

## **Gilpin County Public Library Board of Trustees Bylaws**

### **Article I – General Powers and the Selection and Terms of Trustees**

This organization shall be called “The Board of Trustees of the Gilpin County Library District”. Existing by virtue of the laws of the State of Colorado, it exercises the powers and authority and assumes the responsibilities delegated to it by those laws.

#### **Section 1.**

(a) The management and control of this county library established under the Colorado Library Law shall be vested in a board of not less than five, and not more than seven, trustees appointed by the Gilpin County Board of County Commissioners. The first appointments of the Board of Trustees shall be for terms of one, two, three, four and five years respectively. Thereafter, a trustee shall be appointed annually to serve for five years. The number of terms a trustee may serve is not limited. All trustees shall be residents of Gilpin County. Vacancies shall be filled as soon as possible for the remainder of an unexpired term in the manner in which trustees are regularly chosen.

(b) A trustee shall not receive a salary nor other compensation for services as a trustee, but necessary traveling and subsistence expenses actually incurred may be paid from the Library Fund for travel authorized by the Board of Trustees.

(c) A trustee may be removed only by a majority vote of the county commissioners, and only upon a showing of good cause for removal. “Good cause” means a trustee’s action, failure to act, or conduct which the county commissioners, by a majority vote, find to be detrimental to the Gilpin County Library District.

#### **Section 2.**

(a) Immediately upon their appointment, the Board of Trustees shall meet and organize by the election of a President, Vice-President, Secretary, and a Treasurer.

(b) The Board of Trustees shall adopt such bylaws, rules and regulations for its own guidance and for the government of the library as it deems expedient. These bylaws and any amendments thereto shall be filed with the county commissioners immediately upon their enactment. By their acceptance, the commissioners affirm as their own the aforesaid designation of the length of term and number of terms a trustee may serve.

(c) The Board of Trustees shall have supervision, care and custody of all property of the library including rooms or buildings constructed, leased, or set apart therefore.

- (d) The Board of Trustees shall employ a librarian and, upon the librarian's recommendation, employ such other employees as may be necessary, prescribe their duties, and fix their compensation. The librarian, or director, and all other library employees are acknowledged to be Gilpin County employees and subject to the Gilpin County Personnel Rules and Regulations.
- (e) The Board of Trustees shall submit annually a budget as required by law and certify to the Board of County Commissioners the sums necessary to maintain and operate the library during the ensuing year.
- (f) The Board of Trustees shall have exclusive control of the disbursement of the finances of the library.
- (g) The Board of Trustees shall accept such gifts of money or property for library purposes as it deems expedient. Monetary gifts shall go into the Library Fund, which has been established by the Gilpin County Treasurer.
- (h) The Board of Trustees shall hold and acquire land by gift, lease, or purchase for library purposes.
- (i) The Board of Trustees shall 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 of Trustees, 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 to a political subdivision of the State of Colorado.
- (j) The Board of Trustees shall 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 a loan shall not exceed the amount immediately anticipated revenues, and such loan shall be liquidated within six months.
- (k) The Board of Trustees shall authorize the bonding of persons entrusted with library funds.
- (l) The Board of Trustees shall submit financial records for audit as required by the legislative body of the appropriate governmental unit.
- (m) The Board of Trustees shall authorize the purchase of library materials and equipment upon the recommendation of the librarian.
- (n) The Board of Trustees 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.

(o) The Board of Trustees shall do all other acts necessary for the orderly and efficient management and control of the library, including, but not limited to entering into contracts in the name of the Board of Trustees, signed by the President on behalf of the Board of Trustees and attested by the Secretary.

(p) At the close of each year, the Board of Trustees shall make a report to the Board of County Commissioners showing the condition of its trust during the year, the sums of money expended and the purpose of the expenditures. The report shall include such other statistics and information as the Board of Trustees deems of public interest and as may be requested by the State Librarian.

### **Section 3.**

The Board of Trustees, under such rules and regulations as it may deem necessary and upon such terms and conditions as may be agreed upon, may allow nonresidents of Gilpin County to use library materials and equipment and may make exchanges of books and materials with any other library, either permanently or temporarily.

