

CITY OF MARTINSVILLE, VIRGINIA

WITH: AGREEMENT

COUNTY OF HENRY, VIRGINIA and

COUNTY OF PATRICK, VIRGINIA

THIS CONTRACT, made this 29 day of May, 1975, by and between the CITY OF MARTINSVILLE, VIRGINIA, the COUNTY OF HENRY, VIRGINIA, and the COUNTY OF PATRICK, VIRGINIA, hereinafter designated as participating localities; and

WHEREAS, the participating localities desire to enter into a contract to establish, maintain and operate a Regional Library serving the participating localities;

NOW, THEREFORE, THIS CONTRACT WITNESSETH, that the participating localities herein hereby covenant and agree as follows:

1. Pursuant to the provisions of Title 42.1 of the Code of Virginia of 1950, and as amended, there is hereby established a Regional Library which shall conform to the standards now and hereafter prescribed by the State Library Board of Virginia.

2. There shall be a Regional Library Board composed of members appointed by the governing body of the herein participating localities, as follows: four members from Henry County, five members from the City of Martinsville and two members from Patrick County. The members initially appointed shall draw lots for expiration of terms; the first drawing shall be by the five member Martinsville appointees, who shall draw lots, three of which shall be for four-year terms and two of which shall be for two-year terms. Following this drawing, the Henry County members shall draw lots for the expiration of terms, two of which shall be for four-year terms and two of which shall be for two-year terms. Following this drawing, the Patrick County members shall draw lots, one of which shall be for a

four-year term, the other for a two-year term. Thereafter, the appointment of each member shall be for a term of four years. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members are regularly chosen. The participating localities may from time to time agree to alter the number of representatives on the governing board from each locality, taking into consideration the proportionate use by each locality and the financial contribution from each locality. However, under no circumstances shall any participating jurisdiction be represented by less than two members. No appointive member shall be eligible to serve more than two successive terms. A member shall not receive a salary or other compensation for services as a member, but necessary expenses actually incurred shall be paid from the library fund. A regional board member may be removed or replaced by the governing body making the appointment. The board members shall elect officers and adopt bylaws, rules and regulations, for their own guidance, and for the government of the regional free library system as may be expedient. They shall have control of the expenditure of all monies credited to the regional free library fund. The regional board shall have the right to accept donations and bequests of money, personal property, or real estate for the establishment, expansion and maintenance of such regional free library system, or endowments for same.

3. The Regional Library Board shall have authority to enter into contracts with the State Library Board, or with other library boards, and with any other agencies for the purpose of administering public library services within the participating localities, including contracts concerning allocation and expenditure of funds.

4. The Regional Library hereby established shall have its headquarters at 310 Church Street, Martinsville, Virginia.

5. The expenses of the Regional Library shall be apportioned among the participating localities on the following fiscal year basis: Each participating locality shall appropriate an annual sum. For fiscal year 1975-1976, Martinsville will contribute 1/2 of the 1975-1976 budget as finally approved by the governing bodies of Martinsville and Henry County, and Henry County shall contribute 1/2 of the 1975-1976 budget as finally approved and as submitted to the governing bodies of Martinsville and Henry County. Patrick County shall contribute the sum of \$15,282.00. In addition to its annual contribution, Patrick County will continue to own, and maintain (including utilities) its present library building located in Stuart, Virginia, and shall bear the cost of maintaining that facility as a part of this Regional Library. For each fiscal year subsequent to 1975-1976, the proportionate costs will be determined by the budget needs of the Regional Library as reflected by actual costs to serve the respective populations of the participating localities. Determination of the formula for the annual apportionment of costs shall be the responsibility of the Library Board. However, Patrick County agrees that it shall contribute its proportionate cost of the operation of the Regional Library or the annual sum of \$15,282.00, whichever is higher.

6. The Library Board is hereby authorized to negotiate temporary loans at local banks, for terms not exceeding 120 days, in anticipation of budgeted quarterly payments by participating political subdivisions, or to provide necessary working capital.

7. Any participating locality desiring to review and/or renegotiate any particular provisions or commitment herein, shall give at least one year's written notice to the other participating localities, unless such notice is waived by all parties.

8. No county or city participating in the Regional Library system hereby established shall withdraw therefrom without two fiscal years' notice to the other participating localities, without the consent of such other participating political sub-divisions.

9. No amendments, additions or supplements to this agreement shall be valid or effective unless the same shall have been reduced to writing and formally approved by all of the signatory parties hereto.

10. The Regional Library Board shall cause proper audit to be made annually at the end of each fiscal year.

11. This Agreement and any and all subsequent modifications, amendments or supplements thereto shall be executed in as many counterparts as there are signatory parties plus one additional counterpart for the Regional Library Board.

WITNESS the following signatures and seals affixed hereto by the officers shown below pursuant to the authority of Resolutions adopted by the governing bodies, an attested copy of each being attached to and made a part hereof:

CITY OF MARTINSVILLE, VIRGINIA

BY *Mary L. Boy*
Mayor

ATTEST:

Peggy Ann Bellings

COUNTY OF HENRY, VIRGINIA

BY *Melvin W. Brown*
Board Chairman

ATTEST:

Rayl S. Nickelston

COUNTY OF PATRICK, VIRGINIA

BY *Willie J. Carr*
Board Chairman

ATTEST:

Edward Mc. Turner Jr.

FIRST AMENDMENT TO
REGIONAL LIBRARY AGREEMENT

THIS FIRST AMENDMENT made this 26th day of June 2001, to Regional Library Agreement made and entered as of the 29th day of May, 1975, by, among and between the City of Martinsville, Virginia, a political subdivision, the County of Henry, Virginia, a political subdivision, the County of Patrick, Virginia, a political subdivision, hereinafter collectively called the "participating localities."

WITNESSETH

Upon giving each other locality one year written notice in accordance with paragraph seven of the Regional Library Agreement, and under authority granted the participating localities in paragraph nine of the Regional Library Agreement, the first sentence of paragraph two is hereby amended as follows:

There shall be a Regional Library Board composed of members appointed by the governing body of the herein participating localities, as follows: Six members from Henry County, three members from the City of Martinsville and two members from Patrick County.

Witness the following signatures and seals as of the day and year above written.

CITY OF MARTINSVILLE, VIRGINIA

By Mark Crabtree
Mark Crabtree, Mayor

ATTEST:

Earl B. Reynolds, Jr.
Earl B. Reynolds, Jr., City Manager

COUNTY OF HENRY, VIRGINIA

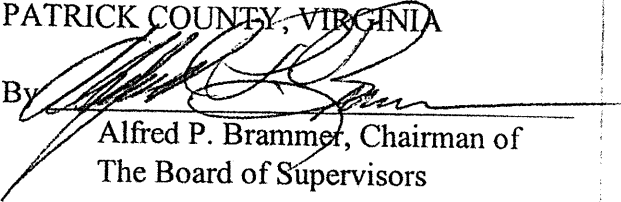
By R. E. "Mike" Seidle
R. E. "Mike" Seidle, Chairman of
The Board of Supervisors

ATTEST:

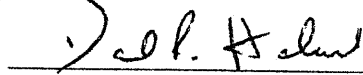
Sidney A. Clower
Sidney A. Clower, County Administrator

PATRICK COUNTY, VIRGINIA

By


Alfred P. Brammer, Chairman of
The Board of Supervisors

ATTEST:



David R. Hoback, County Administrator