

HHS COMMITTEE #1
September 27, 2010

MEMORANDUM

September 24, 2010

TO: Health and Human Services Committee

FROM: Essie McGuire, Legislative Analyst *EMcGuire*

SUBJECT: **Status Report on the Partnership with the Noyes Children's Library Foundation**

Today the Health and Human Services Committee will receive an update report on the status of the County's partnership with the Noyes Children's Library Foundation. Representatives from the Department of Public Libraries and the Foundation will be present to discuss this issue with the Committee.

BACKGROUND

The County Executive's FY11 Operating Budget recommended to temporarily close the Noyes Library for Young Children. The FY11 savings associated with this recommendation were \$120,110 and 1.1 workyears (2 part-time positions). The Executive's proposal was to plan new services and minor facility upgrades to the library during the closure, with the intent of revitalizing and modernizing the services and resources the Noyes Library has to offer. During operating budget deliberations, the Council received a great deal of correspondence and heard public testimony requesting that Noyes remain open.

FY11 Revised CE Proposal

On April 30, the County Executive informed the Council of his support for a public-private partnership to keep the Noyes Library operating in FY11. The Noyes Children's Library Foundation proposed to reactivate its relationship with the County and minimize the amount of time the library would be closed until and during any upcoming renovations. The Foundation also requested participation in the planning of the new structure and services when Noyes re-opens. Highlights of the agreement included:

- The proposal would maintain Noyes' FY10 service levels of 3 days per week, 8 hours per day.
- The Executive revised the staff complement at Noyes to minimize costs for the Foundation. While the County savings in FY11 total \$120,000, the agreement was for the Foundation to be responsible for approximately \$70,000 per year to fund two merit system, part-time employees and funds for some substitute staff time and a Library Page. The lower amount is due to creating new, part-time positions at lower grades than were previously in the Noyes complement.

- The County will provide ancillary costs and services, such as materials, deliveries, supplies, utilities, and cleaning. The County will also redeploy a full-time Librarian II to complete the staff complement at Noyes.
- The Executive stated that the partnership must be cost-neutral; that the County must be able to close Noyes if funds are not available; and that MCPL will continue to run the library.

FY11 Council Action

- **The Council appropriated \$47,000, which is sufficient funding for operation through February 2011. The funds were added to the grant fund and new positions were required to be term.**
- **The Council’s operating budget appropriation resolution for County Government (Resolution #16-1373) included the following provision:**

This resolution includes \$47,000 in the Grant Fund for the Department of Public Libraries to authorize operation of the Noyes Library for Young Children through February 15, 2011. The Noyes Children’s Library Foundation expects to reimburse the County Government for this amount. The Foundation and the Executive must jointly submit to the Council a report on the library operating costs and the Foundation’s finances no later than December 15, 2010. The Executive may use tax-supported funds to substitute for Foundation grant funds as necessary until February 15, 2011. Any position supported by this grant must be a term position, and no employee’s term may end later than February 15, 2011, unless that term is extended by an amendment to this resolution.

If the December financial report indicates strong fundraising and funds available for the remainder of the fiscal year, the Council can then introduce and act on a supplemental appropriation before the end of February to continue operations. If the report indicates that funds may not be available and the Council does not support continuation, then the Department would no longer have appropriation to continue operations.

CURRENT STATUS REPORT

The Department and Foundation provided information on three primary issues outlined below. The Foundation’s update memorandum (circles 1-6) raises significant concerns in these areas, which the Committee may want to review.

1. Memorandum of Agreement: As of this printing, the Memorandum of Agreement (MOA) between the County and the Foundation has not been finalized or signed. The Department provided the latest version of the agreement on circles 23-28. The Foundation highlights in its report that language regarding the Foundation’s role in future planning has been removed from the draft MOA. On circles 3-4 the Foundation indicates its intent to reintroduce two issues in the MOA discussion, one regarding its role in planning and one regarding the future of Noyes programming as a library.

Council staff is concerned that issues of this substance appear to be in dispute at this late date in the process. The Committee may want to ask both parties about the status of negotiations on the agreement and whether the identified issues can be resolved.

2. Foundation Business Plan: The Foundation provided a copy of its business plan annotated with progress to date in each area (circles 7-16). Highlights include:

- **The Foundation reports a current bank balance of \$43,160. This represents more than half (62%) of the required yearly total under the agreement,** even prior to the main fundraising events. Circle 10 details the funding sources to date.
- The major fundraising gala will be held on November 5 (details on circles 10-11, 22). Other fundraising events planned are discussed on circles 11-13. The Foundation also reports \$10,000 in grants received to date; the Committee may be interested in more information on these grants.

3. Library Operations and Staffing: The library has remained open using substitute staffing. The Foundation raised several questions about the ability to fill the new positions for the library under the conditions requiring that they be term positions (letter on circles 29-30). Executive staff responded (letter on circles 31-32) and stated that one position has been successfully filled and that the second is in progress.

On circle 5, the Foundation requests that the term of the positions “be extended at least until the end of FY11”. The Foundation also requests that the Department eliminate current restrictions on programming. The Committee may want to discuss the current operational status of the library, including programming.

The Committee could consider the Foundation’s request to extend the term of the positions; given the current fund balance it may be possible to assume that the Foundation would be able to cover the full year. **However, Council staff suggests that first the Committee may want to discuss: a) the current status of efforts to fill the position and the extent to which the term requirement is an obstacle; and b) whether the apparently significant differences between the parties in this partnership can be resolved.**



Noyes Children's Library Foundation

PO Box 31

Kensington, MD 20895

301-335-3623

www.noyeslibraryfoundation.org

September 23, 2010

To: Councilmember Leventhal
Councilmember Navarro
Councilmember Trachtenberg
Essie McGuire

From: Jan Jablonski and Sheila Dinn
Noyes Children's Library Foundation

Subject: Update and Notes

Dear Councilmember Leventhal, Councilmember Navarro, Councilmember Trachtenberg, and Ms. McGuire:

Attached please find a copy of the business plan submitted to you in July, updated with information on the current status (as of September 22, 2010) of each aspect of the plan.

The Foundation has had remarkable success in all its endeavors. This is especially noteworthy given that much of the fundraising, planning, and organizational development had to take place during the summer.

Fundraising

1. The Foundation has raised about \$32,500 since July 1 and has a bank balance of \$43,160.
2. The Foundation exceeded its \$15,000 goal for its Leadership Campaign (\$21,740 to date)
3. The Foundation has already met its goal for grants (\$10,000).
4. Our major fundraiser, *Some Enchanted Evening – A Benefit for the Noyes Children's Library*, with honorary chairs Congressman Chris Van Hollen and two-time Grammy award winners Cathy Fink and

Marcy Marxer, will take place on November 5 at Glen Echo's Spanish Ballroom. Tickets will be \$75 each. Net income from the event is projected to be about \$35,000.

