

AMENDMENT TO CONTRACT FOR LIBRARY SERVICES

WHEREAS on or about December 18, 2007, an agreement was made and entered into between Pennington County, a political subdivision of the State of South Dakota (“County”), and the Rapid City Public Library Board of Trustees (“Library”), an entity duly organized under South Dakota law; and

WHEREAS, the agreement concerned the provision of library services to rural residents of Pennington County (“Agreement”); and

WHEREAS, the Agreement is a continuing contract concerning yearly payments by County to Library beginning in 2008 and continuing until the agreement is terminated; and

WHEREAS, the Agreement provides a schedule for quarterly installment payments County provides to Library; and

WHEREAS, the parties wish to adjust the schedule for quarterly installment payments from County to Library; and

WHEREAS, the Agreement provides that County may appoint an individual to be an advisory, non-voting member of the Library; and

WHEREAS, the parties wish to amend the Agreement to permit County to appoint a voting member of the Library so long as County’s funding level does not fall below 14.5 percent of Library operational costs.

NOW THEREFORE in consideration of the promises and mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, it is hereby agreed as follows:

1. The third sentence of Paragraph 1 of the Agreement is deleted and replaced with the following:

Payments to the Library during the life of this agreement shall be in four equal quarterly installments made in January, April, July, and October.

2. Paragraph 4 of the Agreement is deleted and replaced with the following:

County shall be entitled to designate an individual who shall be a voting member of the Rapid City Public Library Board of Trustees, provided that County’s funding does not fall below 14.5 percent of Library operational costs.

3. The remainder of the provisions in the Agreement shall remain in full force and effect, except as amended herein.

4. This Amendment will be effective when it has been signed by all of the parties.
5. This Amendment and the earlier-executed Agreement constitutes the entire agreement of the parties. No other writings or negotiations are part of this document.

Dated this 1 day of October, 2013.

PENNINGTON COUNTY COMMISSION

Lyndell Petersen
Lyndell Petersen, Chairman

State of South Dakota)

County of Pennington) ss.
)

On this 1 day of October, 2013, before me, the undersigned officer, personally appeared Lyndell Petersen, who acknowledged himself to be the Chairman of the Pennington County Commission and as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Victoria M Wolf
Notary Public

(SEAL)

My Commission Expires: 9-24-2014

Dated this 14 day of October, 2013.

LIBRARY BOARD OF TRUSTEES

[Handwritten signature]

Rod Pettigrew, President

STATE OF SOUTH DAKOTA)
)ss.
COUNTY OF PENNINGTON)

On this 14th day of October, 2013, before me, the undersigned officer, personally appeared Rod Pettigrew, who acknowledged himself to be the President of the Rapid City Public Library Board of Trustees and as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Jennifer Read

Notary Public

(SEAL)
My Commission Expires: 3/11/17

