

Appendix 17 – Clearview Library District Bylaws

ARTICLE I. Name

This organization shall be called “The Board of Trustees of the Clearview Library District,” (hereinafter the “Library Board”) existing by virtue of the provisions of Article 90 of Title 24 of the Colorado Revised Statutes 1973 as subsequently amended, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute.

ARTICLE II. Composition of the Library Board

SECTION 1: Appointment of Trustees; Term of Trustees

1.1 The Trustees shall be appointed and shall serve pursuant to provisions of Colorado Revised Statutes § 24-90-108, as subsequently amended and these Bylaws.

1.1.1 Each Library Board Trustee (hereinafter “Trustee) shall be appointed for a Term of three years (Terms), which such term shall expire on the last day of December of the third year of the Trustee’s Term.

1.1.2 The Library Board shall be composed of five (5) Trustees. Vacancies shall be filled and Trustees shall be reappointed in accordance with Section 4 herein.

1.1.3 The Windsor Town Board and the RE-4 School Board may each appoint a representative to serve as a non-voting liaison to the Library Board.

1.2 Notification to the Windsor Town Board and the RE-4 School Board

On or before November 1 of each year the Library Board Secretary will notify the Windsor Town Board and the RE-4 School District Board which Trustee Terms will expire on the last day of December of that year.

SECTION 2: Salaries

2.1 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 reimbursed a Trustee in accordance with the Library Board Policies and Procedures.

SECTION 3: Removal

3.1 Trustee may be removed by the Library Board for the following reasons:

3.1.1 Three consecutive absences not approved by the President from regularly scheduled meetings of the Board;

3.1.2 Four absences not approved by the President from regularly scheduled meetings of the Board in any calendar year;

3.1.3 Any unethical or illegal activity that has an adverse effect on the library or the Board;

- 3.1.4 Any violation of a statute or ordinance which results in or could result in damage to the library's property or interest.
- 3.1.5 A breach of fiduciary responsibility.
- 3.2 A Trustee may be removed by the Windsor Town Board and the RE-4 School Board if each Board casts a majority vote for such removal upon a showing of good cause. Good cause is defined as follows:
 - 3.2.1 A breach of fiduciary responsibility to the Clearview Library District.

SECTION 4: Conditions for and Method of Selection of Trustees

- 4.1 Trustees may be selected for the following reasons:
 - 4.1.1 Vacancies - Expired Terms: Trustees shall be selected for the Library Board when Trustee's Term expires as defined in Section 1.1 above.
 - 4.1.2 Vacancies- Unexpired Terms: Trustees shall be chosen to fill the unexpired Term of a departing Trustee.
 - 4.1.3 Collectively Expired Terms and Unexpired Terms are referred to as a "Vacancy" or "Vacancies."
- 4.2 Upon the creation of a Vacancy, the President shall notify the Library Board, the Windsor Town Board and the RE-4 School Board that a Vacancy exists and that the Library Interview Committee (hereinafter "Interview Committee") must be formed. The Interview Committee shall be selected as follows:
 - 4.2.1 The Library Board shall appoint one of its currently serving Trustees to serve on the Interview Committee.
 - 4.2.2 The Windsor Town Board shall select two of its currently serving Board Members to serve on the Interview Committee and in addition shall select one person who resides in the Clearview Library District to serve on the Interview Committee.
 - 4.2.3 The RE-4 School Board shall select two of its currently serving Members to serve on the Interview Committee and in addition shall select one person who resides in the Clearview Library District to serve on the Interview Committee.
- 4.3 All Vacancies shall be filled as follows:
 - 4.3.1 The Library Board will advertise that a Vacancy exists.
 - 4.3.2 The place of advertisement shall be the Library Board's newspaper of record and one other newspaper that serves the Library District.
 - 4.3.3 The advertisement of the Vacancy shall occur for three (3) weeks and shall

contain clear instructions as to the application process and any deadlines that are applicable to the application process.

