of what was set out within the first 10 years. Currently there is a need to refresh the Master Plan, with stakeholders input from planning, schools, cities, and the Commissioners to ensure the vision for the next 20 years of the county is heard. This refresh will look to prove out the needs for south Johnson County, including Blue Valley. Corinth replacement is slated to happen after the CLMP refresh; that service area has not changed significantly and is not slated to be addressed within the CLMP Refresh. Commissioner Allenbrand expressed appreciation for the community survey that can get the pulse of what the community wants.

County Librarian Suellentrop confirmed that the library uses a variety of approaches, in-person, curated varieties of groups, and online surveys as well. We would look to do something similar to hear from a wide variety of citizens of that timeline.

Commissioner Fast shared that after visiting with citizens at the last input session she does not believe citizens are aware of the true condition of the Corinth building. She asked that the status of the Corinth library building and maintenance challenges be better communicated and that it be clearly explained that a new building is necessary for Corinth no matter if it ends up being co-located with the community center or not.

BOCC Chair Kelly asked for clarity on how a programming study is agnostic of the site. Mr. Sime clarified that we want to determine what the right things are to have in the building for the community and we do not need to know where the building is located to have that programming study.

County Librarian Suellentrop shared that those pieces and parts work in a wide variety of places. There have been some sites that were opportunities that came up.

Commissioner Allenbrand asked about adding a café to a library and if there has been any research done to see if that is an opportunity.

County Librarian Suellentrop confirmed that could be part of CLMP refresh. Looking back we had a space in the Blue Valley library, and 2 or 3 vendors were unable to make that work. There were a few aspects that might have led to that as well, not having access to kitchen and opening at 10:00a.m. at that time. Ultimately that type of idea would be part of the CLMP Refresh.

Commissioner Hanzlick asked if there are any updates on the sale of Lackman or Antioch.

County Librarian Suellentrop happily shared that the library board just moved to enter sale with Newkirk Novak, for \$2,050,000, as it was listed with CBRE. We hope to bring back a contract to library board in May and will work to bring that to Board of County Commission after that.

Commissioner Allenbrand expressed gratitude at being able to be a part of the sale offer of Lackman and the donation from the Johnson County Library Foundation.

County Librarian Suellentrop explained that the Johnson County Library Foundation makes its donation every April, with this year's donation being just over \$124,000; that contributes to the collection and materials for the library.

County Librarian Suellentrop addressed the sale of Antioch and said that the library will follow a similar process for the sale of that building.

Commissioner Hanzlick asked if the library has a broker for the sale of Antioch.

County Librarian Suellentrop shared that the library can use CBRE; the RFP for broker was written such that we could use them for both buildings if that was desired.

There was discussion that the interest in the Antioch building is high due to the developments going on within the City of Merriam.

Commissioner Allenbrand expressed that the broker left nothing unturned on the sale of Lackman and commended the board, its attorney, and its broker on a job well done preparing for this sale.

Ms. Kilgore commended staff on the detailed interview process to determine this broker.

Commissioner Fast asked about the status of Cedar Roe and how that will be addressed in the CLMP Refresh.

County Librarian Suellentrop addressed what the library will look at in the CLMP Refresh and shared that the library would be looking at what branches have not been renovated and those that have opportunities to partner with communities, Roeland Park may be one of those. Cedar Roe is close to being fully renovated and there may be opportunities to partner with the City of Roeland Park in the future. Possibilities in communities could become more concrete now with the work that we have done with Lenexa and Merriam. We have continued growth in the south, so the library will be determining what that looks like for the future. We will also want to look at the relationship with Olathe and what plans are for the future as well. Commissioner Hanzlick asked about the future for programming for the growing adult and aging community.

County Librarian Suellentrop addressed future desire and opportunity to provide more programming; this could also be addressed with the mobile learning unit. She reviewed that staff are looking at best formats and how to best serve the community.

Library Board Chair Griffith shared that there is a budget oversight structure that reviews how to streamline and address where we are not investing appropriately. This includes investigating reasons for not seeing a door count bounce back and addressing adding to the programming budget. The CLMP Refresh will help to determine what the need is for different areas of the community.

Commissioner Hanzlick expressed that the library does not have a large space, like an auditorium, and asked if the library programs could also be hosted at larger venues throughout the community.

II. **Budget Update and Efficiencies**

Dave Vratny, Finance Director, presented the budgetary issues and updated Fiscal Year 2025 Budget; this information is included in the 2024 April Joint Board Report.

Commissioner O'Hara stated that the library would be paying \$250,000 of the supplemental retirement plan in 2025 and \$500,000 of the supplemental retirement plan in 2026. She stated that the library would be asked to cover the accrued sick and vacation payouts, based on oversight since 2002. Commissioner O'Hara asked for the future projections of how the stated supplemental retirement plan, and sick and vacation payouts will impact the library budget. She also suggested a 2% increase at the county level instead of a 4.5% increase. Commissioner O'Hara also asked for the 2023 average market adjustment for library staff and commented an increase on top if that market adjustment is extremely generous.

Mr. Vratny confirmed that the library is working with County Budget and Financial Planning Department.

Commissioner O'Hara left the meeting at 7:00p.m.

Mr. Vratny continued to review the Fiscal Year 2025 Budget.

Commissioner Fast asked about the motor vehicle taxes. Mr. Vratny shared that figure is based on property taxes that are paid when registering vehicles.

