

GARFIELD COUNTY PUBLIC LIBRARY DISTRICT BY-LAWS

Article I Name

The name of this organization is the Garfield County Public Library District, with headquarters located at Rifle, Colorado. The District may conduct some or all of its business using the name “Garfield County Library System” or “Garfield County Libraries”. The District is a political subdivision of the State of Colorado.

Article II Membership and Responsibilities

1. The management and control of the Garfield County Public Library District shall be vested in a board of seven trustees appointed by the Board of County Commissioners of Garfield County. Appointees to the library Board of Trustees shall be chosen from the residents within the legal service area of the library and recommended by the Board of Trustees of the District for the consideration of the Board of County Commissioners. Efforts will be made to have one Trustee chosen from the geographic area of each geographic area branch of the Garfield County Library system. The seventh Trustee shall be chosen at large. Trustee selection strives to represent the diverse elements of the County population.

2. The first appointments of such Board of Trustees have been made by the Board of Commissioners of Garfield County for the following terms:

NAME	GEOGRAPHIC AREA	
<u>Cheryl Currier</u>	<u>Rifle</u>	<u>Term ends 12/31/07</u>
<u>Nella Barker</u>	<u>Rifle</u>	<u>Term ends 12/31/09</u>
<u>Bill Lamont</u>	<u>Carbondale</u>	<u>Term ends 12/31/10</u>
<u>Lynette O’Kane</u>	<u>Glenwood</u>	<u>Term ends 12/31/08</u>
<u>Laura Wassmuth</u>	<u>Glenwood</u>	<u>Term ends 12/31/10</u>
<u>Linda Levy</u>	<u>Rifle</u>	<u>Term ends 12/31/11</u>
<u>Lanny Kroh</u>	<u>Carbondale</u>	<u>Term ends 12/31/11</u>

Alternate Position

3. In accordance with C.R.S. 24-90-108(5), a library trustee may be removed by a majority vote of the Board of County Commissioners, but only upon a showing of good cause as defined in, but not limited to, the by-laws adopted by the Board. Good cause shall be defined as willful misconduct, refusal to obey an order of the presiding officer, or neglect of duty in office.

4. Acceptance of an appointment to a Trustee position assumes a commitment to attend all monthly

meetings. All Trustees must contact the Administrative Offices no later than the day before the scheduled meeting in order to determine if there will be a quorum. Failure to attend three meetings of the Board in any year without excuses from the presiding officer for each absence will constitute neglect of duty.

5. Trustees serve without compensation. Necessary traveling and subsistence expenses incurred on behalf of the library may be paid from the Library Fund. Also, memberships in Library organizations and conferences will be paid under the guidelines of Board Policy.

6. The Board shall retain a qualified librarian as Executive Director who shall administer policies adopted by the Board, employ, direct and supervise staff members, prepare required reports, recommend policies and procedures, promote effective library service and otherwise serve at the Board direction.

7. Vacancies in trustee positions shall be filled for the remainder of the unexpired term as soon as possible in the manner in which Trustees are regularly chosen.

Article III Officers and Duties

1. The Board of Directors shall elect from its membership a President, a Vice-president, a Secretary/Treasurer and such other officers as the Board may deem necessary, who shall be the officers of the Board of Directors and of District.

2. Officers are elected annually at the regular meeting of the Board in January and shall take office immediately. The officers shall be elected by a majority of the Directors voting at said election.

3. The President shall preside at all meetings of the Board, appoint members of committees and perform such other duties as are associated with the office. Except as otherwise authorized, the President shall sign all contracts, deeds, notes, debentures, warrants and other instruments on behalf of District. In the absence of the President, the Vice-president shall chair the meeting. If the office of President should become vacant in the middle of a term, the Vice-president shall assume the duties of the President.

4. The Secretary/Treasurer, working with designated staff, shall be responsible for the records of the District; may act as Secretary at meetings of the Board and record all votes; shall be responsible for composing a record of the proceedings of the Board in a minute book kept for that purpose, which shall be an official record of the Board; and shall perform duties incident to that office.

5. The Secretary/Treasurer shall be chairman of the Budget Committee. The Secretary/Treasurer shall keep or cause to be kept strict and accurate accounts of all money received by and disbursed for and on behalf of District in permanent records.