5. Other fundraising events will include 1) a series of four monthly family dance parties that will begin on Saturday, October 16, and 2) weekly benefits for Noyes at Kensington's Café 1894, which is donating 20% of its Wednesday evening revenues to the Foundation for the indefinite future. We had originally projected income of \$3,000 from miscellaneous fundraising events for the year, but suspect this may be low.

Community Engagement

1. The Storybook Parade held by the Foundation in June - planned in just 3 weeks - attracted about 500 people, was featured on the popular parenting blog A Parent in Silver Spring, and was the weekend pick for families on MIX 107 FM.
2. The Foundation is being sponsored by areawide organizations such as Ridgewells, Bethesda Magazine, Chick-fil-A, and Target.
3. Everyone involved in Foundation activities is a volunteer. This includes 18 members of the Board of Directors and 24 members of the gala committee. An MCPS high school student created and is maintaining our website. Another high school student drew the dancing owls featured on many of our flyers and on our invitations. In addition, volunteers are gardening and weeding at Noyes.
4. The Town of Kensington has donated use of its town hall for Foundation events, donates space for Foundation booths at Town activities such as the Labor Day Parade and the Day of the Book Festival, loans the Foundation equipment such as tables and chairs when needed, and provides the heavy lifting on landscape maintenance.
5. Noyes is carpeted with users. The Foundation does not have access to MCPL statistics, but visual evidence suggests that Noyes may be the most heavily used children's room (per hour) in MCPL.
6. The Foundation's website has been visited by more than 500 visitors/month since the website was created in July.

Administrative

1. The Foundation has built its board of directors with energetic and talented young parents with expertise in business, fundraising, public relations, and child development.
2. The Foundation has been certified by the Volunteer Center of Montgomery County as an organization where MCPS students can earn SSL hours.
3. Legal services for the Foundation are provided pro bono by a major international law firm.
- 4.

Concerns

Memorandum of Agreement

The spirit of the verbal agreement made in May and June between the Foundation and MCPL's director was that 1) the operation of Noyes during FY11 and FY12 would be a supportive partnership in which MCPL would maintain ultimate responsibility and decisionmaking, 2) the Foundation would participate in discussions and planning for any changes to Noyes, and 3) the modified or renovated Noyes would continue to be a Library with a strong circulating collection.

MCPL's September 16 version of the MOA moved away from the verbal agreement in a way that the previous versions did not.

1. The September 16 MOA eliminated the clause calling for Foundation participation in the planning process for modifications to Noyes.
2. The September 16 MOA changed termination language to allow the agreement to be terminated for any reason, rather than just for financial reasons.
3. The concept of "partnership" had never been a strong feature of the MOA, but the September 16 MOA altered language in such a way that obligation and commitment are provided almost entirely by the Foundation.

To move the MOA forward as quickly as possible, the Foundation will be 1) reintroducing the eliminated clause regarding Foundation participation in the planning process and 2) introducing a new clause that includes the language

of our verbal agreement with MCPL's director regarding the future of Noyes.

The latter is motivated by recent concerns about whether MCPL is returning to the vision of the future for Noyes presented to us by MCPL's director and senior staff in March 2010. This called for removing the circulating collection from Noyes, replacing it with educational toys that are no longer used by other libraries, retaining a small collection of non-circulating books for children to look at during a visit to the building, and spending the \$80,000 bequest given to the Friends of the Library for Noyes on renovating the bathroom and providing wheelchair access.

A return to this vision is especially significant since the Foundation is already deep into fundraising. The Foundation has been open and flexible about the idea of a modified Noyes that incorporates elements of state-of-the-art facilities such as Baltimore's Storyville, and we believe that many Noyes users and Foundation donors like the idea of a Noyes that includes activity areas for children. We also believe many donors and users would be willing to give up a portion of the collection in order to make space for this newer, crisper, more holistic Noyes.

However, it is clear that donors and users also expect Noyes to continue to be a library after renovations and modifications take place. They view their support as an investment in the future of Noyes, rather than just a way to keep its doors open for two years. We undertook fundraising believing that these donor and user goals were consistent with MCPL plans. Is MCPL willing to commit, within the limits of County policy and budgets, to a renovated Noyes as a library with a strong circulating collection?

Staffing

The Foundation has already expressed its concerns about delays in filling the staff positions funded by the Foundation, and about designation of these positions as "term" positions.

1. The Foundation began paying on July 1, 2010 for two employees, one of whom has not yet been hired, and one of whom began work on September 14 in a job whose "term" ends in January.
2. The not-yet-identified-or-hired Librarian I will presumably be offered a job with a duration of about 3 months.

3. Continuity in staff is a basic need in children's services.
4. Not having staff has led to reductions in the number of programs Noyes staff can offer to children.
5. Not having regular staff at Noyes is also the reason MCPL gave when it rejected, in June and July, Foundation requests to allow its volunteers to provide programs such as Penny Theater shows at Noyes.

To improve the current situation, the Foundation asks that:

1. The term of the positions funded by the Foundation be extended at least until the end of FY11.
2. MCPL proceed as promptly as possible to fill the Librarian I position with a qualified children's librarian who is a good match for the Noyes Library.
3. MCPL proceed promptly to eliminate restrictions on the number of programs offered at Noyes, provided that 1) such programming is consistent with the interests of, and is supported by, Noyes staff, and 2) does not interfere with daily operations.

Communication

Communication between the Foundation and MCPL is inconsistent and has led to breakdowns in service to patrons, and frustration on the part of both MCPL and the Foundation. To improve the situation, the Foundation suggests that, in addition to having in general a single point of contact each for MCPL and the Foundation:

1. Oral discussions and agreements should be promptly confirmed in writing by both parties
2. Such discussions and agreements should be disseminated to affected MCPL staff and Foundation directors and volunteers promptly.

In addition, the Foundation is concerned about published statements made by MCPL senior staff to the press regarding the partnership with the Foundation. Instead of, for example, describing Noyes as "redundant" or "duplicating other libraries," and instead of saying that it does not matter whether the Foundation succeeds in its work to raise \$70,000 to keep the library open (especially in the context of an article about the Foundation's efforts), it would be helpful if MCPL would respond to such inquiries as a

partner, saying for example that it is grateful to the Foundation for its work on behalf of Noyes.

.....

Thank you for your interest in the Noyes Library and for your consideration of these issues.

Noyes Children's Library Foundation

Business Plan

(July 1, 2010 – June 30, 2011)

Mission Statement

The mission of the Noyes Children's Library Foundation ("The Foundation") is to preserve and enhance the historic Noyes Children's Library in Kensington, MD so that the Library can continue to provide children and families throughout the Washington, DC area with a warm and welcoming environment in which to journey toward literacy and a love of books.