III. **MakerSpace Spotlight**

Jennifer Mahnken, Associate Director for Systemwide Services reported on the MakerSpace, this report is included in the 2024 April Joint Board Report. Ms. Mahnken reviewed what is available in the MakerSpace and how patrons use the space.

Commissioner Meyer asked if there is data tracking the use of the space by time of day. Ms. Mahnken and Ms. Suellentrop responded that we do not have that data today and we can get that information for Commissioner Meyer.

Commission Chair Kelly asked how the library's MakerSpace compares to Parks and Recreation's MakerSpace. Ms. Mahnken responded that a difference between Parks and Recreation includes that they offer programs at a cost. Ms. Kinsley Riggs shared the library consulted with Parks and Recreation when they were making their MakerSpace. We purposely have different machines and times so we can refer patrons to Parks and Olathe Library.

Commissioner Allenbrand asked what patrons pay for within the MakerSpace. Ms. Mahnken responded that patrons bring in materials to use in the space, 3D prints are paid for from the partnership by Black and Veatch.

Board of Commission Chair Kelly asked how we adapt for future opportunities and technology. Ms. Mahnken shared that we have made MakerSpace its own department and we are looking at how we can give more access to those tools and ask that department to envision future state.

County Librarian Suellentrop described the MakerSpace evolution; at first the library had half the machines that it has currently. Since the opening of the MakerSpace we have phased out some items that patrons have in their homes more readily, like recording devices. Ms. Mahnken shared that Makers are continually going to other spaces to see new technology and innovate.

Ms. Kilgore asked how the waitlist is managed and how the next people get let in. Ms. Mahnken shared that staff check and let patrons know individually.

Commissioner Hanzlick expressed excitement that there is a Serger available.

VII. Questions and Discussion

Board of Commission Chair Kelly expressed that library facilities are more than programming; they are resiliency hubs for all residents during weather events, including the unhoused population. He asked if there are partnerships and plans with other layers of government to be better resilient in emergency weather events.

County Librarian Suellentrop shared that library managers recently took part in an extreme weather tabletop exercise, in partnership with the County EOC, that helped to consider what average citizens would need during an emergency, and how we can plan to provide basic services in emergency cases. The partnership with facilities also works into planning for each building, considering the appropriate square footage for each building to be a community hub is important and will be important as we complete the CLMP Refresh.

Mr. Wathen shared how library services integrate into the community, and how we integrate the community into our spaces through a variety of seating arrangements. There are convenient spaces for various meetings and allowing for people to meet discretely. We also deliver library services to the incarcerated population. Mr. Wathen emphasized the importance in connecting our services intentionally through regional managers to ensure continuity of operations and partnership in meaningful ways.

Commissioner Fast asked how the Library plans to pay for projects on the CLMP.

County Librarian Suellentrop clarified that De Soto and Spring Hill is approved as a use of reserve. Mr. Vratny clarified that Corinth could have a portion cash funded and a portion would need to be debted through Public Building Committee (PBC).

Commissioner Fast asked if there is an estimate on Corinth library replacement. Mr. Vratny shared that we do not have an estimate right now, as that building could be vertical and will be looking to provide drive through access. County Librarian Suellentrop shared that the sale of the Lackman property would go to reserves and would likely go towards the building of Corinth.

Commissioner Allenbrand shared that staff has looked at many avenues to find funders, highlighting donors to bring more programs to the community. County Librarian Suellentrop commended the Development Department for the wonderful job they do finding a great match in the community with the library.

BOCC Chair Kelly thanked Library Board Chair Griffith for her service.
Library Board Chair Griffith expressed that board appointments make a big difference!

ADJOURNED

Meeting adjourned at 7:27 p.m.

SECRETARY _____
Kelly Kilgore

CHAIR _____
Bethany Griffith

SIGNED _____
Tricia Suellentrop, County Librarian

**JOHNSON COUNTY LIBRARY
GIFT FUND
TREASURER'S REPORT**
Period: MAR-2024

		Receipts	Payments	Balance
	Opening cash balance			\$108,446.28
	Add Receipts	\$121.93		
	Less Payments		\$10,155.73	
	Ending Cash balance			\$98,412.48
	Less Liabilities		\$28,478.95	
	Unobligated cash balance			\$69,933.53

APPROVED: _____

DATE: _____

To: Library Board of Directors

From: Tricia Suellentrop, County Librarian

Date: May 9, 2024

Re: County Librarian's Revised Recommended FY 2025 Revenue and Expenditure Budget

Issue: Consider approving the County Librarian's Revised Recommended FY 2025 Revenue and Expenditure Budget of \$55,624,960.

Suggested Motion: I move to approve the County Librarian's Recommended FY 2025 Revenue and Expenditure Budget of \$55,624,960.

Background: The Library Budget Committee held a series of meetings in the 4th Quarter of 2023 and January of 2024 to evaluate budget related proposals that were made from staff for additional operating funds as well as reviewing current capital plans for the upcoming 5-year Capital Improvement Plan (CIP). There was also review of the multi-year budget forecast and what the impact of these budget decisions and the timing of the Library's capital plans. Since that time new revenue estimates have been received that are significantly higher than earlier projections had anticipated in part due to assessed valuation growth being slightly more than those earlier estimates as well as higher anticipated other taxes such as Motor Vehicle tax collections being more than original projections. The Library Budget Committee recently met in April to review those new revenue/expenditure projections.

