

Estes Park Public Library

BOARD OF TRUSTEES BY-LAWS

ARTICLE I – NAME AND AUTHORITY

1. The name of this organization is the Board of Trustees of the Estes Valley Public Library District, Estes Park, Colorado. The Estes Valley Public Library District was established by a vote of eligible voters on November 8, 1988. It succeeds the Estes Park Public Library, a municipal library established by the Estes Park Town Board of Trustees on January 22, 1968 (#1968-2).
2. The Board of Trustees (hereinafter referred to as Board) operates under the authority of, and according to the duties and responsibilities defined in the Colorado Revised Statutes (CRS) 24-90-1 (the Colorado Library Law); CRS 24-6-4 (Open Meetings Law); and other applicable statutes.

ARTICLE II - MEMBERSHIP

1. The Board shall be composed of seven Trustees, appointed jointly by the Estes Park Town Board of Trustees and the Larimer County Board of County Commissioners for staggered terms of office.
2. A Trustee term of office shall be four years. A Trustee who has completed two full four-year terms cannot immediately succeed himself or herself.
3. Vacancies shall be filled for the remainder of unexpired terms as soon as possible in the manner in which Trustees are regularly chosen.
4. Appointees to the Board shall be at least 18 years of age and chosen from the residents within the legal service area of the Library.
5. The Board has been delegated the authority to recommend nominees when there are openings on the Board. The Board shall advertise for and actively seek applicants for filling any vacancy. A nominee will be selected for each vacancy by the Board after interviews with all applicants have been performed. The Board-selected nominee's name will be provided to the Town of Estes Park Board of Trustees and the Larimer County Board of County Commissioners for their approval by a two-thirds majority of each body, except that the failure of a body to act within sixty days upon a recommendation shall be considered a ratification of such appointment.
6. A Trustee may be removed only by a majority vote of the Town of Estes Park Board of Trustees and the Larimer County Board of County Commissioners. The Board shall recommend removal of a Trustee to these bodies only by an affirmative vote of at least five Trustees, and only upon a showing of good cause as defined in, but not limited to, the bylaws adopted by the Board. The following are "good cause" as defined by the Board.
 - a. Any Trustee who misses three consecutive regular monthly Board meetings without adequate excuse.
 - b. Any Trustee who disregards the Estes Valley Public Library Board Code of Ethics.

- c. Any Trustee who shows a lack of interest in the Estes Park Public Library and/or the Board.
 - d. Any Trustee who violates a statute or ordinance which results, or could result, in serious damage to the Estes Valley Public Library District's property or interest.
7. A Trustee shall not receive a salary or other compensation for services as a Trustee, but necessary traveling and subsistence expenses actually incurred may be paid from the public library fund.
 8. The Board can include ex-officio Board members deemed useful to carry out its duties. The Library Director is an ex-officio Board member. All ex-officio Board members can fully participate in Board discussions but are non-voting members of the Board. The Board shall define the responsibilities of each ex-officio Board member. Ex-officio Board members will not participate in Board executive sessions unless requested to do so by the Board.

ARTICLE III - RESPONSIBILITIES

1. The Board has the responsibility for the supervision, care, and custody of all property of the Library, including rooms or buildings constructed, leased, or set apart therefore.
2. The Board shall adopt such by-laws, rules, and regulations for its own guidance and for the governance of the Library as it deems expedient.
3. The Board shall retain a qualified librarian who shall serve as the Library Director. The Board shall prescribe the Library Director's duties and compensation.
4. The Library Director shall administer policies adopted by the Board, supervise staff members, prepare required reports, recommend policies and procedures, promote effective library service, and perform other duties as specified by the Board.
5. The Board shall, upon recommendation of the Library Director, employ other such employees as may be necessary, prescribe their duties and fix their compensation.
6. At the close of each calendar year, the Board, with assistance from the Library Director and staff, shall prepare and make a report to the Estes Park Town Board of Trustees and the Larimer County Board of County Commissioners showing the condition of its trust during the year, the sums of money expended, and the purposes of the expenditures and such other statistics and information as the Board deems to be of public interest.
7. The Board shall adopt a budget and make appropriations for the ensuing fiscal year as set forth in part 1 of article 1 of title 29, CRS, and have exclusive control and spending authority over the disbursement of Library funds as set forth in section 24-90-112 (2) (a).
8. A Trustee shall avoid situations that could bring about a conflict of interest because of their association with the Board. If a conflict of interest arises or might arise in a particular matter before the Board, the Trustee with the conflict

