

Kiowa County Public Library District (KCPLD)

Board of Trustees Bylaws (Bylaws)

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Date Reviewed: _____

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March 19, 2018 (Completely Revised & Reformatted); March 8, 2021;
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**Any previous documents on this subject are
null and void per the date of this documents approval/revision.**

**The Kiowa County Public Library District Board of Trustees
will review these Bylaws annually or as needed.**

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Colorado law requires the Board of Trustees (the “Board”) of the Kiowa County Public Library District (“KCPLD”) to adopt bylaws as a legal document guiding the Board in its policy-making role. The structure chosen becomes the basis for rational and consistent Board actions and provides continuity as the Board changes. Operational guidelines for the Board are established collectively as a group; individual responsibilities may be assigned to each Board Trustee. The bylaws should be reviewed and reaffirmed annually with revisions and additions made as necessary.

Article I: NAME

This organization shall be known as the Kiowa County Public Library District (“KCPLD”). It is organized under and by virtue of the Colorado Library Law, Title 24, Article 90 C.R.S., and established by the County of Kiowa, on July 30, 1987, by resolution of the Board of County Commissioners, and exercising the powers and authority and assuming the responsibilities delegated to it under said statute.

Article II: PURPOSE

The KCPLD will provide materials and services to meet the county residents’ information, educational, and leisure needs, thus enhancing individual and community life. KCPLD will offer materials and services for all levels of interest so that the majority of user needs may be served. It is the KCPLD’s intent and obligation to provide outstanding and personalized service to everyone equally, whether a regular or non-traditional library user, seeking access to the world of information and ideas, by promoting intellectual freedom, literacy, and lifelong learning. It is vitally important that every county resident has ready and free access to the library and its resources.

Article III: BOARD OF TRUSTEES

Section 1. Appointment. The management and control of the KCPLD shall be vested in a Board of five (5) trustees (the “Trustees”) appointed by the Board of Kiowa County Commissioners. All Trustees must reside within the boundaries of the KCPLD. The seated Board may, at their discretion, recommend Board candidates to the Board of Kiowa County Commissioners.

Section 2. Powers and Responsibilities. The Board shall have those duties and responsibilities authorized by C.R.S. 24-90-101, *et seq.* (the “Colorado Library Law”), as such may be revised from time to time. In addition, the Board shall have all those powers necessary or incidental to the specific powers granted by statute, and nothing herein constructed as limiting the powers of the Board granted by the Colorado Library Law.

Section 3. Terms. Trustees shall serve a term of three (3) years and terms shall expire on the 13th day of the month of January. The number of terms to be served by a Trustee shall not be limited.

Section 4. Vacancies. A vacancy on the Board shall be filled as soon as possible for the remainder of an unexpired term in the manner in which Trustees are regularly appointed. The seated Board may, at its discretion, recommend that the Board of Kiowa County Commissioners appoint an Alternate Trustee, as defined in Article IV of these bylaws, to fill any such vacancy that may arise; whether by resignation, removal, or term not renewed by the exiting Board Trustee.

Section 5. Authorization. Membership on the Board does not, under any circumstances, authorize a Trustee to represent the Board in any official capacity whatsoever, except as such authority is granted and approved in writing by a vote of the Board taken as a regular or special meeting of the Board.

Section 6. Compensation. A Trustee shall not receive a salary or other compensation for services performed as a Trustee; however, necessary traveling and subsistence expenses actually incurred may be paid from the public library fund (per C.R.S. 24-90-108 (4)).

Section 7. Attendance at Meetings. Trustees are expected to attend meetings over the course of a calendar year. It is understood that professional and personal obligations may interfere with a Trustee's ability to attend all meetings. A Trustee shall inform the Board Chair or the Library Director if they are unable to attend.

Section 8. Removal. A Trustee may be removed only by a majority vote of the appointing authority and only upon a showing of good cause. When it is in the best interests of the KCPLD, four (4) Trustees at a regular meeting of the Library Board may vote to send a letter to the Board of Kiowa County Commissioners recommending the removal of the fifth (5th) Trustee and stating why. Removal may include, but not be limited to, the unexcused absence for three (3) consecutive regularly scheduled Board meetings.