Analysis: The current County Librarian's Recommended FY 2024 Revenue and Expenditure Budget of \$55,624,960 is approximately \$890,401 higher than the original January 2024 forecasted amount of \$54,734,559. The higher revenues projected is in part due to assessed valuation growth being slightly more than those earlier estimates as well as higher anticipated other taxes such as Motor Vehicle tax collections being more than original projections, this revised proposal also includes an additional \$350,000 in use of Library Operating Reserves to fully fund the employee supplemental retirement match and employee sick and vacation payouts. The current County Librarian's proposal is being made assuming that the Library's mill levy rate remains flat.

The County Librarian's Recommended FY 2025 Revenue and Expenditure Budget of \$55,624,960 does currently contain an approximate 4.5% merit and market rate adjustment budgeted for 2025. Additionally, there is funding for a two new Maker Service Specialists for the Library's MakerSpace, along with additional Information Technology (IT) maintenance and replacement funding, additional funding for maintaining the collection, start-up funding for expanded patron access in De Soto and Spring Hill, and some other minor adjustments to address inflationary concerns within other program and cost centers. There is also additional funding being set aside for the Library's full portion of the supplemental retirement match as well as employee sick and vacation payouts. This recommendation also makes recommendation for continued support and funding for the Library's Capital Replacement Program (CRP) which is designed to keep existing branches in good working shape and take care of deferred maintenance issues. There is also a recommended transfer of funds into the Comprehensive Library Master Plan (CLMP) Future Projects account for 2025, which is setting aside future cash financing for future debt financed projects. There is also a planned use of reserves to fund the Comprehensive Library Master Plan (CLMP) Study Refresh.

Funding Overview: The County Librarian's Recommended FY 2025 Revenue and Expenditure Budget that is being presented is in balance, with revenue projections matching what has been provided by Johnson County's Budget and Financial Planning Department and the operating and capital expenditures being proposed are in line with what has been previously reviewed and discussed with the Library Budget Committee.

Alternatives: The Library Board could recommend the County Librarian make modifications to this recommended FY 2025 Revenue and Expenditure Budget and request the submittal of an alternate plan.

Recommendation: Approve the County Librarian Recommended 2025 Budget for submission to the County Manager's office and the Board of County Commissioners.

Purchasing Review: N/A

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

Legal Review: N/A

FY 2025 Revised Proposed Library Budget Presentation to Library Board

May 9, 2024

JOHNSON COUNTY LIBRARY

Highlights for FY 2025 Proposed Revised Budget

- Current proposal has a 4.5% Merit/Market Adjustment funded for 2025 (Compensation proposal for 2025 Budget Still Being Discussed)
- Two new MakerSpace Information Specialist positions (2.0 FTE)
- Increased Operational funding for IT maintenance/replacement
- Increased Operational funding for Collections
- Increased Funding for Expanded Patron Access for De Soto and Spring Hill
- Fully funding the Library's 2025 Employee Supplemental Retirement Match amount and sick and vacation payouts.
- Funding for Library Capital Replacement Program (CRP) and Comprehensive and Library Master Plan (CLMP) Future Projects Funding
- Funding for Comprehensive Library Masterplan (CLMP) Refresh



Library Revised Funding Highlights FY 2025

Change Categories	FY 2025 Proposed Budget Change
Additional Funding for Salary Benefits for 2025	1,231,659
2 Additional MakerSpace Information Specialists (2.0 FTE)	171,394
Additional Funding for Collections	162,387
Additional Funding for Information Technology	293,609
Additional Funding for Start-Up for Expanded Patron Access	216,000
Movement of Furniture Replacement to Library's Capital Replacement Plan (CRP)	-500,946
Library Payment for Full Payment of 2025 Supplemental Retirement	500,000
Library Payouts for Employee Sick and Vacation	100,000
Interfund Transfer Increases (Tied to Compensation Increases FAC/HR/FMA)	233,389
Inflation to Capital Replacement Plan (CRP) and Furniture Replacement	1,659,938
Comprehensive Library Master Plan (CLMP) Refresh	576,000
Lease Payment Changes to Public Building Commission (PBC)	-473,300
Change in the Transfer Amount to CLMP (Comprehensive Library Master Plan) Future Projects Account	-150,891
Total of Highlighted Changes	4,019,239

* The proposed changes are in comparison to 2024



Library Revised Funding Highlights FY 2025 (without Use of Reserves)

Change Categories	FY 2025 Proposed Budget Change
Additional Funding for Salary Benefits for 2025	1,231,659
2 Additional MakerSpace Information Specialists (2.0 FTE)	171,394
Additional Funding for Collections	162,387
Additional Funding for Information Technology	293,609
Additional Funding for Start-Up for Expanded Patron Access	216,000
Movement of Furniture Replacement to Library's Capital Replacement Plan (CRP)	-500,946
Library Payment for a Approximately Half of 2025 Supplemental Retirement	250,000
Interfund Transfer Increases (Tied to Compensation Increases FAC/HR/FMA)	233,389
Inflation to Capital Replacement Plan (CRP) and Furniture Replacement	1,659,938
Lease Payment Changes to Public Building Commission (PBC)	-473,300
Change in the Transfer Amount to CLMP (Comprehensive Library Master Plan) Future Projects Account	-150,891
Total of Highlighted Changes	3,093,239