- shall abstain from participation and from voting on that matter. If, in the determination of at least five Board members, a Trustee has a conflict of interest that cannot be resolved, the Board shall recommend to the appointing officials that the Trustee be removed from office.
9. Except as otherwise directed by a majority of the Board's members, official statements of the Board shall be limited to the President of the Board and the Library Director, subject to approval by the Board.
 10. The Board may accept such gifts of money or property for Library purposes as it deems expedient.
 11. The Board shall hold and acquire land by gift, lease, or purchase for Library purposes.
 12. The Board may lease, purchase, or erect any appropriate building for Library purposes and acquire such other property as may be needed therefore.
 13. The Board may sell, assign, transfer, or convey any property of the Library, whether real or personal, which may not be needed within the foreseeable future for any purpose authorized by law, upon such terms and conditions as it may approve, and lease any such property, pending sale thereof, under an agreement of lease, with or without an option to purchase the same. The Board, prior to the conveyance of such property, shall make a finding that the property may not be needed within the foreseeable future for Library purposes, but no such finding shall be necessary if the property is sold or conveyed to a state agency or political subdivision of this state.
 14. The Board may borrow funds for Library purposes by means of a contractual short-term loan when moneys are not currently available but will be in the future. Such loan shall not exceed the amount of immediately anticipated revenues, and such loan shall be liquidated within six months.
 15. The Board may authorize the bonding of persons entrusted with Library funds.
 16. The Board shall conduct an annual audit of the financial statements of the Library.
 17. The Board shall hold title to property given to or for the use or benefit of the Library, to be used according to the terms of the gift.
 18. The Board shall do all other acts necessary for the orderly and efficient management and control of the Library.
 19. The Board shall have the authority to enter into contracts.
 20. At the close of each calendar year, the Board shall make a report to the state library in the form of a response to a survey to be designed and administered by the state library. The report shall contain such other statistics and information as may be required by the state library.
 21. Under such rules and regulations as it may deem necessary and upon such terms and conditions as may be agreed upon, the Board may allow nonresidents of the Estes Valley Public Library District to use Library materials and equipment and may make exchanges of books and other materials with any other libraries, either permanently or temporarily.

ARTICLE IV - OFFICERS AND DUTIES

1. The officers of the Board shall be a President, Vice-President, Secretary, and Treasurer.
2. Officers shall be elected annually at the first regular meeting of the Board in January and shall take office immediately following the election. The term of office shall be one year. Officers may be re-elected; however, no one shall serve more than three full consecutive years in one position, after which at least one year must intervene before they are eligible for re-election to the same position.
3. The President shall preside at meetings of the Board, appoint members of committees and perform such other duties as are associated with the office.
4. The Vice-President shall perform the duties of the President in the absence of the President or in the event that the President is unable to perform the duties of the office.
5. The Secretary shall keep a full and accurate record of all meetings of the Board; distribute copies of the minutes to the Trustees prior to the following meeting; make public announcements of meetings; maintain manuals that include policies, by-laws, meeting minutes, and reports; oversee the development and maintenance of the Library's webpage to contain relevant material; and shall perform other duties as are assigned by the Board. The minutes shall include all motions and the resulting vote. A majority of the members of the Board may determine in what detail other items of discussion at meetings are to be included.
6. The Secretary shall be responsible for ensuring that Minutes and other similar Board documentation complies with the CRS Open Meeting Law including the following requirements:
 - a. Minutes of any open meeting of the Board shall be open to public inspection. The minutes of a meeting during which an executive session occurred shall reflect the topic of the discussion of the executive session.
 - b. Discussions that occur in an executive session shall be recorded in the same manner and media that the Board uses to record the minutes of open meetings.
 - c. The record of an executive session of the Board shall not be open for public inspection except upon the consent of the Board or as provided for in Colorado Law.
 - d. The record of an executive session of the Board shall be retained for at least ninety days after the date of the executive session.
 - e. If, in the opinion of the Board's attorney who may be in attendance at an executive session, all or a portion of the discussion during the executive session constitutes a privileged attorney-client communication, no record shall be required to be kept of the part of the discussion that constitutes a privileged attorney-client communication. Any written minutes shall contain a signed statement from the attorney attesting that the portion of the executive session which was not recorded constituted a privileged attorney-client communication in the opinion of the attorney and a signed statement from the chair of the executive session attesting that the