Article IV Powers and Duties of the Board

The Board shall have all those duties and responsibilities authorized a public library district by the Colorado Revised Statutes 24-90-101, *et seq.* and any future revisions. All powers, privileges and duties vested in, or imposed upon, the Garfield County Public Library District by law shall be exercised and

performed by and through the Board of Trustees, whether set forth specifically or implicitly in these By Laws. The Board may delegate to officers and employees of District any or all administrative and ministerial powers.

Without restricting the general powers conferred by law or these By Laws, it is hereby expressly declared that the Board of Trustees shall have the following powers and duties:

1. Adopt such bylaws, rules, and regulations for its own guidance and for the government of the library as it deems expedient. The bylaws shall include, but not be limited to, provisions for the definition of good cause to be applied in the removal of a trustee pursuant to section 24-90-108(5); designation of those officers to be appointed or elected and the manner of such appointment or election; rules and regulations for the conducting of meetings; rules for public participation in meetings; and procedures for amending the bylaws. The bylaws of a library district shall further provide for the length and number of terms of board members. A copy of the bylaws shall be filed with the legislative body of each participating governmental unit.
2. Have supervision, care and custody of all property of the library, including rooms or buildings constructed, leased or set apart therefore.
3. Employ a librarian as Executive Director and employ such other employees as may be necessary, prescribe their duties, and fix their compensation. The power to employ other employees may be delegated to the Executive Director.
4. Submit annually a budget as prescribed by law and certify to the Board of County Commissioners the sum necessary to maintain and operate during the ensuing year.
5. Adopt a budget and make appropriations for the ensuing fiscal year as set forth in part 1 of article 1 of title 29, C.R.S., and have exclusive control and spending authority over the disbursement of library funds as set forth in section 24-90-112(2)(a).
6. Have exclusive control of the disbursement of the finances of the library.
7. Accept such gifts of money or property as it deems expedient.
8. Hold and acquire land by gift, lease or purchase for library purposes.
9. Lease, purchase, or erect any appropriate building for library purposes and acquire such other property as may be needed.
10. 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.

11. 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.
12. Authorize the bonding of persons entrusted with library funds as required by statute and/or by agreement with Garfield County.
13. Conduct an annual audit of the financial statements of the district.
14. Purchase books, periodicals, maps, supplies, materials and equipment on the recommendation of the librarian.
15. 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.
16. Do all other acts necessary for the orderly and efficient management and control of the library.
17. Have the authority to enter into contracts;
18. Receive the true and correct copies of all school district collective bargaining agreements submitted pursuant to the "Colorado School Collective Bargaining Agreement Sunshine Act", section 22-32-109.4, C.R.S., and create a repository for all of said current collective bargaining agreements at the library that is available to the public for inspection during regular business hours in a convenient and identified location.
19. Adopt and implement a policy of internet safety for minors that includes the operation of a technology protection measure for each computer operated by the District that allows for access to the internet by a minor. After the adoption and implementation of the policy of internet safety, the Board shall continue to enforce the policy and the operation of the technology protection measure for each computer operated by the public library that allows for access to the internet by a minor.
20. Have the authority to request of the board of county commissioners that an election be held to alter the maximum tax levied to support the library district pursuant to section 24-90-112(1)(b)(III).

Article V Funds of the Library

Pursuant to agreement with the Treasurer of Garfield County, the Treasurer of the Garfield County Library District shall be the custodian of the funds of the library, whether derived from taxation, gift, etc. The funds shall be credited to a fund in the office of said Treasurer, to be known as the "Public Library Fund". The funds shall be used only for library purposes and shall be expended only upon warrants signed by the President of the Board of Trustees or the President's designee.

Article VI Meetings

1. The regular meeting of the Board of Trustees shall be held monthly at a date and time determined by

the Board at its annual January meeting. The set date and time for any meeting may change upon consensus of the Board at the previous meeting. The Board will abide by all requirements of Colorado law regarding open meetings and notification. Notice of regular meetings shall be posted at each library within the District and at the Garfield County Clerk and Recorder's Offices. All meetings of the Board, other than executive sessions, shall be open to the public.

2. Special meetings may be held at any time when called by the President or at the request of four members of the Board. All members must be notified at least seventy-two (72) hours in advance of a special meeting. In addition, notice of special meetings of the Board shall be posted in each library operated by the District and at the Garfield County Clerk and Recorder's offices. Only items on the announced agenda may be considered at a special meeting.

3. After three unexcused absences by a trustee in any year, the library Board will notify the appointing Board of Commissioners that the absences have occurred, and request that the Board of County Commissioners adopt a resolution declaring the position of the absentee trustee to be vacant.

