

APPENDIX F

Consolidation and Merger of Public Libraries

Several people have asked how a merger with the public libraries might take place. There are two basic methods: "consolidation" with the county library district, and "inclusion" in the county library district. According to the *Ohio Revised Code* Section 3375.212, there are several ways for "consolidation" to occur:

1. The County Board of Library Trustees passes a resolution requesting consolidation. Within 30 days our Board must approve or reject the request. If it is approved, we send a resolution to that effect to the School Board. Within 30 days, the School Board must approve or reject the consolidation and they must then notify the County Board and the Board of County Commissioners. If all three groups approve merger, it takes place.
2. At any time during the above, our Board can ask the School Board to adopt a resolution requesting that the question of consolidation be brought to the voters in our school district. The School Board must do so and the issue will be on the next November ballot. Should a majority of the voters in our school district approve merger, it takes place.
3. If:
 - a. The Board of County Commissioners receives a petition signed by not less than 10%, or 500, whichever is lesser, of the qualified electors in the County Library's library district who voted in the last election, *and*
 - b. Our School Board receives a petition signed by not less than 10%, or 500, whichever is lesser, of the qualified electors in our school district who voted in the last election, then
 - c. The issue of merger will be placed on the ballot at the next November election. Should both a majority of the voters in the County Library's district *and* a majority of the voters in our school district approve merger, it takes place.

If a Section 3375.212 consolidation of library systems takes place, the existing County District Library Board and the current School District Library Board continue in existence and meet together as an interim "board of the whole" until the second Monday of the second January following the consolidation. A new county district board is then appointed by the Board of County Commissioners and the Common Pleas Court starting as of the second Monday of the second January following consolidation. The 'consolidation' option allows, for at least a short time, the School District Library Board to continue as part of the 'board of the whole.'

In addition, *Ohio Revised Code* Sections 3375.21 and 3375.211 allow for "inclusion" of a school district library into a county library district. If this happens, then the School District Library Board and library simply cease to exist when the 'inclusion' occurs. Under Section 3375.21, the library board simply passes a resolution for inclusion in the county district. The School Board may elect to concur. If it does, then both the Library Board and the School Board are required to take "appropriate action transferring all title and interest in all property, both real and personal ... to the board of trustees of the county library district." When transfer is complete, the school district public library ceases to exist and its territory becomes part of the county library district.

Finally, under Section 3375.211, if the School Board receives a petition requesting inclusion in the county library district signed by 10% of the qualified electors of the school district voting at the last general election, then the School Board must place the issue on the ballot (note that the phrase "or 500 electors, whichever is less" was removed from this section by amendment in 1991). If it passes, then both the School Board and Library Board are required to take action transferring all property of the library to the county library district. As above, when the transfer is complete, the school district public library ceases to exist and its territory becomes part of the county library district.