Objectives

The Foundation currently has four main objectives in fulfilling its mission:

First, to **raise funds** as necessary to supplement the Montgomery County Public Library (MCPL) budget for Noyes, in order that the Library remain open during fiscal years when it would otherwise be closed;

The Foundation has raised about \$32,500 since July 1, and has a bank balance of \$43,160.

Second, to **raise awareness** throughout the Washington D.C. region about the unique value of the Library to young children and their families.

See descriptions of upcoming events, below, plus news package.

Third, to **promote early literacy** throughout the area by mobilizing a cadre of trained volunteers to offer special programs – including but not limited to Penny Theater, community events, and author events - - at Noyes and in daycare centers, preschools, and other locations; and

- **The Foundation sponsored a Summer Celebration of Reading at Noyes.**
- **Also, see Notes.**

Finally, to partner with MCPL as it considers, and (if feasible) executes **plans for providing wheelchair access and expanding the amount of finished space at Noyes to allow for programmatic enhancements** while retaining the strong circulating collection.

The County's latest version of the MOA eliminated the clause calling for Foundation participation in the planning process for modifications to Noyes. Please see Notes.

The Noyes Children's Library

"Everything within Noyes's single, homey room exists to infuse kids with a fierce, irresistible love of reading." Parenting Magazine

The Noyes Library was founded in Kensington, Maryland in 1893 by Crosby Noyes, editor of the Washington Star, and Brainard Warner, the town's founder. Noyes was among the founding branches that became the Montgomery County Public Library system in 1951. It became a children's library in 1972 and remains one of four freestanding public libraries dedicated to children in the United States. It is a nationally recognized model for children's library services and a thriving center for early literacy.

The Noyes experience begins with its setting on tree-lined residential streets in Kensington's Victorian era historic district. Situated on a small triangle of land, the cottage-style building, with its mansard roof and scalloped siding, looks like a gingerbread house. Stepping inside, children are made comfortable by a charming and inviting setting. There are no stairwells for children to fall down, no reference room with adults who are studying, and no staff or patrons bothered by the natural exuberance of preschoolers.

The library is open three days a week: Tuesday, Thursday, and Saturday, from 9-5. It is open on some Wednesday mornings for programs by reservation.

The Noyes Children's Library Foundation

The Noyes Children's Library Foundation was recognized for extraordinary service to the community by being designated a Point of Light by the national Points of Light Foundation.

The Noyes Children's Library Foundation, a registered 501(c)3 organization, was established in 1991 in cooperation with the Montgomery County, MD County Council, in order to serve as the private arm of a unique public-private partnership to fund the Library's operating costs. Throughout the 1990's, the Foundation raised over \$300,000, as well as awareness for Noyes; conducted special events for children; and sent volunteer Penny Theater performers to countless other libraries, schools and community events. The Foundation was recognized in 1993 for extraordinary service to the community by being designated a Point of Light by the national Points of Light Foundation.

In March of 2010 it was announced that Noyes would close for FY'11 and possibly beyond due to severe county budget cuts. Representatives from the NCLF began meeting with County Library staff to discuss options to keep Noyes open. In May 2010 the Montgomery County Council approved the Foundation's proposal to reactivate the public-private partnership it maintained in the 1990's in order to fund the amount of Noyes' operating budget that the County would have saved by closing the library in FY'11. The amount of \$70,000 was agreed upon, and the Foundation once again began its efforts to raise money for and awareness of Noyes.

Building for Success

The objectives named above will be achieved through the following four activities:

1. Fundraising

Fundraising activities will include fundraising for operating expenses (about \$70,000 per year) and fundraising for capital improvements (amount unknown pending further development of plans).

Fundraising Plan for Operating Expenses

Bank Account Balance as of June 30, 2010: \$18,050

Fundraising Goals (net income), by source

Leadership Gift Campaign (July-August, 2010): \$15,000
Fundraising Gala (November, 2010): \$35,000
Membership Campaign (Spring, 2010): \$5,000
Merchandise Sales (July, 2010-June 2011): \$2,000
Other Fundraising Events: \$3,000
Grants: \$10,000

Total Net Income: \$70,000

Bank Account Balance as of September 22, 2010: \$43,160.04

Income (by source, July 1-September 22, 2010)

Leadership Gift Campaign:	\$21,740
Merchandise Sales:	500
Grants:	10,000
Miscellaneous Donations (approx)	500

Expenses

Gala (venue rental and orchestra)	4,875
Liability insurance	213

Leadership Gift Campaign. The Foundation has identified individuals, businesses, and community organizations who are likely large donors based in part on past giving to the Foundation or relationships with members of the board of directors. An elegantly presented letter will be sent to this group in July. These donors are being asked for gifts of \$250-\$1,000.

Completed. Exceeded expectations. Donations still coming in.

Fundraising Gala. The Foundation has an experienced chairperson, vice-chair, and growing gala committee for a fundraiser that we expect to hold on November 5th or 6th. In the past the Foundation has conducted highly successful auctions; our upcoming event will either be an auction or a Gala through which money is raised primarily from ticket sales.

“Some Enchanted Evening: A Benefit for the Noyes Children’s Library” will be held Friday, November 5, 2010 at Glen Echo’s Spanish Ballroom. Honorary Chairs for the event are Congressman Chris Van Hollen and two-time Grammy Award Winners Cathy Fink and Marcy Marxer. The main event is exhibition dancing and instruction by *Mad Hot Ballroom* star Alex Tchassov and partner Sally Blenkey-Tchassova. Live music will be provided by the 10-piece RKO Orchestra. Catering is by Ridgewells. There will also be a silent auction of unique items and opportunities. See attached flyer.

Gala sponsors include Ridgewells and Bethesda Magazine.

Membership Campaign. In the spring of 2010, the Foundation will conduct a membership campaign focused on donors of \$30-\$250. Likely donors will be taken from the Foundation’s growing list of Noyes supporters, neighborhood lists, nursery and preschool lists, and others connected to early childhood development, books, and reading. The Foundation conducted similar campaigns each year in the 1990s.

Merchandise Sales. The Foundation invested \$1100 in t-shirts in June 2010. Sales at the Storybook Parade held on June 12 completely covered this investment, so all future sales will be added in full to Foundation coffers. At \$15/shirt for all the remaining shirts, the Foundation will earn \$2,000. The Foundation is also exploring other merchandise, including a Noyes poster, and recyclable bags. The one concern here is that in the past, Noyes merchandise has been displayed and sold in the library by library staff.

The Foundation has earned an additional \$500 in t-shirt revenue since July 1, 2010.

Other Fundraising Events. The Foundation held its first community event of 2010 on Saturday, June 12. The Storybook Parade attracted about 500 attendees, was a featured activity on the popular parenting blog A Parent in Silver Spring, and was selected as the Weekend Pick for Families on MIX 107. Although the event was not intended as a fundraiser, the event raised over \$2000 in revenues. An article from the Gazette describing the parade is attached. Please note that this very successful event was planned and executed in just three weeks.