* The proposed changes are in comparison to 2024



Proposed Revised Library FY 2025 Budget

Revenues	Current Estimated FY 2024	Current Revised Proposed FY 2025	Difference	% Change
Property Taxes	45,612,939	48,550,479	2,937,540	6.44%
Other Taxes (Motor Vehicle)	3,835,025	4,039,961	204,936	5.34%
Other Library Revenue	954,909	1,009,913	55,004	5.76%
Investment Interest	880,000	825,000	-55,000	-6.25%
Grants	273,607	273,607	0	0.00%
Use of Reserves	6,499,696	926,000	-5,573,696	-85.75%
Total Revenue	58,056,176	55,624,960	-2,431,216	-4.19%
Expenses	Current Estimated FY 2024	Current Revised Proposed FY 2025	Difference	% Change
Personnel	27,332,772	29,335,825	2,003,053	7.33%
Contractual Services	7,440,158	7,573,410	133,252	1.79%
Commodities	5,325,453	5,386,244	60,791	1.14%
Capital Outlay	0	0	0	0.00%
Interfund Transfers	3,448,982	3,682,371	233,389	6.77%
Transfers to Capital Projects	10,399,696	5,985,047	-4,414,649	-42.45%
Lease Payments to PBC	3,600,453	3,127,170	-473,283	-13.15%
Risk Management	235,055	261,286	26,231	11.16%
Grants	273,607	273,607	0	0.00%
Total Expense	58,056,176	55,624,960	-2,431,216	-4.19%



Proposed Library FY 2025 Budget (without Use of Reserves)

Revenues	Current Estimated FY 2024	Current Revised Proposed FY 2025	Difference	% Change
Property Taxes	45,612,939	48,550,479	2,937,540	6.44%
Other Taxes (Motor Vehicle)	3,835,025	4,039,961	204,936	5.34%
Other Library Revenue	954,909	1,009,913	55,004	5.76%
Investment Interest	880,000	825,000	-55,000	-6.25%
Grants	273,607	273,607	0	0.00%
Total Revenue	51,556,480	54,698,960	3,142,480	6.10%
Expenses	Current Estimated FY 2024	Current Revised Proposed FY 2025	Difference	% Change
Personnel	27,332,772	28,985,825	1,653,053	6.05%
Contractual Services	7,440,158	7,573,410	133,252	1.79%
Commodities	5,325,453	5,386,244	60,791	1.14%
Capital Outlay	0	0	0	0.00%
Interfund Transfers	3,448,982	3,682,371	233,389	6.77%
Transfers to Capital Projects	3,900,000	5,409,047	1,509,047	38.69%
Lease Payments to PBC	3,600,453	3,127,170	-473,283	-13.15%
Risk Management	235,055	261,286	26,231	11.16%
Grants	273,607	273,607	0	0.00%
Total Expense	51,556,480	54,698,960	3,142,480	6.10%



To: Johnson County Library Board of Directors
From: Tricia Suellentrop, County Librarian
Date: May 9, 2024
Re: **Lackman: Contract for Sale of the Lackman property**

Issue: Consider authorizing a contract for sale with XEC Holding LLC and/or its assigns (Buyer) in the amount of \$2,050,000.

Suggested Motion:

I move to authorize a contract for sale with XEC Holding LLC and/or its assigns (Buyer) in the amount of \$2,050,000.

Background: In summer 2019, the Lenexa City Center Library opened, replacing the Lackman Library. After exploring other potential uses, the Library Board authorized placing the property for sale in March 2023, pursuant to Library policy, ARM 50-20-70 with proceeds going to the Library's Reserves with the intent to be used for the Library's future projects. ~~Comprehensive Library Master Plan (GLMP) holding account for future projects.~~

In January 2024, the Library Board authorized a contract with CBRE Advisory & Transaction Services for real estate brokerage services.

In April 2024, the Library Board authorized the County Librarian to enter into contract negotiations with Newkirk Novak Construction Partners, Inc.(Buyer) in the amount of \$2,050,000. XEC Holding LLC is an entity affiliated with Newkirk Novak Construction Partners, Inc., as reflected on the contract signature page.

Analysis: The County Librarian with the Library Team, CBRE, and XEC Holding LLC have worked diligently to negotiate a contract for sale that provides for an as-is sale, an inspection period of 60 days, and which is contingent on BOCC ratification and approval, as required by K.S.A. 12-1223.

Budget Review: The Library Board has authorized payment of brokerage commission fees, as is reflected in the contract for sale. These fees would be deducted from proceeds from the property sale. Remaining proceeds will go to the Library's Reserves with the intent to be used for the Library's future projects.

Legal Review: Library legal counsel has drafted the Contract of Sale and approves the contract as to form.

Alternatives: Not authorize the contract for sale at this time, keeping the property.

Recommendation: To authorize a contract for sale with XEC Holding LLC and/or its assigns (Buyer) in the amount of \$2,050,000.

Suggested Motion: I move to authorize a contract for sale with XEC Holding LLC and/or its assigns (Buyer) in the amount of \$2,050,000.

REAL ESTATE SALE CONTRACT

This Real Estate Sale Contract (“Contract”) is made and entered as of the ___ day of May 2024 (“Effective Date”), between the Board of Directors of the Johnson County Library (“Seller”), a quasi-municipal corporation organized under the laws of the State of Kansas, and XEC Holding LLC (“Buyer”), a Kansas limited liability company, or assigns as permitted. Seller and Buyer are individually “Party” and collectively “Parties.”

RECITALS

A. Seller owns and operates public library facilities, including the improvements and underlying real estate, commonly known as the Lackman Library located at 15345 W. 87th Street Parkway, Lenexa, Kansas 66219 (“Property”), which is more particularly described on the Legal Description marked as Exhibit A incorporated in this Contract by reference and which is subject to verification by Buyer and the Title Company.