### **Section 4.**

The Board of Trustees shall have authority to request of the Board of County Commissioners that an election be held to alter the maximum tax levied to support the library, pursuant to section 24-90-112(1)(b)(111), C.R.S.

## **Article II – Officers**

### **Section 1.**

(a) The officers shall be a President, a Vice<sup>4</sup> President, a Secretary, and a Treasurer, elected from among the appointed trustees at the annual meeting of the Board of Trustees.

(b) Nominations shall be made from the floor at the annual meeting in January each year.

(c) Officers shall serve a term of one year from the annual meeting at which they are elected and until their successors are duly elected. In the event of a vacancy the Board of Trustees shall, by election, fill the vacancy at its next meeting.

(d) For failure to discharge his/her duties, any officer may be removed from office by a majority vote of the full Board of Trustees at a regular meeting. Members seeking such action shall give written notice to all trustees five days in advance of the meeting.

## **Section 2.**

The President shall preside at all meetings of the Board of Trustees, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board of Trustees, serve as an ex-officio voting member of all committees, and perform all duties generally associated with the office.

## **Section 3.**

The Vice President, in the event of the absence or disability of the President, or of a vacancy in that office, shall assume and perform the duties and functions of the President.

## **Section 4.**

The Secretary shall keep a true and accurate record of all meetings of the Board of Trustees, shall issue notice of all regular and special meetings and shall perform such other duties as are generally associated with the office.

## **Section 5.**

(a) Pursuant to the Colorado Library Law, the Treasurer of Gilpin County shall be the custodian of all moneys for the library, whether derived from taxation, gifts, sale of library property, or otherwise. All moneys generated for library purposes shall be credited to a special fund in the office of said Treasurer to be known as the Gilpin County Library Fund. The fund, together with all interest income that accrues therefrom on and after July 1, 1991, shall be used only for library purposes and shall be expended only upon warrants signed by the President of the Board of Trustees or his/her designee.

(b) The Treasurer of the Board of Trustees shall oversee the library budget as well as the receipt and expenditure of moneys, and shall act in an advisory capacity regarding the lease or purchase of large equipment, buildings or other non-budget items of major significance.

## **Article III – Meetings**

### **Section 1.**

(a) Regular meetings shall be held at least every other month, the time and place to be set by the Board of Trustees.

(b) The annual meeting shall be held at the time of the regular meeting in January of each year.

(c) All meetings shall be open to the public. Notice of all meetings shall be published in a newspaper of general circulation in Gilpin County at least one week before the date of such meeting

(d) The Board of Trustees may recommend to the Board of County Commissioners that any trustee who misses three consecutive meeting be removed as a trustee.

## **Section 2.**

At the direction of the President or the request of two members, the Secretary shall call all Board members to a special meeting with 24 hours prior notice unless all members of the Board of Trustees are present when the meeting is called. Business transactions at a special meeting shall only be those stated in the call for the meeting.

## **Section 3.**

(a) A quorum for the transaction of business at any meeting shall consist of fifty percent of the number of trustees appointed by the Board of County Commissioners. For example, if five or six persons are on the Board of Trustees, three trustees would be required for a quorum. If seven persons are on the Board of Trustees, four trustees would be required for a quorum.

(b) An affirmative vote of a majority of the trustees present at any meeting is required for all actions of the Board of Trustees. There shall be no proxy votes.

(c) “Roberts Rules of Order” shall govern the proceedings of all meetings.

## **Article IV – Committees**

### **Section 1.**

The President may appoint committees of one or more members each for such specific purposes as the business of the Board of Trustees may require from time to time. The committee shall be considered discharged upon the completion of the purpose for which it was appointed and after a final report is made.

### **Section 2.**

No committee will have other than advisory powers unless it is granted specific power to act by a suitable action of the Board of Trustees.

## **Article V – General**

### **Section 1.**

The President may vote upon and may move or second a proposal before the Board of Trustees.

### **Section 2.**

The bylaws may be amended or revised by a majority vote of all members of the Board of Trustees.

### **Section 3.**

No person shall be both a trustee and an employee of the library.