

BYLAWS

ELBERT COUNTY LIBRARY DISTRICT

dba Pines & Plains Libraries

ELBERT COUNTY, COLORADO

ARTICLE I NAME

This organization shall be known as the ELBERT COUNTY LIBRARY DISTRICT, the same being organized under and by virtue of the Colorado Library Law, Title 24, Article 90 CRS, and established by the County of Elbert, Colorado, on January 1, 2001 with Elbert County Commissioner Resolution No. 00-74.

ARTICLE II PURPOSE

The purpose of the Elbert County Library District shall be the provision of publicly supported free library service to all residents of Elbert County.

ARTICLE III BOARD OF TRUSTEES

Section 1. Trustees. The management and control of the Elbert County Library District shall be vested in a board of five (5) Trustees appointed in accordance with Colorado Library Law, Title 24, Article 90 CRS.

Section 2. Terms. Trustees shall begin their terms at the next meeting immediately following their appointment. All new Trustees shall serve for a term of three (3) years and until their successors are appointed. No Trustee shall be eligible to serve for more than four (4) consecutive terms. A Trustee who has served more than half a term is considered to have served a full term. Terms shall end at the end of the regular January board meeting.

Section 3. Compensation. 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 library fund.

Section 4. Vacancies. Vacancies shall be filled for the remainder of the unexpired term as soon as possible in the manner in which Trustees are regularly chosen.

Section 5. Removal. A Trustee may be removed by the Board for good cause, which shall be defined as one or more of the following acts:

a. Three absences from regularly scheduled meetings of the Library Board which have not been excused by either the Board President or a majority vote of a quorum of Trustees, provided,

however, that an absence by the Board President can only be excused by a majority vote of a quorum of Trustees .

- b. Unethical or unlawful activity that has an adverse effect on the Library District or the Board of Trustees.
- c. A breach of the Trustee's fiduciary duty to the Library District.
- d. The Trustee relocates outside the service area of the Library District.

A Trustee may not be removed for engaging in constitutionally protected advocacy or for actions unrelated to his or her responsibilities as a Trustee that do not constitute one of the grounds for removal enumerated above.”

ARTICLE IV POWERS

The Board of Trustees shall have all those powers provided by statute and, in addition, shall have all those powers necessary or incidental to the specific powers granted by statute, and nothing herein shall be construed as limiting the powers of the Board of Trustees as granted by statute.

ARTICLE V OFFICERS

Section 1. Officers. The officers of the Board of Trustees shall consist of a President, a Vice President, a Secretary, a Treasurer and such other officers as the Board of Trustees deems necessary. These officers shall perform the duties prescribed by these bylaws and by the adopted parliamentary authority.

Section 2. Election. All officers of the Board of Trustees shall be elected from the current membership of, and by said Board at the Annual Meeting.

Section 3. Terms of Office. Officers shall begin their terms of office at the close of the meeting at which they are elected, and shall serve for a term of one year and until their successors are elected. No officer shall be eligible to serve for more than two (2) consecutive terms in the same office. An officer who has served more than half a term is considered to have served a full term in that office.

Section 4. Vacancies. A vacancy in any office, however occurring, may be filled by the Board of Trustees for the unexpired portion of the term without notice.

Section 5. Removal. Any officer may be removed by the Board of Trustees whenever in its judgment the best interest of the Library District will be served thereby.

Section 6. Subordinate Officers. The Board of Trustees may from time to time appoint such other subordinates, with no voting rights vested therein, to hold office for such periods of time, have such authority and perform such duties as may be considered desirable and so delegated.

Section 7. President. The President shall, at the pleasure of the Board of Trustees, be the principal executive officer of the Library District. The President shall preside at all meetings of

the Board of Trustees. The President may sign, either by manual or facsimile signature, any vouchers/warrants, leases, deeds, mortgages, contracts and other instruments which the Board of Trustees has authorized to be executed; and in general shall perform all duties incident to the office of the President and such other duties as may be prescribed by the Board of Trustees from time to time.

Section 8. Vice-President. The Vice-President shall assist the President and shall perform such duties as may be assigned by the President or by the Board of Trustees from time to time. In the absence of the President, the Vice-President shall have the powers and perform the duties of the President.

Section 9. Secretary. The Secretary shall oversee the keeping of the minutes of the meeting of the Board of Trustees; be custodian of the Library District records; and in general, perform all duties incident to the office of Secretary and such duties as from time to time may be assigned by the President or by the Board of Trustees.

Section 10. Treasurer. The Treasurer shall have charge and custody of, and be responsible for all funds and securities of the Library District; render a monthly statement of the condition of the finances of District; receive and give receipts for monies due and payable to the District from any source whatsoever; sign vouchers/warrants for the disbursement of District funds as authorized in advance by the Board of Trustees; present an annual financial report for the District; and in general perform all duties incident to the office of Treasurer, and such duties as may be assigned by the President or by the Board of Trustees from time to time. The Board of Trustees shall be required to give a bond for the faithful performance of the Treasurer's duties in such sum and with such surety as may be determined by the Board of Trustees.

