

GILPIN COUNTY PUBLIC LIBRARY DISTRICT BOARD OF TRUSTEES BYLAWS

This organization shall be called “The Board of Trustees of the Gilpin County Public Library District.” Existing by virtue of the laws of the State of Colorado, it exercises the powers and authority and assumes the responsibilities delegated to it by those laws.

ARTICLE I – BOARD OF TRUSTEES

SECTION 1 Appointment, Terms and Removal of Trustees

The management and control of the Gilpin County Public Library District, Established under the Colorado Library Law, Sections 24-90-108, 109 C.R.S., shall be vested in a Board of Trustees with not less than five, and not more than seven trustees, appointed by the Gilpin County Board of County Commissioners (“the County Commissioners”). The first appointments of the Board of Trustees shall be for terms of one, two, three, four and five years respectively. Thereafter, a Trustee shall be appointed annually to serve for five years. The number of terms a Trustee may serve is not limited. All trustees shall be residents of Gilpin County.

- (a) Vacancies on the Board of Trustees shall be filled as soon as possible for the remainder of an unexpired term in the manner in which trustees are regularly chosen.
- (b) 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 for travel authorized by the Board of Trustees.
- (c) A trustee may be removed only by a majority of the County Commissioners, and only upon a showing of good cause for removal. “Good cause” means a trustee’s action, failure to act or conduct which the County Commissioners, by a majority vote, find to be detrimental to the Gilpin County Public Library District.

SECTION 2 Duties of the Board of Trustees

- (a) The Board of Trustees shall adopt such bylaws, rules and regulations for its own guidance and for the government of the Library, as it deems expedient. These bylaws and any amendments thereto shall be filed with the County Commissioners immediately upon their enactment.
- (b) The Board of Trustees shall have supervision, care and custody of all property of the Library including rooms or buildings constructed, leased, or set apart. The Board may make an agreement with any entity regarding the provision of facility services.
- (c) The Board of Trustees shall employ a Librarian (Director) and, upon the Director’s recommendation, employ such other employees as may be necessary, prescribe their duties, and fix their compensation.
- (d) The Board of Trustees has the power to enter into an IGA with the County.

- (e) As an accommodation to the Board of Trustees, Gilpin County may agree to consider the Director and all other Library employees to be Gilpin County Library employees but subject to benefits and personnel rules per the IGA between the County and Library.
- (f) The Board of Trustees shall submit annually a budget as required by law and certify to the Board of the County Commissioners the sums necessary to maintain and operate the Library during the ensuing year.
- (g) However, the Board of Trustees may authorize the Treasurer of Gilpin County to be the custodian of all moneys for the Library, whether derived from taxation, gifts, sale of Library property, or otherwise. All moneys generated for Library purposes shall be credited to a special fund in the office of said Treasurer to be known as the Public Library Fund. The fund shall be used only for Library purposes and shall be expended only upon warrants signed by the President of the Board of Trustees or his/her designee. The Board of Trustees has statutory control of the disbursement of the finances of the Library.
- (h) The Board of Trustees shall accept such gifts of money or property for Library purposes as it deems expedient. The monetary gifts shall go into the Library Fund, which has been established by the Gilpin County Treasurer.
- (i) Pursuant to Section 24-90-109, C.R.S., the Board of Trustees shall have the following additional authorities:
 - (i) To hold and acquire land by gift, lease, or purchase for Library purposes.
 - (ii) To lease, purchase or erect any appropriate building for Library purposes.
 - (iii) To 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 same. The Board of Trustees, 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 the State.
 - (iv) To 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 a loan shall not exceed the amount of immediately anticipated revenues, and such loan shall be liquidated within six months.
 - (v) To authorize the bonding of persons entrusted with Library funds.
- (j) The Board of Trustees, or their designee, shall submit financial records for audit as required by the legislative body of the appropriate governmental unit.

- (k) The Board of Trustees, or their designee, shall authorize the purchase of Library materials and equipment on the recommendation of the Director.
- (l) The Board of Trustees shall 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.
- (m) The Board of Trustees shall do all other acts necessary for the orderly and efficient management and control of the Library, including, but not limited to entering into contracts in the name of the Board of Trustees, signed by the President on behalf of the Board and attested by the Secretary.

SECTION 3 Provision for Non-Resident use of the Library

The Board of Trustees under such rules and regulations as may deem necessary and upon such terms and conditions as may be agreed upon may allow nonresidents of Gilpin County to use such Library materials and equipment, and may make exchanges of books and other materials with any other library, either permanently or temporarily.

