

South Central Library System Foundation (SCLSF)  
Poynette Library Fund

**Section 1: Purpose, Name**

The SCLS Foundation Fund: Poynette Library (hereinafter “Fund”) shall be established by the Poynette Library Board (hereinafter “Board”) and maintained by South Central Library System Foundation (SCLSF) for the purpose of allowing the Board to provide for the permanent needs of the Poynette Area Public Library by accepting gifts, bequests, devises and endowments pursuant to Wis. Stats. §43.64(7) or any successor statute or law.

**Section 2: Duration**

Unless the Village of Poynette ceases to exist or unless the Fund is terminated by vote of three-quarters of the members of the Board, the existence of the Fund shall be perpetual. In the event that the Village of Poynette shall cease to exist, the Fund shall be distributed to any library board of a successor or adjoining municipality fulfilling the purposes of the Poynette Library Board or if there is none, to another organization exempt from tax under Section 501(C)(3) of the Internal Revenue Code or a successor section to be used for the purposes described in Section 5.

**Section 3: Management of Funds and Treasurer**

The funds shall be managed by the SCLS Foundation Board and its professional managers (see attached SCLSF Wealth Management Investment Policy). The Library Board Treasurer shall maintain records and report to the Library Board regarding the status of the Fund. The Library Director or designee shall provide original or copies of the monthly activity statements of the SCLSF Fund to the Village Treasurer for accounting and auditing purposes.

**Section 4: Acceptance of Gifts**

Contributors to the Fund may make gifts upon special terms, conditions, limitations or directions as to the investment or use of the gift (“restricted gifts”) provided that the restrictions are accepted by the Board; and contributors to the Fund may make gifts not subject to any special terms, conditions, limitations or directions (“unrestricted gifts”). Contributors may also make restricted and unrestricted gifts of property other than cash (“gifts in kind”) provided that the form of such gifts is accepted by the Board. Title to gifts in kind shall be held by the Board. The acceptance of a gift by the Board shall be deemed to be an agreement by the

Board with the contributor and the gift will be subject to the terms and conditions in this document.

With respect to restricted gifts, the Board shall do its utmost to meet the special terms, conditions, limitations and directions regarding the investment or use of all restricted gifts. All restricted gifts are irrevocable and the contributor of a restricted gift upon acceptance by the Board agrees to trust the discretion of the Board and waives all rights to enforce the restrictions after acceptance by the Board.

The Board shall have the power to recommend modification of the terms, conditions, limitations or directions regarding the investment or expenditure of a restricted gift if any of the following occurs:

- a) In the event the Fund is terminated under Section 2.; or
- b) In the event that the special terms, conditions, limitations or directions of a restrictive gift cannot be met because of changes in the circumstances under which the gift was made and accepted which were not anticipated when the gift was made.

In the event that the Board does recommend modification of the conditions of a restricted gift, the Board shall recommend a modification which closely approximates the contributor's intent, as determined by the Board.

The Board is authorized to make, publish and disseminate additional guidelines and procedures and specific decisions for disbursements from the Fund and provide information about the Fund to contributors.

#### **Section 5: Use of Fund**

The income and principal of the Fund shall be used to fund projects of the Poynette Library including but not limited to special property expenditures, and special library projects. The Fund shall be expended according to the following rules and procedures, which rules shall be applied in a manner which gives priority to any rule listed prior to any subsequent rule.

- a) No income or principal from the Fund shall be expended for the private benefit of any Board member.

- b) Any modification of a condition involving the expenditure of a restricted or unrestricted gift must follow the following procedure: each modification of a condition for a restricted gift held by the Fund may be made only after discussion at a regular meeting of the Board and approval of a three-quarter majority of Board members present and voting at the next regular meeting.
- c) In the event that the balance of the principal from all unrestricted gifts is below \$500.00, no expenditure of principal from such unrestricted gifts shall be permitted.
- d) In the event that the balance of the principal from all unrestricted gifts is above \$500.00, expenditures of principal from such unrestricted gifts shall be made according to b. above.