portion of the executive session was confined to the topic authorized for discussion in an executive session.

7. The Treasurer shall be the financial officer of the Board and shall perform duties generally associated with that office, including reviewing budget development; preparing for audits; and having primary responsibility for approval of bills involved with expenditure of Library funds. Any financial funds under direct control of the Board involving a bank account or accounts shall be the responsibility of the Treasurer. The Treasurer shall submit such reports as the Board may require.

ARTICLE V – MEETINGS

1. The Board shall hold regular monthly meetings. The Board shall designate date, time and location for each meeting.
2. Special meetings may be held at any time when called by the President or at the request of three Trustees. All Trustees must be notified at least 24 hours in advance of a special meeting. Only items on the announced agenda may be considered at a special meeting.
3. A quorum of the Board consists of four Trustees. The act of a majority of the Trustees present at a regular or special meeting at which a quorum is present shall be the act of the Board.
4. Any Trustee may participate in Board meetings by any means of communication through which the other Trustees can hear and respond verbally during the meeting. A Trustee participating in a meeting by this means shall be deemed present in person at such meeting.
5. The Board will abide by all requirements of Colorado law regarding open meetings and notification, as specified in the following subparagraphs.
 - a. All meetings of three or more Trustees at which any public business is discussed or at which any formal action may be taken are declared to be public meetings open to the public at all times.
 - b. Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which three or more Trustees are in attendance, or are expected to be in attendance, shall be held only after full and timely notice to the public. These meetings are declared to be public meetings open to the public at all times. In addition to any other means of full and timely notice, the Board shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the Estes Valley Public Library District no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated at the Board's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.
 - c. The above open meeting requirements do not apply to any chance meeting or social gathering at which discussion of public business is not the central purpose.

- 6. Any public meeting of the Board shall include an agenda item for public input.

ARTICLE VI - COMMITTEES

- 1. The Board may establish standing committees which shall make regular reports to the Board.
- 2. Special committees may be authorized by the Board and appointed by the President with the approval of the Board for special limited purposes, and shall serve only until completion of the assignment.
- 3. The Board, at its discretion, may appoint ex-officio committee members who are not Trustees to standing or special committees.

ARTICLE VII - PARLIAMENTARY AUTHORITY

Robert's Rules of Order, latest revision, shall govern the proceedings of the Board unless action is specified otherwise in the By-Laws.

ARTICLE VIII - AMENDMENTS

The Bylaws may be amended by the affirmative vote of at least five Trustees present at a regular, scheduled meeting. Proposed amendments to these Bylaws shall be submitted to the membership at least five days prior to the meeting at which such action is proposed to be taken.

ARTICLE IX - FISCAL YEAR

The fiscal year of the Board of Trustees shall begin on the first day of January and end on the last day of December in each year.

Please refer to the Trustee Code of Ethics (GOV-02), Standing Committees (GOV-04), and Executive Session (GOV-06) for more information.

The Estes Valley Public Library District **Trustee By-laws** were adopted and approved by the EVPLD Board of Trustees on March 14, 2005 and revised on December 8, 2008.

Barb Lister, President

Amy Hamrick, Secretary