- 4.3.4 Vacancies may also be posted on the Clearview Library District website and on the bulletin board at all Clearview Library District sites including the Bookmobile.
- 4.3.5 Interested candidates must complete a questionnaire which will be available at all Clearview Library District sites including the Bookmobile.
- 4.3.6 Interested candidates must submit the questionnaire and any supporting information concerning his/her qualifications for candidacy to the Information Desk of the Clearview Library District at the Windsor Library Site or at such other site as may be included in the Vacancy advertisements.

- 4.3.6.1 The candidate will, upon submittal of the questionnaire and supporting documentation, receive a receipt confirming the candidate's name and date and time the application was submitted.

- 4.3.6.2 Applications submitted after the deadline stated in the advertisement for Vacancy will not be considered by the Interview Committee.

4.4 The Interview Committee will review the applications and select the person(s) to fill the Vacancy(ies) and report its selection to the Library Board.

- 4.4.1 The Library Board President shall advise the Windsor Town Board and the RE-4 School Board of the Interview Committee's selection.

- 4.4.2 The Windsor Town Board and the RE-4 School Board shall ratify the Interview Committee's selection(s) at their next regularly scheduled meeting.

- 4.4.3 Appointees will take office as follows:

- 4.4.3.1 If the appointee is filling an unexpired Term, at the next regularly scheduled meeting of the Library Board.

- 4.4.3.2 If the appointee is to fill an expired Term, on the first regularly scheduled meeting in January of the following year.

4.5 Trustees who have fulfilled their Term are eligible for reappointment, provided they apply through the process described in Section 4.3 above, except that no Trustee shall serve more than two consecutive three-year terms in addition to any partial term.

SECTION 5: Meetings

5.1 The Board of Trustees shall hold a monthly meeting at the library at 5:30 pm on the last Tuesday of every month.

- 5.1.1 An Agenda for each meeting will be posted twenty-four (24) hours in advance of

each regular meeting.

- 5.2 Special meetings may be called by any Trustee with the consent of two (2) other Trustees and by informing all of the other Trustees of the date, time, and place of such meeting and purpose for which it is called at least twenty-four hours (24) prior to such meeting.
 - 5.2.1 An agenda will be posted by 10:00 am of the day of the special meeting.
- 5.3 All meetings shall be open to the public except as otherwise provided in Colorado Revised Statutes 24-6-402.
- 5.4 In order to ensure a fair opportunity for public comment and to allow the Library Board to maintain control of its meetings:
 - 5.4.1 A Public Comment period will be provided at all public meetings of the Library Board. During this period any person may speak on any item that is not on the Library Board Agenda for that meeting (hereinafter the "Public Comment Period."),
 - 5.4.2 Any person wishing to speak on an item on the Library Board Agenda for that meeting item must first be recognized by the Board President.
 - 5.4.3 Any person who speaks either during the Public Comment Period or on an Agenda item (collectively Comment Periods") is limited to five (5) minutes speaking time unless otherwise authorized by the Board President in advance of the designated Comment Period.
 - 5.4.4 The official body authorized by law to act on behalf of the District is the Library Board and not individual Trustees, administrative staff or employees. Accordingly:
 - a. Speakers will address comments to the Board and not to individual Trustees, administrators or staff;
 - b. Trustees will listen to comments and consider them during their deliberations as a Board;
 - c. Trustees will not answer questions or engage in debate during the comment Periods;
 - d. Speakers may be directed to staff or other sources for responses to questions raised during the Comment Periods.
 - 5.4.5 Comments or concerns that require deliberation, research or study may be considered for addition as agenda items at subsequent meetings.

