

BYLAWS OF THE CLEARVIEW LIBRARY DISTRICT

ARTICLE 1 NAME

This organization shall be called “The Board of Trustees of the Clearview Library District” (the “Library Board”), existing by virtue of the provisions of Article 90 of Title 24 of the Colorado Revised Statutes of 1973, and exercising the powers and authority and assuming the responsibilities delegated to it under the aforementioned statutes.

ARTICLE 2 COMPOSITION OF THE LIBRARY BOARD

Section 1

Appointment of Trustees; Term of Trustees

Section 1.1 The Trustees shall be appointed and shall serve pursuant to provisions of Colorado Revised Statutes § 24-90-108 and these Bylaws.

1.1.1 Each Library Board Trustee (“Trustee”) shall be appointed for a Term of three years (a “Term”), and such Term shall expire on the last day of December of the third year of the Trustee’s Term.

1.1.2 The Library Board shall be composed of five Trustees. Vacancies shall be filled and Trustees shall be reappointed in accordance with Section 4 of these Bylaws.

1.1.3 The Windsor Town Board, the Severance Town Board, and the Weld RE-4 School District Board may each appoint a representative to serve as a non-voting liaison to the Library Board.

Section 1.2 Notification. On or before November 1 of each year the Library Board Secretary will notify the Windsor Town Board, the Severance Town Board, and the Weld RE-4 School District Board which Trustee Terms will expire that year.

Section 2

Salaries

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 reimbursed to a Trustee in accordance with the Library Board Policies and Procedures then in-place.

Section 3

Removal

Section 3.1 A Trustee may be removed by the Library Board for the following reasons:

- 3.1.1 Three consecutive absences from regularly scheduled meetings of the Library Board not approved by the President of the Library Board.
- 3.1.2 Four absences from regularly scheduled meetings of the Library Board in any calendar year not approved by the President of the Library Board.
- 3.1.3 Any unethical or illegal activity that has an adverse effect on the library or the Library Board.
- 3.1.4 Any violation of a statute or ordinance which results in or could result in damage to the library's property or interest.
- 3.1.5 A breach of fiduciary responsibility to the Clearview Library District or the Library Board.

Section 3.2 A Trustee may be removed by the Windsor Town Board, the Severance Town Board, or the Weld RE-4 School District Board if each Board casts a majority vote for such removal upon a showing of good cause. For the purposes of this Section 3.2, good cause is defined as a breach of fiduciary responsibility to the Clearview Library District.

Section 3.3 A Trustee may resign his or her position on the Library Board upon 30 days written notice to the President of the Library Board.

Section 4

Conditions for and Method of Selection of Trustees

Section 4.1 Trustees may be selected for the following reasons ("Vacancy" or "Vacancies"):

- 4.1.1 Vacancies - Expired Terms. Trustees shall be selected for the Library Board when a Trustee's Term expires in accordance with Section 1.1 of these Bylaws; and
- 4.1.2 Vacancies - Unexpired Terms. Trustees shall be chosen to fill the unexpired Term of a departing Trustee.

Section 4.2 Upon the creation of a Vacancy, the President of the Library Board shall notify the Library Board, the Windsor Town Board, the Severance Town Board, and the Weld RE-4 School

District Board that a Vacancy exists and that the Library Interview Committee (the “Interview Committee”) must be formed. The Interview Committee shall be selected as follows:

4.2.1 The Library Board shall appoint one of its currently serving Trustees to serve on the Interview Committee.

4.2.2 The Windsor Town Board shall select one of its currently serving board members to serve on the Interview Committee and in addition shall select one person who resides in the Clearview Library District to serve on the Interview Committee.

4.2.3 The Severance Town Board shall select one of its currently serving board members to serve on the Interview Committee and in addition shall select one person who resides in the Clearview Library District to serve on the Interview Committee.

4.2.4 The Weld RE-4 School District Board shall select one of its currently serving members to serve on the Interview Committee and in addition shall select one person who resides in the Clearview Library District to serve on the Interview Committee.

Section 4.3 All Vacancies shall be filled as follows:

4.3.1 The Library Board will advertise that a Vacancy exists.

4.3.2 The place of advertisement shall be the Library Board’s newspaper of record and one other newspaper that serves the Library District.

4.3.3 The advertisement of the Vacancy shall occur for three weeks and shall contain clear instructions as to the application process and any deadlines that are applicable to the application process.

4.3.4 Vacancies may also be posted on the Clearview Library District website and on the bulletin board at all Clearview Library District sites, including the Bookmobile.

4.3.5 Interested candidates must complete a questionnaire which will be available at all Clearview Library District sites, including the Bookmobile and Clearview Library District website.

4.3.6 Interested candidates must submit the questionnaire and any supporting information concerning his or her qualifications for candidacy. Completed questionnaires may be submitted to the information desk of the Clearview Library District at the Windsor Library Site or submitted electronically by email to

director@myclearview.info, or at such other sites as may be included in the Vacancy advertisements.