The Foundation is planning other events also, including a family-oriented event at the Kensington Town Hall on September 25—probably a Rock’n’Tots party. Other possibilities include a picnic on the green (Warner Mansion Park) with music provided by a great local musician who has already volunteered to donate his services; author readings for adults; author readings for children; and other themed events for children. If the Foundation is successful in its other fundraising efforts, the directors would like to offer these events and others like them free of charge as literacy outreach to the community

Family Dance Parties

The Foundation is sponsoring a series of family dance parties, “Time to Make Noyes”. The first will be held on the grounds of the Warner Mansion in Kensington on Saturday, October 16, and will feature a DJ, costumed storybook characters, family photo opportunities, book giveaways, food, and other family activities. The charge for the event is \$10/person, up to \$25 per family (nonwalkers free). Children are invited to wear Halloween costumes.

The parties will continue each month through January. All but the October event will take place in the Kensington Town Hall. Format will be similar, though each party will have a theme (e.g., food donations in November). See attached flyer.

Dinners at Café 1894

Beginning on September 29, Café 1894 in Kensington will be donating 20% of its revenue on Wednesday evenings to the Noyes Children’s Library Foundation. The arrangement will continue indefinitely.

Grants. The Foundation succeeded in the 1990s in obtaining several grants of \$5000-\$10,000. We hope to repeat this in the coming fiscal year. Examples of grantmaking organizations we will target include those that focus on children, literacy, special needs inclusion, historic structures, literacy for people for whom English is a second language, and foundations run by prominent local corporations.

We have received \$10,000 in grants to date and have several applications outstanding.

It is important to note that being able to conduct outreach activities is essential if we are to succeed in our proposals to grantmaking organizations.

Please see Notes.

Fundraising for Facility Enhancements

In proposing to reactivate the public-private partnership with Montgomery County, the Foundation agreed to work with Montgomery County's Friends of the Library and other county sources to develop capital funds. We have already been able to identify two grantmaking organizations which may support this effort. The Foundation has a good working relationship with the county Friends and looks forward to working on the capital campaign.

According to the County's latest version of the MOA, the Foundation will be excluded from participation in the planning process for modifications to Noyes. Please see Notes.

2. Outreach

Outreach plans include free family events such as the Storybook Parade, expansion of programs offered at Noyes, and the providing of Foundation volunteers who can perform early literacy programs in schools, shelters, and other MCPL libraries. The Foundation has 20 years of experience in this area, having provided Penny Theater programs to thousands of Montgomery County children in venues from Takoma Park to Poolesville. We are in the process of being certified for volunteer participation by Montgomery County Public Schools, which will expand our outreach potential, as will the internships we expect to offer.

- **The Foundation has been fully certified by the Volunteer Center as an approved organization where students can earn SSL hours.**
- **The Foundation provided an internship in graphic arts to a disabled student during the summer of 2010.**

Other outreach plans incorporate more than one of our four areas of activity:

Little Friends of Noyes. The Foundation plans to create a Little Friends of Noyes group whose main purpose will be to promote children's sense of accomplishment in their reading by, for example, providing a place on the Foundation's website for children to publish book reviews that they write or dictate. The Little Friends group will not be primarily a fundraising activity, but it may be associated with a small amount of revenue.

Website Development. The Foundation is expanding and refining its new website so that it will serve both outreach goals and administrative goals. Additional information is provided below.

See below.

3. Board Development

There are currently 14 members of the Board of Directors of the Noyes Children's Library Foundation. Some are new to the board while others are long-time Noyes Foundation directors. All offer a combination of skills and knowledge in early childhood development and education, reading readiness, books and literacy, public relations, and business. All are willing to give or get donations of time and/or money to support Foundation activities and/or fundraising objectives.

The Board will be expanded by 6-8 members using the above guidelines. The Foundation also plans to build an honorary board of authors and others whose ideas and connections will add to the Foundation's ability to accomplish its mission.

The Foundation's Board of Directors currently has 18 talented, dedicated, and resourceful members.

4. Administrative

Smooth administrative functioning is essential to the achievement of our mission and objectives. Specific goals are:

Execute A Memorandum of Understanding with Montgomery County that states the responsibilities and obligations of each party. MCPL reports that it

is working with the Office of the County Attorney to draft a proposed Memorandum.

Timeline:

- **May, 2010: Montgomery County Council requested that MOA be executed by July 1, 2010**
- **July 17, 2010: MCPL submitted first draft of MOA to Foundation**
- **August 5: Foundation returned MOA to MCPL with comments**
- **September 16: MCPL returned revised proposal to Foundation**
- **Foundation expects to return MOA to MCPL with comments by Monday, September 27.**

See Notes.

Maintain Good Business Practices and a Solid Financial Status. Specific goals here are to maintain a cash reserve, follow sound accounting principles, keep records and correspondence files up-to-date, and work to support and expand goodwill between the Foundation and Noyes patrons and between the Foundation and its donors and volunteers.

As planned.

Conduct Survey of Noyes Users. An understanding of the needs and interests of Noyes users, along with information on their zip codes and reasons for choosing Noyes, will be essential as the Foundation prepares grant applications. The Foundation plans to conduct a survey that will provide this information during the last quarter of 2010. Approval for such a survey has already been given by the director of MCPL, and design of the survey is underway. The survey instruments will be located at Noyes but will not require the participation of Noyes librarians.

Note: The Foundation would like to have access to the same information about Noyes circulation, etc., that is provided monthly to the Montgomery County Library Board. Potential large donors often ask how many people are served by Noyes and its programs, but the Foundation currently has no access to information that would allow us to answer this question.

Website Development. Expansion and refinement of the Noyes Foundation's website and e-mail capabilities (www.noyeslibraryfoundation.org) is an important business goal, but also supports the Foundation's outreach goals. When the website is complete, it will be an attractive, educational resource for families and children with, for example, links to literacy information and book news.

The Foundation's website was created by, and is maintained by, an MCPS high school student. A copy of the home page is attached.