Section 9. Duties of the Board of Trustees. In addition to the duties listed in other parts of these bylaws, the duties of the Board of Trustees shall be:

- a) To establish and maintain the KCPLD for the residents and communities within the district boundaries.
- b) To set policies, review rules and regulations, and in cooperation with the Library Director, approve rules and regulations for the use of the library.
- c) To receive, invest, appropriate, and approve expenditures of all money the KCPLD is legally entitled to receive through a public budget process. In compliance with Colorado law, the Board shall submit an annual budget to the Colorado Department of Local Affairs and certify to Kiowa County the sums necessary to maintain and operate the library during the next budget year.
- d) To enter into contracts as/when needed.
- e) To purchase, lease, or erect buildings and sites and maintain control of library property.

Article IV: ALTERNATE TRUSTEES

Section 1. Appointment. The seated Board of Trustees may, at its discretion, recommend the appointment of one or more Alternate Trustees to the Board of Kiowa County Commissioners. Alternate Trustees must reside within the boundaries of the KCPLD.

Section 2. Board Trustee Vacancies. Upon any vacancy of a Board Trustee position, whether resigned, removed, or term not renewed by the exiting Board Trustee, the seated Board may, at its discretion, recommend that the Board of Kiowa County Commissioners appoint an Alternate Trustee to fulfil the vacancy in accordance to Article III of these bylaws.

Section 3. Attendance at Meetings. Alternate Trustees are expected to attend all regular and special meetings of the Board. Alternate Trustees shall receive notifications of all meetings in the same manner as the Board Trustees are notified. It is understood that professional and personal obligations may interfere with an

Alternate Trustee's ability to attend all meetings. Alternate Trustees shall inform the Board Chair or the Library Director if they are unable to attend a meeting.

Section 4. Duties. Alternate Trustees shall be provided with all materials that are provided to Board Trustees in anticipation of regular and special meetings. Alternate Trustees shall review all such material and shall be prepared to participate at all meetings of the Board.

Section 5. Voting. At the request of the Board Chair, an Alternate Trustee shall be seated as a voting member for the following purposes:

- a) To achieve a quorum in accordance with Article VII Section 6 of these bylaws.
- b) Having achieved a quorum, if one or more Board Trustees are not in attendance and a matter requires official and formal action of the Board.
- c) To achieve a quorum in the event a Board Trustee, for any reason including recusal, is unable to participate in the discussion and voting on a matter that requires official and formal action of the Board.

In the event conflict arises as to whether a Board Trustee or an Alternate Trustee is to be seated accorded the right to vote on a matter, the Board Trustee in attendance shall be seated and the Alternate Trustee shall not be accorded a vote.

Article V: OFFICERS

Section 1. Designation of Officers. The Officers of the Board shall consist of a chair, vice chair, secretary, treasurer, and such other officers as the Board deems necessary. These officers shall perform the duties prescribed under Article VI of these bylaws.

Section 2. Date of Election. All officers shall be elected at the annual meeting of the Board (January.)

Section 3. Term of Office. Officers shall serve for one (1) year terms and shall begin their terms of office at the next meeting, whether regular or special, immediately following the election.

Section 4. Number of Terms of Office. A Trustee serving as an officer of the Board shall not be eligible to serve more than two (2) consecutive terms in the same office, except by affirmative vote of all the Board of Trustees of the KCPLD.

Section 5. Vacancies. Any vacancy occurring during the regular term of any office, for any reason, shall be filled by a Trustee elected by a vote at a regular or special meeting of the Board for the remaining portion of the term of such office.

Section 6. Removal. Any officer may be removed from their office by a unanimous vote of the remaining four (4) Trustees of the KCPLD taken at a regular or special meeting of the Board when in such Trustees' reasonable judgment the best interest of the KCPLD will be served thereby.

Article VI: DUTIES OF OFFICERS

Section 1. Chair. The Chair shall, subject to the direction and supervision of the Board, be the principal

executive officer of the KCPLD. The Chair shall perform all duties incident to the office of Chair and such other duties as may be prescribed by the Board from time to time, including, but not limited to the following:

- a) Preside at all meetings of the Board.
- b) Appoint committee members as needed.
- c) Appoint Alternate Trustees to vote in accordance with Article IV Section 5 of these bylaws.
- d) Represent the KCPLD before other government units on matters approved by the Board.
- e) Execute legal documents after approval by the Board.
- f) Approve expenditures and execute warrants, checks or other instruments as provided by the Board policy or resolution.
- g) Serve as an ex-officio voting member of all committees.
- h) Perform all other duties assigned by the Colorado Library Law or other action of the Board of Trustees.

Section 2. Vice Chair. The Vice Chair shall assist the Chair and shall perform such duties as may be assigned by the Chair of the Board. In the absence or disability of the Chair, or of a vacancy in the office of Chair, the Vice Chair shall assume and perform the duties and responsibilities of the Chair.

