

ATTACHMENT NO. VIII-H: Resolutions and Intergovernmental Agreement Regarding PrairieCat

Potential motion: Move to approve 1) Resolution Providing for the Execution of an Intergovernmental Agreement Establishing PrairieCat and Authorizing Membership in PrairieCat,
2) Resolution Providing for the Dissolution of Palsgroup and the Termination of the Agreement between Palsgroup Members and the Prairie Area Library System for an Automated Library System, and
3) Intergovernmental Agreement Establishing PrairieCat and Authorizing Membership in PrairieCat.

Recommended action: Approve the Resolutions and Intergovernmental Agreement.

The nearly total lack of funding for the Regional Library Systems from the state continues, to the point where those systems have received almost no funding since July 1. The systems are currently running on their reserves and plan to totally shut their doors in December without relief. The Prairie Area Library System (PALS) is taking proactive steps to ensure that the shared catalog survives in the event that the system dissolves. Other systems in IL are doing the same thing. In order to do so, the catalog (PrairieCat) needs to become its own legal intergovernmental entity separate from PALS. PALS is asking all of the members including Union List Members which our district's membership level, to have their boards officially vote and approve the two resolutions and the agreement that are attached here.

It would make little sense to allow the union catalog which was built over the last two decades to be lost due to the current fiscal issues. The cost, if any, to the district will be minimal compared to the benefits.

**RESOLUTION PROVIDING FOR THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT ESTABLISHING
PRAIRIECAT AND AUTHORIZING MEMBERSHIP IN PRAIRIECAT**

BE IT RESOLVED by the Board of Education of North Boone Community Unit School District #200 (hereinafter referred to as the "Library") as follows:

1. **AUTHORITY:** This Resolution is adopted pursuant to the Intergovernmental Cooperation Clause of the Constitution of the State of Illinois, the Intergovernmental Cooperation Act, the Illinois Public Library District Act (or the Illinois Local Library Act where applicable) or Chapter 28E of the Iowa Code. The Library has the authority to enter into intergovernmental agreements for the provision of library services.

2. **FINDINGS:** The Library has reviewed the Intergovernmental Agreement Establishing PRAIRIECAT and Authorizing Membership in PRAIRIECAT, a copy of which is attached hereto as Exhibit A and made a part hereof, and has determined that it is in the best interests of the Library to join PRAIRIECAT as a member library and that it approves the Agreement.

3. **AUTHORIZATION:** That the President and Secretary of this Library are, therefore, authorized and directed to execute the Intergovernmental Agreement For Library Computer Services.

Adopted this 25th day of October 2010 by the Board of Education pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by the Board of Education of North Boone Community Unit School

District #200 this 25th day of October 2010.

President

ATTEST:

Secretary

**RESOLUTION PROVIDING FOR THE DISSOLUTION OF PALSGROUP AND
THE TERMINATION OF THE AGREEMENT BETWEEN PALSGROUP
MEMBERS AND THE PRAIRIE AREA LIBRARY SYSTEM FOR AN
AUTOMATED LIBRARY SYSTEM**

WHEREAS, the Library has previously executed an Agreement with the Prairie Area Library System (“PALS”), entitled “Agreement for PALSGROUP Libraries,” (hereinafter “Agreement”) for the purpose of providing automated library services; and

WHEREAS, the Agreement provides that PALSGROUP may be dissolved if 2/3rds of the Fully Participating Members vote to dissolve and if 2/3rds of the libraries contracting with PALS serve notice upon PALS of their intent to terminate participation under the Agreement; and

WHEREAS the Library has been involved in the process of making arrangements for the provision of automated library services through a newly formed intergovernmental entity entitled PRAIRIECAT due to financial issues existing at PALS; and

THEREFORE, BE IT RESOLVED by the Board of Education of North Boone Community Unit School District #200 (hereinafter referred to as the “Library”) as follows:

1. This Board hereby finds and determines that it is in the best interests of the Library to exercise its right to terminate the Agreement.
2. This Board, through approval of this Resolution, hereby authorizes the Library Director to send a copy of this Resolution to the PALS Board to notify them of the Library’s decision to dissolve PALSGROUP and to terminate participation in the Agreement.

3. RELEASE OR WAIVER OF ALL CLAIMS: In consideration for the beneficial public services performed by and to be performed by the Prairie Area Library System (herein "PALS") specifically in reference to the creation, operation and dissolution of PALSGroup a/k/a PRAIRIECAT (herein "PALSGROUP") including the transfer of various automation system hardware, applicable software license assignments, and transfer of accumulated reserve funds to a designated successor of the majority of fully participating members of PALSGROUP and/or the payment to any withdrawing libraries and members, of an amount representing the calculated amount under the "Agreement for PALSGROUP Libraries" due to the withdrawing member, we hereby fully and forever release and discharge PALS, and its officers, subsidiary corporations, employees, principals, successor corporations, agents, insurers and assigns ("Parties Released") performing any services whatsoever, from all actions, rights of action, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation, in any way growing out of all known and unknown injuries, damages or claims of whatsoever kind or type, present or future, whether the same be known, anticipated or unanticipated, resulting or to result from any actions or events pertaining to the creation, operation and dissolution of PALSGROUP.

4. This Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 25th day of October 2010 by the Board of Education pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by the Board of Education of North Boone Community Unit School

District #200 this 25th day of October 2010,

President

ATTEST:

Secretary