- 5.4.6 If the behavior of a commentor constitutes a disruption, the following progressive steps will be taken:
- a. The President will give the commentor(s) a verbal warning;
 - b. The President will issue a second verbal warning, and state that commentor(s) may be asked to leave if the disruptive behavior does not cease;
 - c. If the disruptive behavior continues after the second verbal warning, the President will ask the commentor(s) to leave the building and the grounds;
 - d. If the commentor(s) does not leave the building and the grounds, the police will be called to remove them.
 - e. All instances of verbal warnings, eviction, and notification of police will be documented and reported to the President.
- 5.4.7 A true and accurate record of each meeting shall be kept and an official file of minutes shall be maintained at the Windsor-Severance Library.

SECTION 6: Order of Business

- 6.1 The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered as circumstance will permit:
- a) Roll call of members
 - b) Public Comment Period per Sections 5.4.1 and 5.4.3 herein
 - c) Agenda Review
 - d) Disposition of minutes of previous regular meeting and any intervening special meeting
 - e) Report of the Director
 - f) Report of the Treasurer
 - g) Committee reports
 - h) Communications
 - i) Unfinished business
 - j) New business
 - k) Consent agenda
 - l) Next meeting agenda
 - m) Adjournment

SECTION 7: Quorum

- 7.1 Three-fifths (3/5) of the total membership of the Library Board shall constitute a quorum necessary for the transaction of any business to come before any regular or special meeting. The act of the majority of the Trustees present at a regular or special meeting at which a quorum is present shall be an act of the Library Board.
- 7.1.1 A Trustee is deemed to be present at a Library Board Meeting or portion thereof, if the Trustee is at the meeting in person or joins the meeting by electronic or telephonic means [or any other means permitted by Colorado Revised Statutes 24-6-402(b)] and is able to engage in discussion with the Library Board on the topic or topics on the Agenda.
- 7.1.2 If a Trustee leaves during the Library Board Meeting or is not present for a discussion of one or more items on the Agenda, such absence shall be noted in the Minutes of that Meeting.

SECTION 8: Powers and Responsibilities

- 8.1 The Library Board shall:
- a) Adopt such bylaws, policies, rules, and regulations for its own guidance and for the governance of the Library as the Library Board deems;
 - b) Have supervision, care, and custody of all property of the Library including rooms of the building constructed, leased or set apart therefrom;
 - c) Employ a Library Director;
 - d) Have control of the disbursements of finances of the Library;
 - e) Accept such gifts of money or property for Library purposes as it deems expedient;
 - f) Hold and acquire land by gift, lease, or purchase for Library purposes;
 - g) Lease, purchase, or erect any appropriate building for Library purposes and acquire such other property as may be needed therefore;
 - h) Sell, assign, transfer or convey any property of the Library, whether real or personal, which 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 the state;
 - i) Borrow funds for Library purposes by means of a contractual short-term loans when monies are not currently available but will be in the future;

such loans shall not exceed the amount of immediately anticipated revenues and such loans shall be liquidated within (6) six months;

- j) Authorize the bonding of persons entrusted with Library funds;
- k) Submit financial records for audit as required by the legislative body of the appropriate governmental units;
- l) Hold title to property to or for the use or benefit of the Library to be used according to the terms of the gift;
- m) Do all other acts necessary for the orderly and efficient management and control of the Library;
- n) Prepare an Annual Operations and Five -Year Capital Budget each year, and upon its completion schedule an open work session with the Town of Windsor Board and the RE-4 School Board to discuss the budget proposals including the basis and rationale therefor.
- o) Have all other powers and duties which may now or in the future be authorized by state law.

8.2 Under such policies, rules, and regulations as it may deem necessary and upon such terms and conditions as may be agreed upon, may allow nonresidents of the governmental units which the Library serves to use such Library materials and equipment and may make exchange of books and other materials with any other library, either permanently or temporarily;

SECTION 9: Proceedings

Roberts Rules of Order shall govern in the proceedings of the Library Board.

ARTICLE III. Officers

SECTION 1: Designation of Officers

The officers of the Library Board shall consist of a President, a Vice-President, a Secretary, and a Treasurer and such other officers as the Library Board deems necessary. The offices of Secretary and Treasurer may be combined.