Nothing herein shall prevent the Board of Trustees, at its discretion, to combine the office of Treasurer with the office of either Vice-President or Secretary.

ARTICLE VI MEETINGS

Section 1. Regular Meetings. A regular meeting of the Board of Trustees shall be held at the District Offices of the Elbert County Library District on the fourth Wednesday of each month, unless otherwise ordered by the Board of Trustees, for the purpose of transacting any business that may come before the Board of Trustees. All business of the Board of Trustees shall be conducted only during such regular meetings or at special meetings hereinafter provided for. All such regular and special meetings shall be open to the public, subject to the right of the Board of Trustees to meet in executive session.

Section 2. Special Meetings. Special meetings may be called by any three trustees by informing all the other trustees of the date, time, and place of such meetings and the purpose for which it is called at least 24 hours prior to said meeting. No business shall be transacted during a special meeting other than that business stated in the notice of that meeting.

Section 3. Annual Meeting. The regular meeting for the month of March of each year shall be designated as the Annual Meeting. The election of officers and receipt of annual reports of officers and committees shall occur during the Annual Meeting. Selection of the posting

locations of regular and special meeting notices shall occur at the January regular meeting in accordance with the law.

Section 4. Quorum. Three (3) members of the Board of Trustees shall constitute a quorum necessary for the transaction of any business to come before the Board of Trustees at any regular or special meeting.

Section 5. Proxies. Voting by proxy is not allowed.

ARTICLE VII COMMITTEES

Section 1. Executive Committee. The Board of Trustees, at its discretion, may appoint the officers of the Board of Trustees as an Executive Committee to act on behalf of and in the absence of the Board of Trustees and on such matters and with such specific authority as may be delegated to said Executive Committee by the Board of Trustees, providing that all such actions are reported to and ratified by the Board of Trustees at its next regular or special meeting.

Section 2. Board Committees. The Board of Trustees may establish committees to study and report to the Board on specific issues or subject areas. The President may appoint one or more Board members to any such committee. The President of the Board of Trustees may appoint additional ex officio committee members who are not Library Trustees

ARTICLE VIII LIBRARY DIRECTOR

Section 1. Employment. The Library Director shall be employed by the Board of Trustees.

Section 2. Duties. The Library Director, under the supervision and direction of the Board of Trustees, shall perform all duties and responsibilities incident to the position of Library Director and such other duties as may be prescribed by the Board of Trustees.

Section 3. Removal. The Library Director may be removed by the Board of Trustees whenever, in its judgment, the best interest of the District will be served thereby, but such removal shall be without prejudice to the contract right, if any, of the person so removed. The employment of a Library Director shall be at will.

ARTICLE IX LIBRARY POLICIES

The Board of Trustees shall establish and adopt Library District Policies that shall ensure a cost-effective and efficient provision of publicly supported free library service to Elbert County residents. Said policies will include, but not be limited to: a) equal access to information without regard to age, physical or mental health, gender, race, place of residence or economic status; b) aid in the establishment and improvement of library programs; c) promote and coordinate the sharing of resources among libraries in Elbert County, Colorado, and all of Colorado; d) disseminate information regarding the availability of library services; e) accept gifts and bequests of money or property; f) procurement policies, and g) personnel policies.

Policies may be added, altered, amended or repealed on a first reading at any regular or special meeting of the Trustees if all members of the Board are present and the vote is a simple majority.

If all members are not present or the vote is not a simple majority, the policy amendment proposal will be presented at the next regular meeting of the Board of Trustees at which time it can be added, altered or repealed by simple majority vote of the Board of Trustees present and voting.

ARTICLE X ANNUAL REPORT

At the close of each fiscal year the Board of Trustees shall make a report, by and through the Library Director, to the Board of County Commissioners, Elbert County, Colorado pursuant to CRS 24-90-109.

ARTICLE XI FISCAL YEAR

The Fiscal year of the Elbert County Library District shall be the same as that for the Elbert County, Colorado government, presently beginning on the first day of January of each year and ending on the 31st of December of such year.

ARTICLE XII PARLIAMENTRARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Elbert County Library District in all cases to which they are applicable and in which they are not inconsistent with these bylaws, special rules of order adopted by the Board of Trustees, or applicable Colorado statutes.

ARTICLE XIII AMENDMENT OF BYLAWS

Notice of proposed bylaws or policy changes must be in written form and received by all Trustees at least five (5) days prior to the first readings.

Bylaws may be added, altered, amended or repealed on first reading at any regular or special meeting of the Trustees if all members of the Board of Trustees are present and the vote is unanimous. If all members are not present or the vote is not unanimous, but a majority present favor, the bylaws amendment proposal will be presented at the next regular meeting of the Board of Trustees at which time it can be added, altered, amended or repealed by a two-thirds vote of the Board of Trustees present and voting.

Revision adopted this 26th day of June 2019.

President

Secretary

Revised: January 2002, November 2003, January, April, June and October 2004, March and August 2005, February 2006, May 2015, October 2015, June 2019