



RESOLUTION

WHEREAS, the Interlocal Cooperation Act, Texas Government Code, Chapter 791, as amended (the "Act") provides authority for local governments of the State of Texas to enter into interlocal agreements with each other for the purpose of performing governmental functions and services as set forth in the Act; and

WHEREAS, the County of Tyler ("County") desires to participate with the City of Woodville ("City") and the Woodville Independent School District ("WISD") to make available library services, and promote tourism and historic preservation through the operation of the Allan Shivers Library and Museum;

NOW THEREFORE BE IT RESOLVED, that the Tyler County Commissioners Court approves entering into an **Interlocal Agreement** with the City and the WISD for the **Operation and Administration of the Allan Shivers Library and Museum**.

FURTHER, this **Interlocal Agreement** for such **Operation and Administration**, between the County, the City, and the WISD, is hereby approved, and the Commissioners authorize the County Judge to execute the Agreement;

FURTHER, should any section, subsection, sentence, clause or phrase of this **RESOLUTION** be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this **RESOLUTION** shall remain in full force and effect;

FURTHER, this **RESOLUTION** shall become effective immediately upon its passage, and the **Interlocal Agreement** shall go into effect on June 15, 2021.

Passed and approved this _____ day of _____, 2021 by the Tyler County Commissioners Court.

Joe Blacksher, Commissioner, Pct. 1

Stevan Sturrock, Commissioner, Pct. 2

Mike Marshall, Commissioner, Pct. 3

Charles "Buck" Hudson, Commissioner, Pct. 4

Jacques L. Blanchette
County Judge

ATTEST: _____
Donece Gregory, County Clerk

**An Interlocal Agreement
for the Organization and Administration of the
Allan Shivers Library and Museum
Woodville, Texas**

The following policies and procedures shall govern the organization and administration of the Allan Shivers Library and Museum.

1. Pursuant to the provisions and under the authority of Chapter 791.013 of the Texas Government Code, the Interlocal Cooperation Act of the State of Texas, it is hereby contracted and agreed by and between the Woodville Independent School District, the City of Woodville, Texas and the County of Tyler that the Allan Shivers Library and Museum shall be operated for the benefit of all of the people of Tyler County jointly pursuant to the procedures hereinafter set out.

Fiscal Year

2. The fiscal year of the Library and Museum shall be from January 1 to December 31 of each year according to the fiscal year of the County of Tyler.

Funding

3. The City of Woodville shall supply the funds necessary to pay the cost of electric and telephone services for the Library and Museum, as budgeted. In the event these utility costs do not exceed the budget allocation, the difference between actual expenditures and the budget appropriation may be used for general Library and Museum purposes. Water, sewage and garbage services shall be furnished without charge by the City of Woodville (in-kind). Additional in-kind support may be provided at the City's discretion.
4. The Woodville Independent School District shall supply the funds necessary to pay for custodial and maintenance service and supplies for this service, as budgeted. In the event these costs do not exceed the budget allocation, the difference between actual expenditures and the budget appropriation may be used for general library purposes. In addition, Woodville ISD shall pay the cost of fire and extended coverage insurance on the buildings and its contents (in-kind). Additional in-kind support may be provided at the Woodville ISD's discretion.
5. The County of Tyler shall supply the funds necessary to pay professional Library and Museum labor, books, and Library supplies as budgeted. In the event these costs do not exceed the budget allocation, the difference between actual expenditures and the budget appropriation may be used for general Library and Museum purposes. Note: Library and Museum employees are NOT County employees and not entitled to County benefits. In-kind support may be provided at the County's discretion.

Governance

6. A six-member Governing Board shall be established to review and approve general policies for the operations of the Library and Museum; approve the annual budget for the Library and Museum; and approve the annual financial review of all funds.

This Governing Board shall consist of one member of the County Commissioners Court, one member of the City Council, and one member of the Board of Trustees of the Woodville Independent School District. The other members of the Governing Board shall be the County Judge, the City Administrator/Manager and the Superintendent of Woodville ISD.

The Governing Board shall select a Chair and Vice-Chair during its annual meeting. The Governing Board shall select a recording secretary who may or may not be a member of the Governing Board. Minutes will be recorded for each Governing Board meeting, and will be approved at the next meeting of the Board. Copies of minutes will be filed in the Director's office.

The Governing Board shall meet at least quarterly, with an Annual Meeting held in early January of each year to review the operations and finances of the Library and Museum for the previous year. At its Fall quarterly meeting, the Governing Board shall adopt the budget for the upcoming fiscal year. The Governing Board shall also meet upon the call of the Chair.

