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**EASTERN SHORE PUBLIC LIBRARY
REGIONAL LIBRARY AGREEMENT
BETWEEN
ACCOMACK COUNTY, VIRGINIA
AND
NORTHAMPTON COUNTY, VIRGINIA**

This Regional Library Agreement (this "Agreement") is made and is effective as of December 1, 2008 between Accomack County, Virginia ("Accomack") and Northampton County, Virginia ("Northampton") with respect to the Eastern Shore Public Library (the "Library").

RECITALS

The Accomack Board of Supervisors (the "Accomack Board") adopted a resolution on April 23, 1958, and the Northampton Board of Supervisors (the "Northampton Board") adopted a resolution on May 5, 1958, each agreeing to establish a regional free library system for the Eastern Shore of Virginia. Such resolutions were amended by the Accomack Board on January 21, 1987 and by the Northampton Board on February 9, 1987.

Section 42.1-37 of the Code of Virginia provides that the governing bodies of political subdivisions may join in establishing and maintaining a regional free library system under the terms of a contract between such political subdivisions. In the interest of assuring that library services are available to their citizens, Accomack and Northampton now wish to set forth the terms of their agreement.

AGREEMENT

1. Existence and Name. The regional free library system for the Eastern Shore of Virginia shall continue under the name "Eastern Shore Public Library".
2. Provision of Services. The Library shall provide free access to library services to all citizens of Accomack and Northampton, regardless of whether they seek services in the county of their residence.
3. Branches and Affiliated Libraries. The Library currently has two branches: the Library headquarters located in Accomack, Virginia and the Northampton Free Library located in Nassawadox, Virginia, whose real and personal property are owned by the Library Board (as defined below). In addition, the Library provides certain services to the Northampton Memorial Library in Cape Charles and to the Chincoteague Island Library, Inc. under contractual arrangements. The Library Board may enter into additional agreements with library groups for the delivery of library services when the Library Board deems that to be in the best interest of the citizens of Accomack and Northampton.
4. Board of Trustees. The management and control of the Library shall be vested in a Board of Trustees (the "Library Board") consisting of nine members. Six members of the Library Board shall be appointed by the Accomack Board, which may appoint a member or an employee of the Accomack Board to be a member of the Library

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Board. Three members of the Library Board shall be appointed by the Northampton Board, which may appoint a member or an employee of the Northampton Board to be a member of the Library Board. Members of the Library Board shall be appointed for staggered four year terms, and may serve for two successive terms, as provided in the Code of Virginia. The Library Board shall have all the powers and authority described in Section 42.1-33 et seq. of the Code of Virginia, and otherwise allowed under applicable law, whether or not such powers are mentioned in this Agreement.

5. Funds and Expenses. The expenses of the Library shall be apportioned between Accomack and Northampton on the basis of population, as determined by the most recent population estimate available from the United States census. As of the date of this Agreement, Accomack shall be responsible for 75% of expenses and Northampton shall be responsible for 25% of expenses. The treasurer of the Library Board shall be the Accomack Treasurer, who shall have custody of the funds of the Library. The Northampton Treasurer shall transfer to the Accomack Treasurer quarterly all moneys collected or appropriated for the Library by Northampton, and such funds shall be expended only for library services as provided by the Code of Virginia.

6. Budget and Appropriations. The Library Board shall prepare a budget for the Library annually, which shall be delivered to the Accomack Board and the Northampton Board by the dates requested by the Accomack Board and the Northampton Board for their budgeting purposes. In no case shall funding provided by the Accomack Board and the Northampton Board fall below that required for the Library to be eligible for grants from the Commonwealth of Virginia, as provided in the Code of Virginia. Appropriations shall be made in proportion to the population as described in Section 5 above. The Accomack Board and the Northampton Board shall cooperate with each other in planning for capital expenditures and improvements for the Library.

7. Bylaws, Officers, and Contracts. The Library Board shall from time to time adopt such Bylaws and policies for operation of the Library as it shall deem to be in the best interest of the Library. The Library Board shall elect such officers as shall be prescribed in the Library Bylaws and by the Code of Virginia. The Library Board shall have the power to enter into contracts with third parties for the operation of the Library, and may purchase and sell Library assets in accordance with Virginia law.

8. Library Personnel. The Library Board shall hire a library director or directors to be responsible for the administration of the Library (the "Director"). The Director shall carry out the policies for the Library adopted by the Library Board and hire and manage Library personnel. The Director shall perform such duties as shall be usual for administrators of public libraries.

9. Term of Agreement. This Agreement shall remain in effect indefinitely. As provided in Section 42.1-42 of the Code of Virginia, neither Accomack nor Northampton may withdraw from the Library without two years' notice to the other county, unless the other county consents.

10. Miscellaneous. This Agreement sets forth the entire agreement of the parties with respect to the subject matter hereof, and there are no oral agreements between the parties with respect hereto. This Agreement may be amended only by a written amendment signed by Accomack and Northampton. This Agreement shall be governed by Virginia law.

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WITNESS the following signatures and seals.

EASTERN SHORE PUBLIC LIBRARY

By: Carol H. Vincent (SEAL)
Name: Carol H. Vincent
Title: Director of Administration

ACCOMACK COUNTY, VIRGINIA

By: [Signature] (SEAL)
Name: Steven B. Miner
Title: County Administrator

NORTHAMPTON COUNTY, VIRGINIA

By: Katherine H. Nunez (SEAL)
Name: Katherine H. Nunez
Title: County Administrator