B. Seller has determined that sale of the Property is desirable on the terms and conditions set forth in this Contract, which was marketed for public bid and to which Buyer responded and submitted Buyer’s offer to purchase the Property.

C. Pursuant to the terms and conditions of this Contract, Seller agrees to sell, and Buyer agrees to purchase the Property.

NOW, THEREFORE, for and in consideration of the premises and mutual covenants and conditions contained in this Contract, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. Purchase Price and Expenses.

- a. Sales Price. The Parties agree the purchase price for the Property is Two Million Fifty Thousand and no/100 DOLLARS (\$2,050,000.00) (“Purchase Price”) which the Buyer agrees to pay in immediately available funds to escrow with First American Title Insurance Company (“Title Company”), as follows:
 - i. Not more than five (5) business days after the Effective Date, Buyer shall deposit in escrow with Title Company Fifty Thousand and no/100 DOLLARS (\$50,000.00), as an earnest money deposit as part of the consideration of the sale under the terms and conditions of this Contract (“Deposit”); and
 - ii. The balance of the Purchase Price to be paid at Closing in the amount of Two Million and no/100 DOLLARS (\$2,000,000.00).

due after Closing. If the amount of the 2024 annual installments of special assessments, if any, cannot be ascertained, pro-ration shall be based on the annual installment of special assessments for 2023.

5. Title Evidence. Seller shall deliver to Buyer a preliminary title commitment ("Commitment") issued by the Title Company covering the Property not more than ten (10) days after the Effective Date. In the event the Commitment or Survey, as defined below, discloses exceptions to title which are unacceptable to Buyer, other than the so-called "standard" or "general" exceptions, including but not limited to the lien of current real estate taxes, the payment of which is not yet due, Buyer shall have until ten (10) business days after Buyer's receipt of the Commitment to notify Seller in writing of any such exceptions that Buyer finds objectionable ("Unpermitted Exceptions"). Upon receipt of a notice of Unpermitted Exceptions from Buyer, Seller shall have ten (10) business days to have the Unpermitted Exceptions removed from the Commitment. If Seller fails to have said Unpermitted Exceptions so removed or insured over (with Buyer's approval) within the period allowed to Seller set forth above, then Buyer, at Buyer's option, may, within five (5) business days thereafter, elect any one of the following: (a) terminate this Contract, in which event, the Deposit shall be returned to Buyer, and neither party shall have any further liability other than those provisions which expressly survive the termination of this Contract; (b) waive objection to the Unpermitted Exceptions in writing and proceed with the sale contemplated under this Contract; or (c) extend the time period allowed to Seller to have said exceptions removed or insured over. If Buyer does not elect clause (a), (b), or (c) above within the requisite time period, Buyer shall be deemed to have elected clause (a) above. The Parties shall confirm the Unpermitted Exceptions in writing, once determined. At or before Closing, the Seller shall cause Title Company to issue an updated Commitment addressed to Buyer and binding the Title Company to issue to Buyer, at the Closing, an Owner's Policy of Title Insurance on a current ALTA standard form ("Owner's Title Policy") modified to be consistent with the Commitment, in the amount of the Purchase Price, which sets forth the state of title to the Property and all exceptions thereto which Buyer accepts and are not Unpermitted Exceptions.
6. Destruction by Casualty. If, before Closing, any of the improvements on the Property are destroyed or substantially damaged by fire, lightning or any other casualty, or taken by eminent domain, or if a condemnation proceeding has been filed or is threatened against the Property or any part thereof, Seller shall promptly provide written notice to Buyer of any such event. After inspection of the Property, the Buyer shall have the option of continuing this Contract or, in lieu thereof, cancelling the same by written notice within ten (10) days of such loss or damage. Unless this Contract is so terminated, it shall remain in full force and effect. If cancelled, the parties shall direct the Title Company to return the Deposit to the Buyer.
7. Inspections. Buyer has had opportunity to inspect and walk through the improvements on the Property and accepts the Property is its "as-is" condition. However, Buyer may, at Buyer's expense, arrange for inspections of the Property and the improvements thereon ("Inspections") for a period of not more than sixty (60) days from the Effective Date

(“Inspection Period”). The Seller shall, under no circumstances, have any obligation to repair or replace items on the Property or in the improvements and makes no warranty with respect to the condition of the Property or such improvements whatsoever, other than the representations and warranties contained in this Contract.