Respectfully submitted on July 6, 2010

Comments in blue inserted on September 22, 2010

Elizabeth Jan Jablonski
Sheila M. Dinn
for the Noyes Children's Library Foundation

Internal Revenue Service
P.O. Box 2508
Cincinnati, OH 45201

Department of the Treasury

Date: July 9, 2010

Person to Contact:

Mrs. Jones 0203151

Toll Free Telephone Number:

877-829-5500

Employer Identification Number:

52-1764090

NOYES CHILDRENS LIBRARY FOUNDATION INC
PO BOX 31
KENSINGTON MD 20895-0031

Dear Sir or Madam:

This is in response to your request of July 7, 2010, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in March 1992 that recognized you as exempt from Federal income tax, and reflect that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

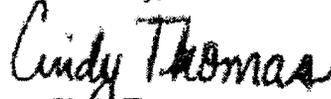
Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Cindy Thomas
Manager, Exempt Organizations
Determinations

Letter 4168 (CG)
Catalog #49583C

**The Noyes Children's Library
and
The Noyes Children's Library Foundation**

"Everything within Noyes's single, homey room exists to infuse kids with a fierce, irresistible love of reading."
Parenting Magazine, 1991

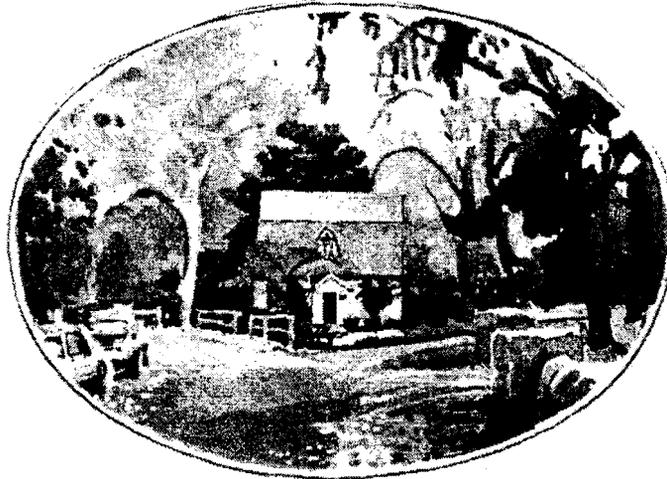
"Noyes Library for Young Children—Located in the oldest public library building in the Washington area, this library serves as a systemwide resource and model library for early learning and early literacy."
County Executive's Budget Proposal for 2010

The Noyes Library:

- Was founded in 1893
- Is the oldest public library in the Washington area
- Was among the 9 libraries that joined to form the Montgomery County Library System when it was created in 1951.
- Was converted to a library for young children in 1970
- Was designated a historical site by MNCPPC in 1970
- Was featured in an Encyclopedia Britannica film, "Libraries in the Pursuit of Happiness," and a *Parenting Magazine* article on libraries
- Has steadily increasing circulation, and has the lowest cost/patron and cost/circulated book of Montgomery County public libraries
- Is heavily used by children, caregivers, and families from all over Montgomery County
- Is the only Montgomery County public library where children's librarians are always available

The Noyes Children's Library Foundation:

- Was founded in 1991
- Raised about \$300,000 from individuals, businesses, foundations, and community organizations in the early 1990s.
- Funded the Noyes Children's Library (1991-99) in a public-private partnership that became a model for the Montgomery County.
- Was recognized in 1993 for extraordinary service to the community by being designated a Point of Light by the national Points of Light Foundation
- Has engaged over 150 active volunteers in fundraising and long-term planning
- Has, since 1991, provided Penny Theater puppet shows for thousands of young children in libraries all around the county, public schools, preschools, shelters, and Strathmore Mansion
- Will be contributing \$70,000 per year to cover operating expenses at Noyes beginning in July 2010.



The Noyes Children's Library

The Noyes Children's Library nestles among towering trees and Victorian homes in historic Kensington, Maryland, offering a book-filled haven for young children and their families. At once the oldest public library in the Washington D.C. area – predating the current Library of Congress by four years – and a modern-day bastion for early literacy initiatives, Noyes is one of only four freestanding public libraries dedicated to children in the U.S.

The Noyes Library was founded in Kensington in 1893 by Crosby Noyes, editor of the Washington Star, and Brainard Warner, the town's founder. Noyes was among the original branches that became the Montgomery County Public Library system in 1951. It became a children's library in 1972, and has since been a nationally recognized model for children's library services.

With its storybook exterior and single-room interior, Noyes appeals both to young children's imaginations and their growing sense of independence, as they can choose and check out books on their own, play with trains or puzzles, or just curl up to read. Noyes is also a welcome destination for parents of children with disabilities, who find that its small size and trained staff create a perfect environment for inclusion. Children's librarians staff the library at all times. Hours are from 9-5 on Tuesday, Thursday and Saturday from 9-5. Wednesday sign-up programs include some offered in sign language and Spanish.

The Noyes Children's Library Foundation

The Noyes Children's Library Foundation, a registered 501(c)3 organization, was established in 1991 in cooperation with the Montgomery County, MD County Council, in order to serve as the private arm of a unique public-private partnership to fund the Library's operating costs. Throughout the 1990's, the Foundation raised over \$300,000 while creating nationwide awareness of Noyes; conducted special events for children; and sent volunteer Penny Theater performers to countless other libraries, schools and community events throughout the Washington DC area. The Foundation was recognized in 1993 for extraordinary service to the community by being designated a Point of Light by the national Points of Light Foundation.

In March of 2010 it was announced that Noyes would close for FY'11 and possibly beyond due to severe county budget cuts. Although the Foundation had been dormant since Noyes was restored to full funding in 1999, its officers proposed reactivating the public-private partnership to keep Noyes open. In May 2010 the County Council agreed that the Foundation would fund the amount of Noyes' operating budget that the County would have saved by closing the library: \$70,000 for FY'11. In addition to raising these funds, the Foundation will provide literacy outreach and explore the feasibility of making the Library ADA accessible.

P.O. Box 31 • Kensington, MD 20895 • www.noyeslibraryfoundation.org • email: info@noyeslibraryfoundation.org

Image copyright Judy Hanks-Henn

The Noyes Children's Library Foundation
Box 31 • Kensington, MD, 20895 • 301-365-3623

The Noyes Children's Library Foundation was established in 1991 in cooperation with the Montgomery County, MD County Council, in order to serve as the private arm of a unique public-private partnership to fund the Library's operating costs. Throughout the 1990's, the Foundation raised funds and awareness for Noyes; conducted special events for children; and sent volunteer Penny Theater performers to countless other libraries, schools and community events. The Foundation was recognized in 1993 for extraordinary service to the community by being designated a Point of Light by the national Points of Light Foundation.

Timeline of Activities of the Noyes Children's Library Foundation:

- 1991: The Stars Come Out for Noyes - Gala Auction
- 1992: Once Upon A Time – Mailing Campaign
- 1993: The Stars Come Out Again for Noyes – Gala Auction
- 1994: Time To Make Noyes – Gala Auction
- 1994: The Cornerstones of Noyes – Mailing Campaign
- 1995: A Garden Full of Noyes- Gala Auction
- 1996: Noyes For All Seasons – Gala Auction
- 1997: A Box Full of Noyes, The Fun-Raising Auction – Gala Auction
The Penny Theatre – Mailing Campaign
- 1998: Child's Eye View of Noyes – Mailing Campaign
- 1999: All the Best From Noyes, Celebrating a Century of Children's Literature
- 2010: Some Enchanted Evening: A Benefit for the Noyes Children's Library (November 2010)

Additional funds were provided through five grants received between 1991 and 1999.

