

BY-LAWS
Pine River Public Library District

I. Name

The Pine River Public Library District was formed by election in 1972. The district covers the same area as the Bayfield School District in LaPlata County.

II. History

Bayfield Public Library was established in 1934 by town ordinance at the request of the Bayfield Study Club. The newly formed Library Board purchased an 1140 square foot building (built in 1913 for the Farmers and Merchants Bank) with funds raised by donations, rummage sales, bake sales, dances, etc. In 1943 the Library Board purchased the connecting building (Dr. Newland's office), adding 525 square feet. However, the Library occupied only a portion of these buildings, a room about 8 by 14 feet, while supporting itself by renting the remaining space.

In 1972 the Pine River Public Library District was formed by election of the people, complete with a taxing district. The buildings were remodeled and the library then occupied 1664 square feet. In 1987, an addition to the library increased working space by 360 square feet, for a total of 2024 square feet.

In 1997 the Library requested that the TABOR funding limits be removed and that the property tax be increased. The tax increase failed; the TABOR limits were removed. In 1999 the Library proposed a higher tax rate with a building plan; voters agreed. A new facility was constructed in 2004 in Bayfield and was named for the district. Subsequently the name of the building was changed to the "Lavenia McCoy Public Library".

III. Responsibilities and Authorities of the Library Board of Trustees

The management and control of the library shall be vested in a Board of not fewer than five or more than seven trustees. Appointees to the library Board of Trustees shall be chosen from the residents within the library service area of the library.

The initial Trustees of the Pine River Public Library District were appointed by the LaPlata County Commissioners.

A library trustee may be removed by a majority vote of the County Commissioners or the Board, but only upon showing of good cause as defined in, but not limited to, the bylaws adopted by the Board.

1. Trustees may be dismissed for missing three consecutive meetings or five within a year.
2. Trustees may be dismissed for just cause. "Cause shall mean any of the following that result in an adverse effect on the Library district: 1) Gross negligence or gross neglect; 2) commission of a felony or misdemeanor involving moral turpitude, fraud, theft or dishonesty; 3) the willful violation of any law, rule or regulation (other than a traffic violation or similar offense); 4)

an intentional failure to perform stated duties; or 5) a breach of fiduciary duty involving personal profit.

The Board shall recommend new trustees for appointment to the Board to the County Commissioners as terms of members expire. Trustee appointments shall be ratified by a two-thirds majority of the County Commissioners; if the Commissioners do not act within sixty days upon a recommendation it shall be considered a ratification of the appointment.

The Board shall identify qualified persons for membership on the Board by contact with the general community, library patrons, Friends and other supporters of the library and shall make inquiry of these persons about interest and ability to serve on the Board if appointed. No person shall be eligible to serve or serve on the Board if that person has a conflict of interest.

Each trustee shall serve for a five year term unless appointed to fulfill an unexpired term; the trustee will then serve the unexpired portion of that term. No trustee shall serve more than two consecutive terms or a total of ten consecutive years.

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 paid from the public library fund.

Each new member of the Board shall receive from the Board and the Director a complete orientation including a tour of the Library, a Trustee Manual, including copies of the Bylaws, Colorado Library Law, Colorado Public Library Standards, pertinent Board minutes and a briefing on issues and problems presently before the Board.

The officers of the Board of trustees shall be President, Vice President and Secretary/Treasurer. Officers shall serve for a period of one year and be elected in March of each year.

IV. Powers and duties of Board of Trustees.

The Board of Trustees shall:

1. Adopt such bylaws, rules, and regulations for its own guidance and for the governance of the library, as it deems expedient. A copy of the bylaws shall be filed with the LaPlata County Commissioners and with the State Library. A map indicating the Pine River Public Library District's legal service area shall be filed with the State Library.
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 director and evaluate the director's performance annually. Upon the director's recommendation, employ such other employees as may be necessary, prescribe their duties and fix their compensation. The duties of the director shall include, but not be limited to:
 - a. Implementing the policies adopted by the Board of Trustees.