- a. During the Inspection Period, Buyer, as part of the Inspections, may perform soil tests, environmental tests or audits, structural, foundation and mechanical inspections and such other inspections or surveys and to conduct any other due diligence as Buyer deems necessary. Buyer agrees to repair any damage to the Property arising from these Inspections and to indemnify, defend and hold Seller harmless from and against all claims, costs, demands and expenses, including without limitation, reasonable attorney’s fees, court costs and other legal expenses, resulting from the physical act of completing these Inspections. Buyer’s obligations imposed by this paragraph shall survive termination of this Contract. Should Buyer terminate the Contract, Buyer shall provide Seller, together with the written notice of such termination, a copy of any written report resulting from the Inspections.
- b. Seller agrees to give Buyer and Buyer’s professional consultants or agents reasonable access to the Property and the improvements thereon to conduct Inspections on weekdays from 9:00 a.m. to 5:00 p.m. following at least 24 hours advanced written notice, when possible. If, during the Inspection Period, Buyer is not completely satisfied with all aspects of the suitability of the Property, in its sole and absolute discretion, Buyer may terminate this Contract, in which event the Deposit shall be immediately returned to Buyer by the Title Company, without the necessity for consent or approval by Seller, and the parties shall be released from further liability. If on or before the end of the Inspection Period, Seller does not receive written notice from the Buyer that Buyer deems the Inspections unacceptable and that the Contract is being cancelled, then the condition in this paragraph shall be deemed waived by the Buyer.
- c. Seller shall provide to Buyer, no later than five (5) business days after the Effective Date, true and complete copies of information and documents pertaining to the Property, to the extent such documents and information exist and are within Seller’s possession or control, including: surveys and site plans; environmental reports and appraisals; current service contracts; service reports and records; structural, roof, electrical or mechanical systems information, including warranties; title reports or title policies; parking access agreements or association agreements; the most current operating expense report; and any other documents in Seller’s possession related to ownership and operation of the property that Buyer may reasonably request. Seller agrees to disclose to the Buyer all known material deficiencies in the Property. Notwithstanding the foregoing, Seller will convey the Property to Buyer at Closing in an “as-is,” “where-is” condition “with all faults.” Further, Buyer acknowledges and agrees Seller has no obligation to repair or replace items on the Property or in the improvements and makes no warranty with respect to the condition of

the Property or such improvements whatsoever, other than any explicit representations and warranties specifically contained in this Contract.

8. Due Diligence. During the Inspection Period, Buyer may perform due diligence for the purposes of exploring and obtaining approval of governmental authorities for the intended purpose of the Property and any changes in zoning, if necessary (“Diligence”). Upon presentation by Buyer to Seller of the written refusal(s) of such governmental authorities to Buyer’s requests for approval of such intended purposes and zoning prior to the expiration of the Inspection Period, Buyer may deliver written notification to Seller to cancel this Contract and this Contract will be terminated and the Deposit shall be promptly returned to Buyer. In the absence of Seller’s receipt of such termination notice before expiration of the Inspection Period, the Diligence shall be deemed to be satisfactory to Buyer and the Deposit shall be nonrefundable, except due to a Default by Seller under Section 9. Seller shall have no obligation to extend the Inspection Period or change the time of Closing related to Buyer’s Diligence.
9. Default. Seller or Buyer shall be in default under this Contract if either fails to comply with any material covenant, agreement or obligation within any time limits required by this Contract. Following a default by either Seller or Buyer under this Contract, the other party shall have the following remedies:
 - a. If Seller defaults, Buyer may either: (1) sue to specifically enforce this Contract or (2) terminate this Agreement and receive a refund of the Deposit by the Title Company, without the necessity for consent or approval by Seller, and the parties shall be released from further liability.
 - b. If Buyer defaults, Seller may terminate this Contract by written notice to Buyer, in which event the Deposit shall be paid to Seller by the Title Company, without the necessity for consent or approval by Buyer, and the parties shall be released from further liability.
 - c. Notwithstanding anything herein to the contrary, in no event shall either party be liable to the other party for any incidental, consequential, speculative, or punitive damages. Buyer acknowledges and agrees Seller is subject to the provisions of the Kansas Tort Claims Act, K.S.A. 75-6101, et. seq.
10. Miscellaneous Provisions.
 - a. Condition of Property. It is understood that Buyer will have had ample opportunity to inspect the Property and the improvements, and accordingly accepts the Property and the improvements in "as-is" condition. Closing by Buyer shall constitute acceptance of the Property and the improvements in its then-existing condition. Seller has not and does not now make any representations as to the past, present or future condition, expenses,

operation or any other matter or thing affecting or relating to the Property or improvements described herein, unless otherwise specifically included in this Contract, and Buyer hereby acknowledges that no such terms, agreements, covenants, and conditions have been made by and between the parties hereto. The real property and the improvements thereon are purchased in strictly "as-is" condition.

- b. Environmental Concerns. Notwithstanding Section 10(a), Seller represents and warrants that to its actual knowledge, without investigation, (i) no portion of the Property contains any underground storage tanks; (ii) no portion of the Property has been used by Seller except in substantial compliance with laws with respect to hazardous materials; (iii) there are no hazardous materials on the Property, except as may be used in Seller's ordinary course of business, which is the operation and provision of public library and related services; and (iv) there are no threatened or present and active claims by any local, state or federal agency or any private person or entity with respect to any environmental problems or risks associated with the Property. Seller shall remove any and all hazardous materials used by Seller in Seller's ordinary course of business and any related storage vessels for said hazardous materials prior to Closing. Seller shall clean any hazardous material residue in the Property, if any, that was used the ordinary course of business by Seller and remediate any damage to the Property caused by the use of the hazardous material that was used in the ordinary course of business by Seller. Subject to the limitations of the Kansas Tort Claims Act, K.S.A. 75-6101 et seq., Seller shall indemnify and hold Buyer harmless from any and all liabilities or expenses arising from or attributable to, in part or in whole, Seller's use or storage of hazardous materials in connection with its ordinary course of business on the Property, including any environmental damage. Seller represents and warrants that all hazardous materials used in its ordinary course of business on the Property have been used, stored, and disposed of in accordance with State and Federal laws, including, but not limited to, environmental laws. This subsection shall survive the Closing.
- c. Property Included in Purchase Price. The Property included in the Purchase Price includes the described real estate, the improvements thereon, and all remaining fixtures within the Property, with the exception of network, telecommunications, and security hardware, materials, and equipment, which are specifically identified in **Exhibit B** and will be removed by Seller prior to Closing.
- d. Brokerage Commissions. The only brokers for the transaction contemplated by this Contract are (a) Adam Tilton, CBRE, Inc., broker for Seller, and (b) Anne Erickson and Ryan Schneider, Jones Lang LaSalle Brokerage, Inc., broker for Buyer (collectively, "Brokers"). Seller shall pay commission of Six Percent (6%) of the Purchase Price to Brokers, split equally pursuant to separate agreement. Seller and Buyer each agrees to indemnify and hold the other harmless from the claims of any broker other than Brokers claiming a commission due by virtue of its representation of them; provided, however, that Seller and Buyer will compensate Brokers pursuant to separate agreement.