Special Events and Sale of Merchandise

- Book Fairs
- Cut-a-thon at Saks Fifth Avenue
- Theater Evening at Bethesda Theater Café with performance of A Christmas Carol, presented by the Bethesda Academy of Performing Arts. Upcoming: Family Dance Parties
- T-shirt, note card, book bag and poster sales.

Community Activities

- Penny Theater Performances
- Noyes Children's Library Foundation May Fairs
- Noyes Children's Library Foundation Storybook Parades
- Kensington Labor Day Parades
- Kensington Earth Day Celebration
- Strathmore Hall Family Arts Day
- Children's Day at Bamboozled in Bethesda
- Garrett Park Centennial
- Burtonsville Community Day
- Noyes Children's Library Feliz Navidad program
- Noyes Children's Library Foundation's Halloween Party
- Noyes Children's Library 100th Birthday Celebration
-

Media Coverage:

FOX Morning News; Good Morning America; *Parenting Magazine*, cover and feature article; *Washington Post* Home Section; *Gazette Newspapers*; *Variety*; *Bethesda* magazine; *Potomac Life* magazine.

"Make Some Noyes" Dance Party!



"Dancing Owls" by Tyler McGillivray

Saturday, October 16th • 3:00p.m. to 5:00p.m.

Warner Mansion Grounds (across the street from Noyes Library)
10231 Carroll Place, Kensington

\$10 per person with a maximum charge of \$25 per family (non-walkers free)

Come dance the afternoon away and help the Noyes Children's Library while you do! Enjoy storybook characters, local children's dance groups, balloons, photo ops, and face painting. Concessions and Noyes t-shirts will be available for sale. Children are invited to wear Halloween costumes!

Presented by the Noyes Children's Library Foundation.

More "Make Some Noyes" Dance Parties!

November 27	3 - 5 pm	Dance off that Thanksgiving dinner!
December 18	3 - 5 pm	Holiday jams!
January 22	3 - 5 pm	A jazzy start to the New Year!

All at Kensington Town Hall • 3710 Mitchell Street • Kensington, MD

The **Noyes Children's Library Foundation** has kept the doors of Noyes open for FY'11 - by committing to raise \$70,000 toward the library's operating costs. We need your help! **DONATE, VOLUNTEER, and come to our terrific EVENTS!**

For more information, visit www.noyeslibraryfoundation.org

The Noyes Children's Library Foundation Presents

Some Enchanted Evening
A Benefit for Noyes Children's Library

Friday, November 5th
8 p.m. to 11 p.m.

The Spanish Ballroom
Glen Echo Park • Glen Echo, Maryland

Cost: \$75 per person

Dance the night away in one of the area's most beautiful settings,
with the music of the Radio King Orchestra and the graceful moves of
Mad Hot Ballroom star Alex Tchassov and partner **Sally Blenkey-Tchassova**
to inspire you! Enjoy demonstrations, instruction and opportunities to waltz, swing
and more. Relax with an elegant buffet of finger food and browse
a silent auction of fabulous one-of-a-kind items.

All proceeds from "Some Enchanted Evening" will go to support Noyes Children's
Library - Washington area's oldest public library and a place where children fall in
love with books! Please see our website at www.noyeslibraryfoundation.org for
more information about this local treasure and the
Noyes Children's Library Foundation's efforts to save it.

Email info@noyeslibraryfoundation.org to request an invitation.

**Memorandum of Agreement
Between
Montgomery County, Maryland
And
The Noyes Children's Library Foundation**

Section I – Background

A. Montgomery County, Maryland (“County”) and the Noyes Children’s Library Foundation (the “Foundation”) agree to mutually support the operation of the Noyes Library for Young Children, a branch of the Montgomery County Public Libraries (“MPCL”), -, located at 10237 Carroll Place, Kensington, Maryland 20895 (“Noyes”).

B. On March 15, 2010, the County Executive recommended the temporary closure of Noyes-during the County’s planning for modifications to the Noyes facility.

C. In response to the County Executive’s recommendation, the Foundation sent a letter to the County Executive proposing that the Foundation raise funds to keep Noyes operating during the planning process.

D. The County Executive endorsed that proposal to the County Council, which, in the Approved FY11 Operating Budget (Resolution 16-1373, May 27, 2010), appropriated \$47,000 to the grant fund for the Montgomery County Public Libraries (“MCPL”)-: to be used for the operation of Noyes through February of 2011. The Resolution acknowledged that the Foundation expects to reimburse the County for the amount appropriated to the grant fund.

Section II – Purpose of Agreement

Pursuant to the terms of this Agreement, the Foundation has agreed to raise \$70,000 in FY11 to fund personnel costs for two part-time term staff positions, shelving assistance costs, and substitute staffing costs required in combination with County-assigned staff and resources to run the Noyes library three days per week, eight hours per day. The Foundation has agreed to raise at least \$70,000 in FY12 to help fund the continued operation of Noyes through the end of the term of this Agreement.

Section III – Noyes Library Operating and Funding Plan

A. In addition to the strategic fundraising plan required by Section IV(G) below, the Foundation will provide MCPL with any additional information that MCPL requests to prepare an operations and funding plan for Noyes-: FY12. MCPL will submit a plan to the County Executive to fund Noyes for FY12, in accordance with the County’s budget process. The submitted plan will propose the staffing complement, service hours, general operating costs, and materials costs. The plan will also propose Foundation and County resource contributions needed to fund the plan. The plan will identify the costs that will be funded by the Foundation for FY12. The plan will also show the costs that will be

funded by the County. The plan will be subject to the approval of the County Executive and the County Council pursuant to County law.

B. MCPL performance hereunder is subject to the discretion of the County Executive and an annual appropriation by the County Council.

Section IV – Operations and Communications

A. The Foundation and MCPL will meet on a quarterly basis, at the invitation of the MCPL Director, to review the ability of the Foundation to raise the funds outlined in the annual operating budget plan and, if applicable, to discuss fundraising issues regarding the facilities improvement project. The first quarterly meeting shall be scheduled within 30 days of the execution of this Agreement. Any subsequent quarterly meetings scheduled by the MCPL Director shall provide the Foundation at least 30 days advanced written notice.

B. MCPL and the Foundation will also discuss the operation of Noyes at those meetings and coordinate any uses of Noyes for fundraising events, including, but not limited to, Foundation-sponsored programs and activities at Noyes that support the Foundation's fundraising efforts under this Agreement.

C. A single point of contact for MCPL, and for the Foundation will be identified by each party to coordinate fundraising, operations, and any other issues that may arise between these quarterly meetings.