The Governing Board shall approve a bookkeeping, purchasing and accounting system. All accounts shall be reviewed annually.

The Governing Board shall employ a Director who will: develop policies and procedures, and oversee the daily operations of the Library and Museum; employ and supervise Library and Museum staff; apply for and manage grants, interface with funding entities; manage all financial obligations including payroll, bills, etc.; and conduct additional activities as required by the Governing Board. The Governing Board shall establish the rate of compensation for all employees, and approve all policies regarding employment of and expectations for staff.

The Director will communicate with the Governing Board at least monthly, or more frequently as appropriate. The Director may request a meeting of the Governing Board if needed.

Advisory Board

7. An Advisory Board composed of seven members shall be charged with advising the Director, who will meet with the Board, but shall not be a member of said Board.

The Woodville ISD Board of Trustees, the Woodville City Council, the County of Tyler, and the Friends will each identify and formally approve a representative to be presented and approved at the Fall Quarterly meeting to serve on the Advisory Board the following year. Nominations for three at-large members representing the diversity of the County will be solicited through the local newspaper and social media. At-large members will be selected by the Governing Board. Advisory Board members shall be approved annually by the Governing Board at its annual meeting. Vacancies shall be filled by the Governing Board.

The Advisory Board shall advise the Director and local government on such matters as reviewing possible contracts, providing input on Library and Museum policies and

procedures, assisting set priorities for the budget, sharing community needs for service, advocating on behalf of the Library and Museum, and such matters brought to the Board's attention by the Director or Governing Board. Members of the Advisory Board shall receive training on their roles and responsibilities (TSLAC Handbook). The Advisory Board shall not make governance decisions, and shall inform the Director and Governing Board prior to any public promotion of the Library and Museum.

The Advisory Board shall select a chair and secretary. The Advisory Board shall meet monthly or more frequently as needed. Written minutes will be recorded and distributed to its members, the Governing Board and Director.

The chair of the Advisory Board shall attend the meetings of the Governing Board to advise the Board in matters pertaining to Library and Museum operations.

Financial Management

8. All funds will be deposited into the appropriate bank account (e.g., general operating fund, endowment disbursements, etc.) held by the Library and Museum, and shall be subject to bookkeeping and review procedures as established. No additional special funds, including grants, may be established, except by permission of the Governing Board.
9. All bank and endowment accounts of the Allan Shivers Library and Museum shall be reviewed at the end of the fiscal year by the school district's Finance Manager and a summary of the review shall be distributed to the members of the Governing Board. The Governing Board shall review and approve the annual Financial Review report. In the event an audit is recommended, the audit will be conducted by an independent CPA and funded out of the Library and Museum budget.
10. The Director shall prepare a monthly financial statement of receipts and expenditures of the month, and submit to each Governing Board member for review. The statement shall be made available to Advisory Board members. Governing Board members will distribute the monthly report as appropriate within their own organizations. The Director shall submit a proposed budget to the Governing Board each November for the upcoming fiscal year.

Friends of the Library and Museum

11. The Friends of the Library and Museum may contribute funds, materials, and services. The Friends will function independently but in collaboration with the Director. The Friends shall meet monthly with the Director and assist with fund-raising; event planning, preparation and implementation; and other tasks as appropriate to support the Library and Museum.

The Friends shall apply for tax-exempt and nonprofit status, and deposit all funds into its own bank account. The Friends will develop by-laws, select a Chair, secretary and treasurer, hold regular meetings, maintain and report financial records, and submit a written report to the Governing Board quarterly.

Annual Review

12. This Policy document shall be reviewed annually and amended as appropriate. All amendments shall be approved by the Governing Board and funding entities.

This Agreement contains the entire Agreement between the parties relating to the rights herein and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect except in a subsequent modification in writing signed by all parties.

This Agreement shall be governed by and constructed in accordance with the laws of the State of Texas. No assignment of the Agreement or of any right accrued hereunder shall be made, in whole or in part by any party without the prior written consent of the other parties. Venue shall be in Tyler County, Texas.

IN WITNESS WHEREOF each of the above named governmental entities has caused this agreement to be executed by the chief executive officer of each entity pursuant to resolution or ordinance duly adopted by the governing board of such entity and has caused the same to be attested and its seal hereto affixed effective as of the 15th day of June, 2021.

Executed by:

Attested by:

Judge, County of Tyler

County Clerk, Tyler County

Superintendent, Woodville ISD

President, Woodville ISD Trustees

Mayor, City of Woodville

Woodville City Secretary