- b. Recommending individuals for employment by the Board.
 - c. Performing all other acts necessary for the orderly and efficient management and control of the Library.
- 4. 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. (the budget law), and have exclusive control and spending authority over the disbursement of library funds as set forth in section 24-90-112(2)(a);
 - a. The treasurer shall prepare a preliminary budget to the Board for the October meeting for the Board to review and revise.
 - b. A public budget hearing will be advertised and held with the November meeting or a special meeting.
 - c. The finalized budget will be adopted in December. The Certification of Tax Levies and a copy of the budget will be filed with the La Plata County Commissioners before December 15th. The Budget Message, Letter of Budget Transmittal, Resolution to Adopt the Budget, Resolution to Appropriate Sums of Money, Resolution to Set Mill Levies, Certification of Tax Levies and a copy of the budget will be sent to the Division of Local Government before January 30th.
- 5. Accept such gifts of money or property for library purposes, as it deems expedient.
- 6. Hold and acquire land by gift, lease, or purchase for library purposes;
 - a. Lease, purchase, or erect any appropriate building for library purposes and acquire such other property as may be needed therefore;
 - b. 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.
- 7. 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.
- 8. Authorize and pay for the bonding of persons entrusted with library funds.
- 9. Submit financial records for audit as required by state law.
 - a. The treasurer shall prepare the accounting records for the auditor as soon after January 1 as possible.
 - b. The auditor will report to the Board of Trustees before the June meeting.
 - c. The audit will be filed with the State Auditor's Office (2 copies) before June 30.
- 10. Authorize the purchase of library materials and equipment on the recommendation of the director.
- 11. 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.

12. Do all other acts necessary for the orderly, efficient management and control of the library.
13. Have the authority to enter into contracts.
14. At the close of each year, the Board of Trustees shall make a report to the LaPlata County Commissioners (state report to Colorado State Library) showing the condition of its trust during the year, the sums of money expended, and the purposes 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 library. A copy of this report shall be filed with the state librarian.
15. The Board of Trustees allows nonresidents of the District to use the library's materials and equipment and make exchanges of books and other materials other libraries through the Colorado State Library programs.
16. The Board of Trustees has the right to request of LaPlata County Commissioners that an election be held to alter the maximum tax levied to support the public library district; pursuant to section 24-90-112.
17. The Pine River Public Library District encourages each library trustee to take advantage of training opportunities for trustees offered by the public library system or statewide agencies and organizations. Each trustee should participate in at least one continuing education activity annually. The District encourages trustees to be active in the state wide library organizations and their efforts to inform the governor and legislature of the benefits and needs of public libraries. The Board may ask Friends, Volunteers or others to participate in continuing education; these participants shall be reimbursed at the same rate as trustees or staff. The Board and individual trustees shall advocate and promote the library throughout the community with a planned marketing approach.
18. Receive true and correct copies of all school district collective bargaining agreements submitted and create an electronic or physical repository for all current agreements submitted at the library available to the public for inspection.

V. Meetings

The Board of Trustees shall meet each month or as needed. Notice of meetings shall be published as required by the Colorado Open Meetings Act by posting on the bulletin Board in the lobby of the library no less than twenty-four hours prior to the meeting. The public place or places for posting such notice shall be designated annually at the Board's first regular meeting of each calendar year. The posting shall include specific agenda information where possible. The meetings shall be conducted by the presiding officer in accordance with Roberts Rules of Order and shall include time for public participation in the meetings, including public comment and questions. The presiding officer may set time limits for comment or questions. No meetings of three or more Trustees shall be held except pursuant to posting of notice in accordance with the Colorado Open Meetings Act.

A majority of the members of the Board shall constitute a quorum.

From time to time the Board may go into executive session in accordance with the Open Meetings Act. Discussions that occur in such sessions are by their very nature confidential and shall not be

discussed with persons not in attendance except Board members, the attorney for the district or the attorney handling the particular matter under discussion or unless authorized by the Board.

VI. System Membership

The Pine River Public Library District is a member of the Colorado Library Consortium (CLiC).

VII. AMENDMENTS TO THE BYLAWS

These bylaws may be amended by a two-thirds vote of the members of the Board present and constituting a quorum at any scheduled Board meeting if the amendment has been proposed at a prior Board meeting and is listed in the notice of the meeting as an agenda item.

Adopted December 10, 2009