D. MCPL is responsible for the operation, management, and administration of Noyes and will make all decisions regarding staffing, operation, use of volunteers, programming, facilities, and all other matters related to the operation and use of Noyes. MCPL is a department of the County Government and must adhere to applicable departmental and County policies, procedures, regulations and laws. These include, but are not limited to: personnel policies and bargaining agreements, procurement policies, facilities procedures and policies, telecommunications policies, security policies, materials collection development policies, and the like.

E. The Foundation will obtain MCPL and, if necessary, Community Use of Public Facilities, approval in a timely fashion before arranging any events at Noyes. While MCPL will generally be supportive of these events, coordination is essential to ensure that expected attendance by the public and attendant use of library facilities are consistent with applicable departmental and County policies, procedures, regulations and laws.

F. The Foundation may post notices, subject to approval by MCPL, at Noyes regarding its organization and activities; and may, subject to approval by MCPL and, if necessary, Community Use of Public Facilities, meet at Noyes or other libraries.

G. The Foundation will provide a strategic fundraising plan to MCPL within 120 days of the execution of this Agreement.

H. Both parties agree generally to provide to the other party advance notice of key events, important document drafts, and key decisions whenever possible that are related to each party's performance under this Agreement.

Section V: – Reporting and Payments

A. On or about October 1, 2010, the County shall submit to the Foundation an invoice in the amount of \$17,500, representing one-quarter of the funds to be raised by the Foundation to support FY11 operations. The invoice will include a statement of the actual costs for items the Foundation has agreed to fund; and an estimate of the costs or value of budget items that the County is funding. For the remainder of FY11, The County shall submit invoices to the Foundation on the following schedule, for the following amounts:

- December 1, 2010 - \$11,667 (16.67% of \$70,000)
- February 1, 2011 - \$11,666.50 (16.67% of \$70,000)
- April 1, 2011 - \$11,666.50 (16.67% of \$70,000)
- July 31, 2011 - \$17,500 (25% of \$70,000).

Each invoice will include an updated presentation of the same information included in the first invoice. If the actual costs of the items the Foundation has agreed to fund in FY11 do not equal \$70,000, the County will reduce the final bill for FY11 (July 31, 2011) so that the contribution of the Foundation for FY11 is equal to the actual costs for the items the Foundation has agreed to fund.

B. On or about October 1, 2011, the County shall submit to the Foundation an invoice equal to 25% of the total amount required under the agreement in FY12 per Section IIIA, above. The invoice will include a statement of the actual costs for items the Foundation has agreed to fund; and an estimate of the costs or value of budget items that the County is funding. For the remainder of FY12, The County shall submit invoices to the Foundation on the following schedule, for the following amounts:

- December 1, 2011 - 16.67% of the total amount required for FY12
- February 1, 2012 - 16.67% of the total amount required for FY12
- April 1, 2012 - 16.67% of the total amount required for FY12
- July 31, 2012 - 25% of the total amount required for FY12

Each invoice will include an updated presentation of the same information included in the first invoice. If the actual costs of the items the Foundation has agreed to fund in FY12 do not equal the amount calculated per Section IIIA for the fiscal year, the County will reduce the final bill for FY12 (July 31, 2012) so that the contribution of the Foundation for FY12 is equal to the actual costs for the items the Foundation has agreed to fund for FY12.

C. The Foundation agrees to pay all invoices within 30 days of receiving them from the County.

Montgomery County, Maryland and Noyes Children's Library Foundation

D. MCPL will provide the Foundation with summary data on program attendance, visits, and materials circulation for Noyes at least once per year.

E. The Foundation acknowledges that it is obligated to raise funds pursuant to this Agreement to meet its contribution for Noyes, and that the funds raised by the Foundation are to be used to support Noyes and the fundraising activities of the Foundation. Prior to the first day of each fiscal year, the Foundation will provide a certification, signed by its chief executive officer, that it is incorporated in good standing, has a valid charter, and has a legally constituted board of directors. The Foundation shall provide MCPL with an annual report, due three months after the close of the County's fiscal year, on the Foundations' financial status, fundraising plans, and other matters of importance to its support of Noyes.

Section VI. – Dispute Resolution and Termination of Agreement

A. The effective date of this agreement is July 1, 2010, as the County has continued to operate the Noyes Library from that date onward in anticipation of the fundraising agreed to by the Foundation that is the subject of this agreement. This Agreement terminates on August 31, 2012.

B. This Agreement may be terminated unilaterally by either party upon 30 days written notice. The terminating party shall state its reasons for terminating the agreement in the written notice. The Foundation agrees to pay a pro-rata portion, through the termination date, of its agreed upon annual contribution for the applicable fiscal year in which the agreement is terminated under this clause.

C. Notwithstanding anything contained in this Agreement, this Agreement shall terminate automatically on July 1st of any year for which the Montgomery County Council fails to make an appropriation of funds to pay the County's obligations hereunder. Nothing in this Agreement should be construed to limit the Council's discretion.

D. Any dispute concerning a question of fact arising under the terms of this Agreement shall be decided by the Chief Administrative Officer of Montgomery County, or designee, who shall notify each party in writing of the determination. Each party shall be afforded an opportunity to be heard and offer evidence in support of any dispute. Pending final decision of a dispute hereunder, the parties hereto shall continue to comply with all provisions of this Agreement. The decision of the Chief Administrative Officer, or designee, shall be final and conclusive and may be enforced in a court of law. Nothing hereunder shall preclude the parties from seeking any remedies provided by law.

Section VII. – Miscellaneous

The parties agree that this Agreement is the sole agreement between them for the operation of Noyes, that it controls over all oral agreements to the contrary, and modifications to this Agreement must be reduced to writing executed by the parties. Each of the parties affirms that it has authority to execute this Agreement and to implement its provisions and that the individuals executing the Agreement are authorized

to do so, and that each of the parties will negotiate and deal in good faith in all the matters regarding implementation of this Agreement. This Agreement may be executed in any number of counterparts and each such counterpart shall be deemed an original but all of which shall constitute one in the same instrument.

Section VIII – Limitations on Liability

Any obligation or liability of the County arising in any way from this Agreement is subject to, limited by, and contingent upon the appropriation and availability of funds, as well as the damage caps and notice requirements contained in state law.

Section IX – Effective Date

This Agreement shall become effective on the date that all parties have signed it.