4. Any action of the Board shall require the affirmative vote of a majority of the Directors present and voting. A quorum of the Board consists of four members. All official business of the Board shall be transacted at a regular or special meeting at which a quorum of the Directors shall be present, except when special or emergency circumstances affecting the affairs of District and the health and safety of District residents so dictate, then those Directors available at the time may undertake whatever action is considered necessary and may so instruct District's employees, such actions which shall later be subject to ratification by the Board.

5. The order of business for each regular meeting of the Board shall include the following, but not necessarily in the order listed:

- Call to Order
- Roll Call
- Minutes of the previous meeting for action
- Correspondence to the Board
- Recognition of visitors and establishing time limits for presentations
- Financial Report- Claims for Board Approval and asset report
- Narrative from Administrative Team and Branch Managers
- Reports of Trustees and Committees
- Unfinished Business
- New Business
- Time and Place of Next Meeting
- Adjournment

6. Meetings of the Board of Trustees are recorded for the convenience of the recording secretary in transcribing minutes only and do not constitute the official record of Board meetings. Recordings are retained only until the official minutes have been approved at a subsequent meeting of the Board of Trustees. Persons wishing to review recordings of Board meetings may do so at the business office of the Garfield County Public Library District in accordance with the Colorado Open Records Act, C.R.S. 24-72-205. The Garfield County Public Library District does not provide facilities for duplicating

recordings. Executive session minutes shall be kept separate from minutes of the regular session minute book and recordings and shall not be open to the public, except as provided by law. Executive session minutes shall be retained for ninety (90) days and then destroyed.

7. Any Board member's potential conflict of interest shall be disclosed in accordance with Colorado law.

8. All official business of the Board shall be conducted at regular or special meetings. Executive Sessions may be called at regular or special meetings, and conducted according to the following guidelines:

(a) Calling the Executive Session. The topic for discussion in the Executive Session shall be announced in a motion, and the specific statute that authorizes the Executive Session shall be cited. The matter to be discussed shall be described in as much detail as possible without compromising the purpose of being in Executive Session. An affirmative vote of two-thirds (2/3) of the quorum present shall be required to go into Executive Session.

(b) Conducting the Executive Session. No formal action shall take place in an Executive Session. The discussion in Executive Sessions shall be limited to the reasons for which the Executive Session was called. An electronic record of the actual contents of the discussion in the Executive Session, shall be used, and a record kept for ninety days, after which, if no Open Records Act request has been filed, they may be erased or destroyed.

Article VII Committees

1. The Board of Trustees may function as a committee of the whole without appointment of standing committees.

2. The Board may establish standing committees, which shall make regular reports. Membership on standing committees shall be for one year by appointment of the president.

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

4. There shall be a permanent committee, known as the **Finance** Committee, composed of the Treasurer, a member of the Board appointed by the President, and the Executive Director, which shall be responsible for preparation of the annual budget of District and such other matters as may be assigned to it by the President or the Board.

Article VIII Annual Reports

At the close of each year, the Board of Trustees shall make a report to the County Commissioners, showing the condition of their trust during the year, the sums of money expended and the purpose of the expenditures, the number of books and periodicals on hand, the number added or retired, the number loaned out, and such other statistics, information or suggestions as they deem of public interest. At the close of each calendar year, the Board of Trustees of every public library 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.

Article IX Book Location

All books and equipment of the Garfield County Public Library District shall be permanently housed in the headquarters library or its branches.

Article X Parliamentary Authority

Robert's Rules of Order, latest revision, shall govern the proceedings of the Board and of its committees to the extent applicable.

Article XI Principal Office

The principal business office of District shall be at 796 Megan **Avenue**, P O Box 832, Rifle, CO 81650, unless otherwise designated by the Board. The Board, by resolution, may from time to time, designate, locate and relocate its executive and business office and such other offices as, in its judgment, are necessary to conduct the business of the District.

Article XII Amendments

1. Amendments to these by-laws or to any policy documents of the Board may be adopted by a majority vote of the members of the Board present at a regular meeting subsequent to notification of all Board members of the proposed change.
2. The date of adoption of the by-laws must be noted in the minutes of the meeting at which they were adopted as well as being noted on the instrument.
3. Amendments must be attached to the bylaws.

Approved by the Board of Trustees on July 5, 2007.