SECTION 2: Terms of Officers

All officers of the Library Board shall be elected by the Board at its regular January meeting and shall serve for a term of one (1) year to begin at the next regular meeting.

SECTION 3: Removal

Any officer may be removed by the Library Board whenever, in its judgment, the best interests of the Library District will be served.

SECTION 4: Vacancies

A Vacancy in any office, however occurring, may be filled by the Library Board for the unexpired portion of that officer's term as an officer.

SECTION 5: President

The President shall, subject to the direction and supervision of the Library Board, be the principal executive officer of the Library District. The President shall preside at all meetings of the Library Board, shall sign any leases, deeds, mortgages, contracts or other instruments which the Library Board has authorized to be executed and in general, shall perform all duties incident to the office of President and such other duties as may be prescribed by the Library Board from time to time.

SECTION 6: Vice President

The Vice President shall assist the President and shall perform such duties as may be assigned by the President or the Library Board. In the absence of the President, the Vice President shall have the powers and perform the duties of President.

SECTION 7: Secretary

The Secretary shall oversee the keeping of the minutes of the meetings of the Library Board, be custodian of the Library District records. In general, the Secretary shall perform all duties incident to the office of Secretary and such other duties as, from time to time, may be assigned by the President of the Library Board.

SECTION 8: Treasurer

The Library Board shall be the custodian of the Library funds. The Treasurer shall provide the monthly summary report on the funds to the full Board. All warrants or checks above \$5,000 shall require two signatures, i.e., the Library Director's signature and the Library Board Treasurer's signature (the "Primary Cosigners"). One other Trustee selected and approved by the Library Board shall be delegated to sign in the absence of one of the Primary Cosigners. All Library funds, regardless of their source, shall be deposited in an account or accounts authorized by resolution of the Library Board.

ARTICLE IV. Library Director and Staff

The Library Board shall employ a qualified Library Director who shall be the executive and administrative officer of the library on behalf of the Board and under its review and direction. The Director shall recommend to the Board the employment of and specify the duties of other employees and shall be responsible for the proper direction and supervision of the Library staff, for the care and maintenance of Library property, for an adequate and proper selection of library materials in keeping with stated policy of the Board, for the efficiency of Library service to the public and for the Library financial operation within the limitations of the Library budget.

ARTICLE V. Committees

SECTION 1: The Library Board President may appoint committees comprised of Trustees and residents of the Library District, as appropriate, for such purposes as the business of the Library Board may require from time to time. A committee shall be considered discharged upon completion of the purpose for which it was appointed and after the final report is made to the Board.

SECTION 2. Standing Committees: The following Standing Committees will be appointed at the first Library Board meeting of the year:

- (a) the Audit Committee which is responsible for procuring auditing services for the annual audit of Library accounts;
- (b) the Long-Term Planning Committee which may be asked to study capital and other projects including overall costs thereof and recommend funding proposals to the Library Board.

2.1 All committees shall make a progress report to the Library Board at its regular meetings.

SECTION 3: No committee will have other than advisory powers unless, by suitable action of the Library Board, it is granted specific power to act.

ARTICLE VI. Fiscal Year of the District

The fiscal year of the district shall begin on the first day of January of each year and shall end the 31st day of December of each year.

ARTICLE VII. Amendment

These Bylaws may be amended by a majority of the entire Library Board of Trustees at any regular meeting or any special meeting called for that purpose, provided that the proposed amendment(s) shall have been introduced at a regular meeting or special meeting called for that purpose at least fifteen (15) days before the adoption of any amendments.

These Bylaws were adopted at a regular meeting of the Board of Directors held on the 27th day of February, 1986.

Windsor-Severance Library District

By: Ernest Ross, Chairman

ATTEST: Robert Schneider, Secretary

Amended: 08/24/89, 07/20/99, 09/26/06/, 05/25/10, July 26, 2011.