- 4.3.6.1 The candidate will, upon submittal of the questionnaire and supporting documentation, receive a receipt confirming the candidate's name and the date and time the application was submitted.
- 4.3.6.2 Applications submitted after the deadline stated in the advertisements for Vacancy will not be considered by the Interview Committee.
- 4.3.6.3 Notwithstanding the foregoing, a majority of the Library Board may, at its discretion, recommend the candidacy of the Alternate to the Library Board as defined in Article 5 herein. In this event the Alternate shall be considered to have applied for the Vacancy.

Section 4.4 The Interview Committee will review the applications and select the person or persons to fill the Vacancy or Vacancies and report its selection to the Library Board.

4.4.1 The Library Board President shall advise the Windsor Town Board, the Severance Town Board, and the Weld RE-4 School District Board of the Interview Committee's selection.

4.4.2 The Windsor Town Board, the Severance Town Board, and the Weld RE-4 School District Board shall ratify the Interview Committee's selection at their next regularly scheduled meeting.

4.4.3 Appointees will take office as follows:

4.4.3.1 If the appointee is filling an unexpired Term, the appointee shall take office at the next regularly scheduled meeting of the Library Board.

4.4.3.2 If the appointee is filling an expired Term, the appointee shall take office on the first regularly scheduled meeting in January of the following year.

Section 4.5 Trustees who have fulfilled their Term are eligible for reappointment, provided that they apply through the process described in Section 4.3 of these Bylaws, except that no Trustee shall serve more than two consecutive three-year terms in addition to any partial term, except as provided in Article 5, Section 5.3 of these Bylaws.

Section 5 Meetings

Section 5.1 The Library Board shall hold a monthly meeting at the Windsor branch of the Library at 5:30 P.M. on the last Thursday of each month unless necessity requires otherwise. An agenda for each meeting will be posted twenty-four hours in advance of each regular meeting.

Section 5.2 Special meetings may be called by any Trustee with the consent of two other Trustees and by informing all other Trustees of the date, time, and place of such meeting, and the purpose for which the meeting is called, at least twenty-four hours prior to such meeting. An agenda will be posted by 10:00 A.M. on the day of the special meeting.

Section 5.3 All meetings shall be open to the public except as otherwise provided in Colorado Revised Statutes 24-6-402.

Section 5.4 In order to ensure a fair opportunity for public comment and to allow the Library Board to maintain control of its meetings, the following provisions apply:

5.4.1 Any person wishing to speak at a meeting of the Library Board must sign-in and provide his or her full name and address. This requirement applies to both the Public Comment Period and any agenda items to be addressed.

5.4.2 A Public Comment Period will be provided at all public meetings of the Library Board. During this period, any person may speak on any item that is not on the agenda for that meeting (the "Public Comment Period").

5.4.3 Any person wishing to speak on an item on the Library Board agenda for that meeting must first be recognized by the Library Board President.

5.4.4 Any person who speaks either during the Public Comment Period or on an agenda item (collectively "Comment Periods") is limited to five minutes speaking time unless otherwise authorized by the Board President in advance of the designated Comment Period.

5.4.5 The official body authorized by law to act on behalf of the Clearview Library District is the Library Board and not individual Trustees, administrative staff, or employees. Accordingly:

5.4.5.1 Speakers will address comments to the Board and not to individual Trustees, administrators, or staff.

5.4.5.2 Trustees will listen to comments and consider them during their deliberations as a Board.

5.4.5.3 Trustees will not answer questions or engage in debate during the comment Periods.

5.4.5.4 Speakers may be directed to staff or other sources for responses to questions raised during the Comment Periods.

5.4.6 Comments or concerns that require deliberation, research or study may be considered for addition as agenda items at subsequent meetings.

5.4.7 If the behavior of a commenter constitutes a disruption, the following progressive steps will be taken:

5.4.7.1 The President of the Library Board will give the commenter a verbal warning.

5.4.7.2 The President of the Library Board will issue a second verbal warning, and inform the commenter that he or she may be asked to leave if the disruptive behavior does not cease.

5.4.7.3 If the disruptive behavior continued after the second verbal warning, the Library Board President will ask the commenter to leave the building and the Library grounds.

5.4.7.4 If the commenter does not leave the building and the Library ground, the police will be called to remove the commenter.

5.4.7.5 All instances of verbal warnings, eviction, and notification of police will be documented and reported to the President.

5.4.8 A true and accurate record of each meeting shall be kept and an official file of minutes shall be maintained by the Library Board.

Section 6 Order of Business

The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered as circumstances will permit: a) Roll call; b) Public Comment Period; c) Agenda review; d) Report of the Director; e) Report of the Treasurer; f) Committee reports; g) Communications; h) Unfinished business; i) New business; j) Consent agenda; k) Next meeting agenda; l) Review and approval of the minutes of the current meeting; and m) Adjournment

Section 7 Quorum

Section 7.1 Three-fifths of the total membership of the Library Board shall constitute a quorum necessary for the transaction for any business to come before any regular or special meeting. The act

of the majority of the Trustees present at a regular or special meeting at which a quorum is present shall be an act of the Library Board.