Section 3. Secretary. The Secretary shall oversee the keeping of the minutes of the meetings of the Board, and shall perform all other duties as may be incident to the office of Secretary, including, but not limited to the following:

- a) Publishing of legal notices and/or the execution of legal documents as needed or required.
- b) Ensure the maintenance of a true and accurate record and account of all Library Board of Trustees' proceedings.
- c) Ensure compliance with the requirements of open meetings/open records law.
- d) Preside at meetings of the KCPLD Board of Trustees in the absence of the Chair and Vice Chair.

Section 4. Treasurer. The Library Director shall apprise the Treasurer of the KCPLD's financial affairs. Although the Library Director shall be the disbursing officer of the library monies and will generally perform all duties handling bills and disbursements, the Treasurer shall perform, but not be limited to, the following duties:

- a) Review all vouchers the Library Director prepares.
- b) Cosign all checks with the Library Director for the KCPLD.

In the absence of the Library Director, her duties shall be performed by the Assistant Director or such other persons as the Board may designate. The Treasurer shall perform any other duties assigned by the Board and/or required by law.

Nothing herein shall prevent the Board, at its discretion, to combine the office of Treasurer with the office of the Secretary.

Article VII: MEETINGS

Section 1. Regular Meetings. Regular meetings of the Board shall be held on the second Monday of the month. The Board of Trustees must meet no less than six (6) times per calendar year. Following Colorado Open Meeting ("Sunshine") law C.R.S. 24-6-401 and 402, all business of the Board shall be conducted only during

such regular meetings, or special meetings, hereinafter provided for, and all such regular and/or special meetings shall be open to the public, subject to the right of the Board to meet in executive session.

Notice of regular meetings will be posted at the Library and the Kiowa County Courthouse no less than three (3) days prior to the holding of the meeting.

An agenda for each regular meeting shall be posted at the Library no less than one (1) day prior to the regularly scheduled meeting.

Minutes shall be taken at all regular meetings and shall become a permanent part of the KCPLD's records and shall be available for public viewing three (3) days after Board approval.

Section 2. Special Meetings. Special meetings may be called by any Trustee or the Library Director for any purpose, including planning and goal setting or the study and discussion of matters to come before the Board. Minutes will be taken at all special meetings and will be part of the permanent public records. Special meetings may be called upon in twenty-four (24) hour notice to the Trustees and to the public.

Notice to the public shall be deemed given by posting written notice of the date, time, and place of the special meeting and, when available, the agenda of the meeting, at the Library and on the Kiowa County Courthouse door. When applicable, notice of a special meeting shall be posted three (3) days in advance of the special meeting. However, failure to do so when not enough time is allotted shall not affect the legality of the meeting, if notice is given as otherwise provided herein. If there is not sufficient time to call a special meeting because a matter must be acted upon immediately, the Chair, or the Chair's designee, may take a vote by telephone or in person and the results of this vote will be recorded in the minutes of the next regular or special meeting.

Section 3. Meetings at Social Gatherings. No meetings of three (3) or more Trustees shall be held except pursuant to the posting of notice as regular or special meeting. Any meeting of three (3) or more Trustees must be open to the public even if no decisions are made. Social gatherings can exclude the public, if the primary purpose is socializing.

Section 4. Public Participation in Meetings. Citizens attending regular meetings shall be invited to participate during a portion of the agenda set aside for this purpose. The Board shall require speakers to identify themselves, provide a mailing address and place of residence and the name of any person or group being represented. The Chair shall establish a time limit before each public comment session that will allow fair and reasonable opportunity to each person that expresses a desire to address the Board. The length of time allowed shall be solely at the discretion of the Chair of the Board.

Section 5. Annual Meeting. The regular meeting of the Board for the month of January each year shall be designated as the annual meeting. At the annual meeting the officers shall be elected to serve for the ensuing year.

Section 6. Quorum. A majority of the Trustees of the KCPLD (three (3) Trustees) shall constitute a quorum necessary for the transaction of any business at any regular or special meeting of the Board, including on emergency action. The act of the majority of Trustees constituting a quorum at a regular or special meeting shall be the act of the Board.

Section 7. Voting. An affirmative vote of the majority of all Trustees of the Board present at the time shall be necessary to approve any action of the Board. Voting by proxy is not allowed.

Section 8. Meeting Cancellations. Meetings of the Board may be canceled because of weather, an emergency, or lack of quorum. Meetings can be canceled at the discretion of the Library Director, Chair, or designee. All Trustees will be notified by the Library Director by whatever means available. The canceled meeting may be rescheduled by postponement to the next regular meeting or scheduling of a special meeting.