[SIGNATURE PAGE FOLLOWS]

13173783.2

**Signature Page To
Memorandum of Agreement
Between
Montgomery County, Maryland
And
The Noyes Children's Library Foundation**

By: _____
Timothy Firestine,
Chief Administrative Officer

Date: _____

Recommended

By: _____
B. Parker Hamilton, Director
Montgomery County Public Libraries

Date: _____

Noyes Children's Library Foundation:

By: _____
Jan Jablonski, Co-President

Date: _____

By: _____
Sheila Dinn, Co-President

Date: _____

Approved as to form and legality:
Office of the County Attorney

Date: _____

McGuire, Essie

From: Jan Jablonski [janjablonski@msn.com]
Sent: Friday, August 20, 2010 3:22 PM
To: Leggett, Ike - Private; Floreen's Office, Councilmember; Ike Leggett
Cc: Leventhal's Office, Councilmember; Navarro's Office, Councilmember; Trachtenberg's Office, Councilmember; Ervin's Office, Councilmember; Hamilton, Parker; McGuire, Essie; dinnsfmd8
Subject: Staffing at the Noyes Library

Noyes Children's Library Foundation
 P.O. Box 31
 Kensington, MD 20895
www.noyeslibraryfoundation.org

August 20, 2010

Dear County Executive Leggett and Council President Floreen:

On July 1, 2010, the Noyes Children's Library Foundation assumed responsibility for paying the salaries of two employees at the Noyes Children's Library, neither of whom has yet been hired. One of the positions has not yet even been approved by the County.

The County has defined these positions, a "Librarian I" and a "Circulation Desk Assistant," as jobs that do not have the same employment status as regular county positions.

The result is that former MCPL librarians who, for example, have taken jobs in the county as secretaries, are declining to apply for a position at Noyes because in taking it they would lose rights and privileges accorded county employees. Even individuals who regularly work as substitutes in the libraries would lose job security and privileges if they accepted a position at Noyes.

The indeterminate status of the two positions, and the low priority placed on filling them, may suggest a cavalier attitude toward a community that has committed \$140,000 and thousands of volunteer hours to keep the library open.

Alternatively, the current situation may be an unintended consequence of strictures placed on the partnership by County Executive staff in April and confirmed by the County Council in May.

We would appreciate your looking into this matter, with the following in mind:

- When Noyes was operated under a public-private partnership with the Noyes Children's Library Foundation in the 1990s, all employees of Noyes were regular county employees. The County's plan to treat the employees of Noyes differently now is based on an assumption that the Foundation will not meet its financial obligations. This is in spite of 10 years of documented history in which the Foundation made quarterly payments to Montgomery County on time without fail.
- The Foundation is asking individuals, foundations, and corporations to donate even though the County has not hired staff for Noyes and has been ambiguous about for the library's future. We have a fiduciary

responsibility to our donors and need the county to recognize its own obligations.

- Continuity in staff is a basic need in children's services. Given that there are many well-qualified children's librarians who would like to have a job, it should not be hard to find two people who would like to work at Noyes for two years or more.
- The County's approach to filling the positions needs to be amended so that the many qualified people who would like to work at Noyes are not discouraged from doing so.

Thank you for your consideration. We look forward to your response.

Sincerely yours,

Elizabeth J. Jablonski
Sheila Dinn
Co-Presidents
301-335-3623



OFFICE OF HUMAN RESOURCES

September 3, 2010

Isiah Leggett
County Executive

Joseph Adler
Director

Elizabeth J. Jablonski
Sheila Dinn
Noyes Children's Library Foundation
P.O. Box 31
Kensington, Maryland 20895

Dear Ms. Jablonski & Ms. Dinn:

Thank you for your letter dated August 20, 2010 to County Executive Isiah Leggett regarding staffing at the Noyes Children's Library. I want to assure you that Montgomery County Public Libraries (MCPL) is making every effort to fill the two vacancies that the Noyes Children's Library Foundation has generously committed to fund. I understand that the paperwork has been submitted to have the part-time Library Desk Assistant (grade 12) and the part-time Librarian I (grade 21) positions created and MCPL received notice on August 3, 2010 that these two position creations had been approved by the Office of Management & Budget (OMB) and Office of Human Resources (OHR) Classification & Compensation. MCPL management met the week of August 9th to discuss recruitment options and began reviewing their lists of former employees that were either terminated, chose to request leave without pay in lieu of immediate termination, or accepted voluntary demotions as a result of the FY11 Reduction-in-Force (RIF). Based on this information, their recruitment efforts began as follows:

Library Desk Assistant (grade 13)

MCPL identified two qualified former part-time Library Assistant I employees that were either terminated due to Reduction-in-Force (RIF) or elected to request leave without pay (LWOP) for 60 days in lieu of immediate termination. MCPL contacted both former MCPL employees and learned that one employee had already committed to take another County position with Police and was not interested in returning to MCPL to a term position. The second employee indicated that she wanted to return to work for Montgomery County and would be interested in the term position with MCPL. Based on this information and in accordance with Section 6 of the Montgomery County Personnel Regulations (MCPR) MCPL was able to eliminate the competitive vacancy announcement process. In accordance with Section 7-4 MCPL was able to non-competitively reappoint the former MCPL employee. On August 20, 2010, MCPL received OHR approval to non-competitively reappoint Candace Crim, a former MCPL part-time Librarian I to the Noyes part-time Library Desk Assistant term position. Ms. Crim was notified on August 23rd and given the opportunity to begin employment the

beginning of a pay period (either August 30th or September 13). She has elected to begin working at Noyes Library on Monday, September 13, 2010.

Librarian I (grade 21)

There were no employees in the librarian series that were terminated or elected to request LWOP as a result of RIF to either recall back to this position or non-competitively reappointment to this position. Based on this information and the fact that the County is currently under a hiring freeze, MCPL is still in the process of obtaining OMB approval to fill the part-time Librarian I position. Based on Section 6 of the MCPR, MCPL will be required to advertise this position for competition among qualified candidates for a minimum of two weeks. There was one employee in the library series that elected to accept a voluntary demotion outside MCPL to a full-time position below a grade 21. MCPL contacted this employee on August 25th and learned that this employee is not interested in returning to MCPL in either a part-time capacity or in a term position. MCPL plans on initiating the recruitment process for this position as soon as OMB approval is received. MCPL will begin their recruitment process for current Montgomery County Government Employees or employees affected by RIF. If a sufficient pool of candidates is not available through this process, MCPL will extend this recruitment to include applicants outside Montgomery County Government.

You also expressed concern that these positions may be difficult to fill and applicants may not apply for these positions because employees/candidates would lose rights, privileges or benefits. For your information, the two term positions that have been created at Noyes Library will have all the benefits that are afforded to our merit staff. They will be eligible to enroll in health plans, earn leave, receive holiday pay, etc. I also want to clarify that the substitute employees working at MCPL are temporary employees and currently have no job security, earn no leave or holiday pay, and are only paid for the hours they work. Based on this information, I anticipate that MCPL will have no problem filling the part-time Librarian I position with a qualified MCPL substitute employee if they express interest and apply for this position.

If you have any further questions please feel free to contact me or Carolyn Hohlfield, Human Resources Specialist, MCPL, 240-777-5023.

Sincerely,



Joseph Adler, Director
Office of Human Resources

JA:cah

cc: Parker Hamilton, Director, MCPL