SECTION 4 Authority to request tax election

The Board of Trustees shall 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, pursuant to Section 24-90-112 (b) (111) of the CRS.

ARTICLE II – OFFICERS

SECTION 1 General

- (a) The officers shall be a President, a Vice President, a Secretary, and a Treasurer, elected from among the appointed Trustees.
- (b) Nominations shall be made from the floor at the first meeting of the Board of Trustees of each year.
- (c) Officers shall serve a term of one year from the annual meeting at which they are elected and until their successors are duly elected. In the event of a vacancy, the Board shall, by election, fill the vacancy at the next meeting.
- (d) For failure to discharge his/her duties, any officer may be removed from office by majority vote of the full Board of Trustees at a regular meeting. Members seeking such action shall give written notice to all Trustees five days in advance of the meeting.

SECTION 2 Officer duties

- (a) The President shall preside at all meetings of the Board of Trustees, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board of Trustees, serve as an ex-officio voting member of all committees, and generally perform all duties associated with the office.

- (b) The Vice President, in the event of the absence or disability of the President, or a vacancy in that office, shall assume and perform the duties and functions of the President.
- (c) The Secretary shall keep a true and accurate record of all meetings of the Board of Trustees, shall issue notice of all regular and special meetings and shall perform such other duties as are generally associated with that office.
- (d) The Treasurer shall oversee the Library budget as well as the receipt and expenditure of moneys and shall act in an advisory capacity regarding lease or purchase of large equipment, buildings or other non-budget items of major significance.

ARTICLE III – MEETINGS

SECTION 1. Meeting schedule

The regular meetings shall be held at least every other month, the time and place to be set by the Board of Trustees.

SECTION 2. Meeting notice requirements

All meetings shall be open to the public. Notice of all regular meetings shall be posted on the Library website at least 24 hours prior to the meeting. Notice shall also be posted in a public area of the Library building, as per Colorado law. This location shall be designated annually at the Board of Trustees' first regular meeting of each calendar year.

SECTION 3 Authority to conduct electronic meetings

If the board of Trustees is unable to meet in person due to circumstances beyond its control, it has the authority to conduct meetings electronically. Otherwise, all meetings are in person only.

SECTION 4 Special meetings

At the direction of the President or the request of two members, and with 24 hours prior notice, the Secretary shall call the Trustees to a special meeting. Notice of such special meetings shall be posted in the designated posting place 24 hours in advance. If all Trustees are present when the meeting is called, the 24-hour notice may be waived but the meeting will still be posted in the designated posting place. Business transactions at a special meeting shall be only those stated in the call for the meeting.

SECTION 5 Quorum requirements

A quorum for the transaction of business at any meeting shall consist of fifty percent of the number of Trustees appointed by the County Commissioners. For example, If five or six Trustees are on the Board, three Trustees are required for a quorum; and if seven Trustees are on the Board, four Trustees would be required for a quorum. An affirmative vote of a majority of the Trustees present at any meeting is required for all actions of the Board. There shall be no proxy votes. Robert's Rules of Order shall govern proceedings of all meetings.

SECTION 6 Trustee attendance

The Board may recommend to the County Commissioners that any trustee who misses three consecutive meetings be removed from the Board of Trustees.

SECTION 7 Conflict of Interest

A conflict of interest is defined as the “conflict between the private interest and the official responsibilities of a person in a position of trust”. The Library District strives to assure that every effort is made to promote public confidence in government by assuring the people of the impartiality, integrity and honesty of itself and the Board. The Board of Trustees and its appointed committees will ensure that its actions do not present a conflict of interest. If a Trustee voices a conflict of interest, it will be noted in the Board meeting minutes. The Trustee will recuse himself/herself from both the discussion and vote, and not otherwise participate in this item.

ARTICLE IV – COMMITTEES

SECTION 1 Committee appointment/discharge

The President may appoint committees of one or more members each for such specific purposes as the business of the Board of Trustees may require from time to time. The committee shall be considered discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board of Trustees.

SECTION 2 Committee powers

No committee will have other than advisory powers unless it is granted specific power to act by suitable action of the Board of Trustees.

ARTICLE V – GENERAL

SECTION 1 Presidential voting

The President may move or second a proposal before the Board of Trustees. The President votes on proposals only in a written vote or to break a tie vote of the other Trustees.

SECTION 2 Amendments to Bylaws

The bylaws may be amended or revised by the majority vote of all members of the Board of Trustees.

SECTION 3 Library employment for Trustees

No person shall be both a Trustee of the Gilpin County Public Library District and an employee of the Gilpin County Public Library.