- e. Assignment. Buyer may assign this Contract to a third-party, subject to Seller's prior written consent (which shall not unreasonably be withheld, conditioned, or delayed), Notwithstanding the previous sentence, Buyer may assign its rights under this Contract, without Seller's consent, to a third party if said Contract is being assigned to assist Buyer in completing a regular or reverse "like-kind exchange" pursuant to Section 1031 of the Internal Revenue Code, as more particularly described in Section 10(g).
- f. Name Change. Buyer is currently preparing to change Buyer's name from XEC Holding LLC to NNCP Holding Company, LLC. The parties acknowledge and agree to said name change, subject to Buyer's compliance with all laws and regulations in connection with such name change. In the event the name change occurs, Buyer shall notify Seller and Title Company to ensure the Title Insurance Policy and Deed are in the correct name.
- g. Like Kind Exchange. If Buyer determines to conduct this transaction as part of a "like-kind exchange" pursuant to Section 1031 of the Internal Revenue Code, Seller shall reasonably cooperate with Buyer, but at no cost or expense to Seller, and in no event shall the Closing be delayed on account thereof. Buyer acknowledges and agrees that Seller is a body corporate and politic possessing the usual powers of a corporation for public purposes and is subject to statutory limitations on Seller's legal authority. With that understanding, Seller shall have no obligation to execute any document that would violate the law or result in or require any unreasonable effort on Seller's part in connection with the "like-kind exchange," including but not limited to holding a meeting of Seller's governing body. Buyer shall indemnify, defend, and hold harmless Seller from and against any claims, expenses, and damages arising from Buyer's efforts, if any, to undertake a "like-kind exchange" pursuant to Section 1031 of the Internal Revenue Code.
- h. Survival of Covenants and Agreements. All covenants, agreements, representations and warranties contained in this Contract shall survive the Closing.
- i. Time. Time is of the essence to this Contract.
- j. Modifications. Any alteration, change, or modification to this Contract, in order to become effective, shall be made by written agreement of the Parties.
- k. Applicable Law and Venue. This Contract is governed by and construed in accordance with the laws of the State of Kansas. The Parties agree any dispute arising under this Contract is subject to the exclusive jurisdiction of the courts of Johnson County, Kansas.
- l. Partial Invalidity. If any provisions of this Contract be deemed invalid or unenforceable, the remainder of this Contract shall not be affected, and each provision of this Contract shall be valid and enforceable to the fullest extent permitted by law.

- m. Notices. Every notice, demand or consent or other document or instrument required or permitted to be served under this Contract shall be in writing and mailed by certified or registered United States mail (return receipt requested), postage prepaid, or by overnight delivery service (Federal Express, Air Borne, UPS Next Day Air or similar), prepaid, addressed to the respective parties at the addresses stated below:

To Buyer: XEC Holding LLC
11200 W. 79th Street
Lenexa, Kansas 66214
Attention: Lynn Newkirk

With a copy to: Payne & Jones, Chartered
11000 King Street
Overland Park, KS 66210
Attention: Jacob A. Turner

To Seller: Johnson County Library
9875 W 87th Street
Overland Park, KS 66212
Attention: Patricia Suellentrop

With a copy to: Logan Logan & Watson, L.C.
8340 Mission Road, Suite 106
Prairie Village, Kansas 66206
Attention: Andrew Logan

To Title Company: First American Title Insurance Company
National Commercial Services
1100 Main Street, Suite 1900
Kansas City, MO 64105
Attention: _____

- n. Entire Agreement. The Recitals set forth above and exhibits attached to this Contract, if any, are incorporated in the Contract by reference. This Contract contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. Other than as expressly set forth in this Contract, the Parties do not intend to confer any benefit hereunder on any person, firm, or entity other than the Parties hereto.

- o. Counterparts. This Contract may be executed in any number of counterparts, and each of such counterparts shall, for all purposes, be deemed an original, and all such counterparts shall together constitute one and the same agreement.
 - p. Buyer Authority. Buyer represents and warrants that, as of the Effective Date and as of the Closing, Buyer has the legal power, right and authority to enter into this Agreement, to consummate the transactions contemplated hereby, and to execute and deliver all documents and instruments to be delivered by Buyer hereunder.
 - q. Seller represents that Seller is not a foreign person as described in the Foreign Investment in Real Property Tax Act and agrees to deliver a certificate at Closing to that effect which shall contain Seller's tax identification number.
11. Further Authority of the Johnson County Librarian. Seller, by and through its governing body, the Board of Directors of the Johnson County Library, authorizes, designates and directs the Johnson County Librarian, Patricia Suellentrop, to execute the special warranty deed and such other documentation necessary for Closing, as required by Title Company, and to convey the Property from Seller to Buyer.