Section 9. Roll Call Votes. A Trustee may call for a roll call vote at any time.

Section 10. Parliamentary Authority. Robert's Rules of Order Revised, most recent edition, shall govern in the proceedings of the Board in all cases where not in conflict with these bylaws.

Article VIII: COMMITTEES

Committees may be created by the Board for any specific task or purpose and shall be automatically dissolved when its stated purposes have been fulfilled. The Chair will appoint committee members as needed. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific powers to act.

Article IX: LIBRARY STAFF

Section 1. Employment of Library Director. The Library Director shall be employed by the Board to serve as the executive and administrative officer of the KCPLD under the Board's review and direction. The Library Director shall be employed at will. The Library Director is the only library staff employee over whom the Board has direct supervisory responsibility and control.

Section 2. Duties of Library Director. The Library Director, under the supervision and direction of the Board, shall perform all duties incident to the position of Library Director including those contained in the Library Director's job description and other duties prescribed from time to time by the Board.

The Director, as the executive and administrative officer of the library, shall be held responsible for, but not limited to, the following duties:

- a) Administer, interpret, enforce, and establish procedures consistent with applicable laws, regulations and rules.
- b) Recruit, select, and assign library employees in coordination with the Board or committee.
- c) Maintain accurate financial accounting of the KCPLD's assets and disbursements.
- d) Prepare monthly financial statements/reports for the Board.
- e) In concert with the Chair, schedule, attend, and report at all regularly scheduled Board meetings.
- f) Keep the Board informed of all pertinent KCPLD information.
- g) Administer payroll for the KCPLD employees monthly.
- h) Coordinate staff training and disseminate information regarding personnel policies, fringe benefits, conditions of employment, and all relevant policies to the library employees.
- i) Recommend changes in policy as necessary and carry out the mission and policies established by the Board.

Section 3. Removal of Library Director. The Library Director may be removed by the Board whenever, in its judgment, the best interest of the KCPLD will be served thereby. The Library Director could be removed

by a unanimous vote of the Board. The employment of a Library Director shall not in itself create a contract right.

Section 4. Staff Employment and New Positions. The Board, upon the recommendation of the Library Director, shall employ all KCPLD staff. The Board shall set the compensation rate for all KCPLD staff, including the Library Director. The Library Director is responsible for supervising and monitoring all KCPLD employees, and with just cause is responsible for termination of employment when it is in the best interest of the KCPLD.

Upon recommendation of the Library Director, the Board shall consider and approve or disapprove the creation of a new budgeted staff or administrative position.

In the case of temporary employees, the Library Director shall have interim authority to appoint without prior approval of the Board, provided that any such appointment shall be reported to the Board, and discussed, at its next regular meeting.

The Library Director and all KCPLD staff shall accept, and participate in, any training offered by either the Colorado State Library or Colorado Library Consortium staff members.

Article X: POLICIES AND ADMINISTRATION

The Board shall adopt, review, and revise administration policies by which the Library Director shall conduct the affairs of the KCPLD. These policies shall be available for the public to review. All policies shall be compliant with the standards set forth by the State Library and Colorado Library Law.

Article XI: FISCAL YEAR

The fiscal year of the KCPLD shall begin on the first (1st) day of January of each year and shall end on the thirty-first (31st) day of December, of each year.

Article XII: AMENDMENTS TO BYLAWS AND POLICIES

Section 1. Amendment by Vote. Bylaws and administrative policies may be added, altered, amended, or repealed on first reading if all Trustees are present and the vote is unanimous. If all Trustees are not present or the vote is not unanimous, but the majority of the Board present favors, the bylaws or policy will be presented at the next regular meeting of the Board when it can be added, altered, amended, or repealed by a simple majority of a quorum of the Board present and voting.

Section 2. Notice of Proposed Amendment. Notice of proposed bylaws or policy changes must be in written form and received by all Trustees at least five (5) days prior to the first reading.

Section 3. Automatic Amendment. These bylaws shall at all times conform to the Colorado Library Law; as such law may be revised from time to time. Such amendments as may be necessary to conform to the law shall be deemed made and these bylaws shall be updated from time to time by the act of the Board to reflect such statutorily mandated amendments.

Article XIII: ANTI-DISCRIMINATION STATEMENT

The KCPLD does not discriminate on the basis of race, color, creed, national origin, sex, sexual orientation, age, disability or other legally protected status in admission to, access to, or operations of its programs, services or activities. The KCPLD does not discriminate in its hiring or employment practices.