



# East Morgan County Library District Bylaws

## ARTICLE I NAME

1. The name of this organization, effective January, 1981, is the Board of Trustees of the East Morgan County Library District, as established by the qualified voters residing within the district boundary, in the election of November 1980.

## ARTICLE II GOVERNANCE

1. Pursuant to the Agreement between the Morgan County Commissioners, the City of Brush and the Re-2J School Board seven trustees will serve on the board.

2. The property and business of the East Morgan County Library District shall be under the management and control of the Board of Trustees composed of seven members selected by the current trustees and approved by the Brush City Council and the Re-2J school board.

3. The terms of the office for the initial Board of Trustees shall be for the terms specified in Par. (3) (a) 24-90-108 C.R.S. All subsequent appointments will be for a three year term.

4. A Trustee shall serve no more than three (3) consecutive complete terms and then may not be reappointed until after at least one intervening year.

5. Vacancies occurring on the Board of Trustees for reasons other than completion of the term shall be filled for the remainder of the unexpired term as soon as possible in the same manner in which Trustees are regularly appointed.

6. A Trustee may be removed for good cause only by a majority vote of the Board. The East Morgan County Library District Board of Trustees considers three (3) unexcused absences within one calendar year as failure to perform the duties required of a Trustee, or taking any action detrimental to the reputation or efficient operation of the EMC Library District or the library to be cause for removal.

7. Trustees shall serve without salary or other compensation. Approved necessary travel and subsistence expenses actually incurred may be paid from East Morgan County Library District funds.

8. The Board of Trustees shall oversee the completion of the Annual Report prepared by the Library Director at the close of each calendar year as required by Colorado Library Law, with the inclusion of library statistics and program information as deemed necessary.

9. In compliance with Colorado Law, the Board of Trustees shall contract for an annual audit of its financial records or an exemption from audit by a Certified Public Accountant to be completed no later than ninety (90) days after the close of the fiscal year. According to State schedules, a copy of the audit report or the exemption from audit report shall be submitted to the



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State of Colorado's Office of the Auditor, to the Morgan County Finance Director, to the State Library, and other agencies and/or entities as deemed necessary.

10. As required by Colorado Law, the Board of Trustees shall submit an annual budget and shall certify to the Morgan County Board of County Commissioners the sums necessary to maintain and operate the library during the next budget year. Such budget shall be approved by the Board of Trustees no later than 30 days before the next fiscal year. A copy of the annual budget shall be sent to Morgan County and to the Colorado Division of Local Government in compliance with Local Government Services Budgeting Calendar and other agencies and/or entities as deemed necessary.

11. The Board of Trustees shall bond all persons entrusted with the East Morgan County Library District funds.

12. The Board of Trustees shall employ a Library Director and adopt a written description of the duties and responsibilities of the position. The Library Director shall be considered an Ex-Officio member of the Board. Upon the recommendation of the Library Director, the Board of Trustees may employ such other employees as necessary and prescribe their duties.

13. The Board of Trustees shall set policies, review rules and regulations, and at the request of the Library Director, approve rules and regulations for the use of the East Morgan County Library. All library policies and documents, including Bylaws, will be reviewed at least once every three years to ensure they are still valid, needed and current.

### **ARTICLE III OFFICERS AND DUTIES**

1. The officers of the Board of Trustees shall be a President, Vice President, Secretary and Treasurer. The Board of Trustees may, in its discretion, elect an Assistant Secretary and/or Assistant Treasurer.

2. The officers are elected annually at the first meeting of the calendar year and take office immediately upon election. The term of office is one (1) year. An officer may be re-elected to the same position; however, it is not recommended that any one person serve more than three (3) consecutive years in any one office.

3. The President shall preside at meetings of the Board of Trustees, appoint members of committees, and perform such other duties as are customarily associated with the office.

4. The Vice President shall act in the absence of the President, performing the duties of the President.

5. The Secretary shall be responsible for keeping the minutes of all Board of Trustees meetings, recording all motions and votes taken, and perform such other duties customarily required of the office. Someone other than the secretary may be appointed to take the official minutes with oversight by the secretary.



6. The Treasurer shall be bonded and have primary responsibility for financial records and transactions of the East Morgan County Library District, ensuring accurate accounting for all receipts and disbursements, submitting such reports as may be required, and perform such other duties customarily required by the office.

#### **ARTICLE IV MEETINGS**

1. Regular meetings of the Board of Trustees shall be held at least once a month on a specified day and time, and the schedule posted on the library bulletin board. The Director is responsible for preparing the agenda which shall be posted in the library. The President is responsible for notifying the members of the Board at least five days in advance if a change of day or time is necessary due to a holiday, lack of quorum, or other reason. The change shall be posted on the library bulletin board.

2. The Board of Trustees shall abide by all requirements of Colorado and Federal statutes regarding open meetings applicable to a library district. Meetings shall be open to the public. The agenda will include an item for public input.

3. Special meetings may be called by the President or at the request of three (3) Board of Trustee members to consider any special issues that cannot wait for the next regular meeting. All Board of Trustee members must be notified at least forty-eight (48) hours in advance of a special meeting and its agenda. Only items on the announced agenda shall be considered by the Board of Trustees.

4. A quorum of the Board of Trustees consists of a majority of the board membership. The act of a majority of the Board of Trustees present at a regular or special meeting at which a quorum is present shall be the lawful act of the Board of Trustees unless other action is authorized by the Bylaws or announced in advance by the Board of Trustees.

5. Any Trustee and the Library Director may participate in any meeting of the Board of Trustees by means of telephone or video conference which allows all persons participating in the meeting to hear each other electronically. Such participation constitutes presence in person at the meeting for all purposes, including determination of a quorum. Discussion of official EMCLD business is not allowed on email accounts among three (3) or more Trustees.

#### **ARTICLE V COMMITTEES**

1. There shall be a Finance and Budget Committee chaired by the Treasurer and composed of one other trustee appointed by the President, and the Library Director and the Administrative Assistant. The committee shall monitor the financial condition of the East Morgan County Library District, make appropriate recommendations to the Board of Trustees, and prepare a draft annual budget for discussion and final adoption by the Board of Trustees. The committee will recommend the selection of an auditor to the Board of Trustees.

2. The Board of Trustees may establish such other standing committees as it deems necessary.

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3. Special committees may be authorized by the Board of Trustees, and appointed by the President for special limited purposes, and shall serve only until completion of the assignment.

#### **ARTICLE VI AMENDMENTS**

1. Amendments to these Bylaws may be adopted by a two-thirds (2/3) vote of the membership of the Board of Trustees at a regularly scheduled meeting where there is prior notification of the proposed change on the agenda, and where there has been a reading of the change at a previous meeting of the Board of Trustees.

#### **ARTICLE VII FISCAL YEAR**

1. The fiscal year for the district shall begin on the first day of January and end on the last day of December in each year.

First reading April 8, 2020

Second reading: May 13, 2020

*Bylaws revised and approved by the East Morgan County Library District August 8, '12*

*Bylaws revised and approved by the East Morgan County Library District May 13, 2020*