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

Signature Page

IN WITNESS WHEREOF, the Parties have subscribed their names on the dates set forth below.

“SELLER”

Board of Directors of the
Johnson County Library

by: _____
Kelly Kilgore, Chair

Date: _____

Approved:

Johnson County Library Legal Counsel

“BUYER”

XEC Holding LLC

By its Members, Newkirk Novak Construction Partners, Inc.

by: _____
Lynn Newkirk, President of
Newkirk Novak Construction Partners, Inc.

Date: May 1, 2024

by: _____
John Novak, President of
Newkirk Novak Construction Partners, Inc.

Date: May 1, 2024

EXHIBIT A

LEGAL DESCRIPTION

ALL OF LOT 4 AND ALL THAT PART OF LOT 9, COUNTRY HILL CENTER, A SUBDIVISION IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 9, THENCE SOUTH 0° 07' 50" WEST, ALONG THE WESTERLY LINE OF SAID LOT 9, A DISTANCE OF 220 FEET; THENCE SOUTH 89° 52' 10" EAST, ALONG THE WESTERLY LINE OF SAID LOT 9, A DISTANCE OF 20 FEET; THENCE SOUTH 0° 07' 50" WEST, ALONG THE EASTERLY LINE OF SAID LOT 9, A DISTANCE OF 90 FEET, TO THE SOUTHWESTERLY CORNER THEREOF; THENCE SOUTH 80° 52' 10" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 9, A DISTANCE OF 26 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE CONTINUING SOUTH 89° 52' 10" EAST, A DISTANCE OF 73 FEET; THENCE SOUTH 0° 07' 50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 9, A DISTANCE OF 20 FEET; THENCE NORTH 89° 52' 10" WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 9, A DISTANCE OF 73 FEET; THENCE NORTH 0° 07' 50" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 9, A DISTANCE OF 20 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT.

Exhibit B

List of Network, Telecommunications, and Security Hardware to be Removed by Seller at Closing

QTY	DESCRIPTIONS
1	Cisco Voice Gateway
2	Cisco Catalyst 3750 switches
1	SmartVue NVR
1	Symon Digital Appliance
5	Cisco Wireless Access Points
12	Hikvision security cameras
1	Indala badge reader
1	DSX Access Systems control box and contents
1	DMP Fire Alarm Control Panel box and contents
1	DMP Keypad
5	Motion detectors

To: Johnson County Library Board of Directors
From: Tricia Suellentrop, County Librarian
Date: May 9, 2024
Re: **Corinth: Geotechnical Excavation Closure**

Issue: Consider approving a closure of up to two days in May or June for geotechnical excavation work at Corinth, as part of the Corinth existing site study.

Suggested Motions: I move to approve the closure of Corinth for up to two days in May or June for geotechnical excavation work.

Background: The Corinth Library is slated for replacement as part of our Capital Library Master Plan (CLMP). We are beginning this work by exploring site options, including the current Corinth site. Geotechnical excavations (borings) will be conducted to determine the geological composition of the soil to aid with cost analysis of building on this site. The same type of excavation may occur later at the Harmon Park site.

Analysis: The purpose of this work is to determine the physical properties of soil, rock, groundwater, and other conditions at a given depth and location. This information is important for ensuring that the ground conditions are known well in advance for cost analysis, design considerations, and construction work.

Because one of the boring locations is at the public entrance and the work requires heavy machinery at that location, as well as an area nearby for construction staging, Library staff are recommending a closure to complete the work. This work is weather dependent. These factors lead staff to recommend a closure for up to

Budget Review: This work is funded from approved Corinth Replacement Project funds.

Alternatives: Not approve the closure and not complete the borings at this time.

Recommendation: Approve the closure of Corinth for up to two days in May or June for geotechnical excavation work.

Suggested Motions: I move to approve the closure of Corinth for up to two days in May or June for geotechnical excavation work.

To: Johnson County Library Board of Directors

From: Tricia Suellentrop, County Librarian

Date: May 9, 2024

Re: Cedar Roe: Temporary Closure for Electrical Infrastructure Replacement

Issue: Consider approving a closure of up to one week in May or June for replacement of main electrical infrastructure at the Cedar Roe library.

Suggested Motions: I move to approve the closure of Cedar Roe for up to one week, or more as deemed necessary by repairs, in May or June to perform main electrical infrastructure replacement.

Background: During the heavy rains in April and May, the Cedar Roe library's main power feed was affected. Our Facilities partners believe the main conduit has collapsed and we had water infiltrating into the conduit and main electrical panel.

Analysis: To ensure a correct, durable, safe, and stable power connection, the main exterior conduit must be replaced, and the electrical cables must be re-pulled to the panel and reconnected. Our Facilities partners will be working with Evergy to coordinate this work.

A temporary fix has been installed to allow for this work to be planned and not escalate to an emergency closure.

This work will require some excavation in the parking lot and cutting power to the building during the work – because of these reasons, staff is recommending a closure.

This timeline is tentative and contingent on Evergy's responsiveness and may change. Because of this scheduling dependency, we ask the Library Board to delegate authority to the County Librarian to prolong potential closure as needed in this case.

Budget Review: This work will be funded from approved 2024 CRP funds.

Alternatives: Not approve the closure and continue to maintain the temporary fix for now. This is not a long-term solution.

Recommendation: Approve the closure for replacement of main electrical infrastructure at the Cedar Roe library.

Suggested Motions: I move to approve the closure for replacement of main electrical infrastructure at the Cedar Roe library.