Section 7.2 A Trustee is deemed to be present at a Library Board meeting if the Trustee is at the meeting in person or joins the meeting by electronic or telephonic means (or any other means permitted by Colorado Revised Statutes 24-6-402(b)) and is able to engage in discussion with the Library Board on the topic or topics on the Agenda.

Section 7.3 If a Trustee leaves during a Library Board meeting or is not present for a discussion of one or more items on the Agenda, such absence shall be noted in the Minutes of that Meeting.

Section 8

Powers and Responsibilities

Section 8.1 The Library Board shall be vested with all powers and have all responsibilities as outlined in Colorado Revised Statutes § 24-90-109.

Section 8.2 Under such policies, rules, and regulations as it may deem necessary, and upon such terms and conditions as may be agreed upon, the Library Board may allow non-residents of the governmental units which the Clearview Library District serves to use library materials and equipment, and may make exchange of books and other materials with any other library, either temporarily or permanently.

Section 9

Proceedings

Roberts Rules of Order shall govern the proceedings of the Library Board.

ARTICLE 3 OFFICERS

Section 1

Designation of Officers

The officers of the Library Board shall consist of a President, a Vice-President, a Secretary, a Treasurer, and any such other officers as the Library Board deems necessary. The offices of Secretary and Treasurer may be combined at the discretion of the Library Board.

Section 2

Terms of Officers

Officers of the Library Board shall be elected by the Library Board at its regular January meeting and shall serve for a term of one year, to begin at the next regular meeting.

Section 3
Removal

Any officer may be removed by the Library Board whenever, in the Library Board's judgment, the best interests of the Clearview Library District will be served by such removal.

Section 4
Vacancies

A Vacancy in any office, however occurring, may be filled by the Library Board for the unexpired portion of that officer's term as an officer.

Section 5
President

The President shall, subject to the direction and supervision of the Library Board, be the principal executive officer of the Clearview Library District. The President shall preside at all meetings of the Library Board, shall sign any leases, deeds, mortgages, contracts, or other instruments which the Library Board has authorized to be executed, and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Library Board from time to time.

Section 6
Vice President

The Vice President shall assist the President and shall perform such duties as may be assigned by the President or the Library Board. In the absence of the President, the Vice President shall have the powers and perform the duties of President.

Section 7
Secretary

The Secretary shall oversee the keeping of the minutes of the meetings of the Library Board, and be custodian of the Library District records. In general, the Secretary shall perform all duties incident to the office of Secretary and such other duties as, from time to time, may be assigned by the President of the Library Board.

Section 8
Treasurer

Section 8.1 The Library Board shall be the custodian of the funds of the Clearview Library District.

Section 8.2 The Treasurer shall provide the monthly summary report on the funds to the full Board.

Section 8.3 All warrants or checks above \$10,000 shall require two signatures, one by the Library Director and the other by the Treasurer (the "Primary Cosigners"). One other Trustee selected and approved by the Library Board shall be delegated to sign in the absence of one of the Primary Cosigners.

Section 8.4 The Library Director is authorized to make electronic fund transfers, however any such transfer greater than \$10,000 shall require prior Library Board approval.

Section 8.5 All Clearview Library District funds, regardless of their source, shall be deposited in an account or accounts authorized by resolution of the Library Board.

ARTICLE 4 LIBRARY DIRECTOR AND STAFF

The Library Board shall employ a qualified Library Director who shall be the executive and administrative officer of the Clearview Library District on behalf of the Library Board and under the Library Board's review and direction. The Director shall recommend to the Personnel Committee the employment of and specify the duties of other employees and shall be responsible for the proper direction and supervision of the Clearview Library District staff, for the care and maintenance of Clearview Library District property, for an adequate and proper selection of library materials in keeping with stated policy of the Library Board, for the efficiency of Clearview Library District service to the public, and for the Clearview Library District financial operation within the limitations of the Clearview Library District budget.

ARTICLE 5 APPOINTMENT OF COMMITTEES, ALTERNATE TO THE BOARD

Section 1
Appointment

Section 1.1 The Library Board President may appoint committees comprised of Trustees and residents of the Library District, as appropriate, for such purposes as the business of the Library Board may require from time to time.

Section 1.2 A committee shall be considered discharged upon completion of the purpose for which it was appointed and after the final report is made to the Library Board.

Section 2
Standing Committees

Section 2.1 The following Standing Committees will be appointed at the first Library Board meeting of the year:

2.1.1 The Audit Committee, which is responsible for procuring auditing services for the annual audit of Clearview Library District accounts.

2.1.2 The Long-Term Planning Committee, which may be asked to study capital and other projects, including overall costs thereof, and recommend funding proposals to the Library Board.

2.1.3 The Personnel Committee, which shall be charged with approving or disapproving Clearview Library District employment and personnel matters (hiring, termination, promotion, etc.), recommended to the Personnel Committee by the Director.

Section 2.2 All committees shall make a progress report to the Library Board at regularly scheduled meetings.

Section 3
Advisory Nature

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

Section 4
Appointment of Alternate to the Board of Trustees

Section 4.1 The appointment of alternate Trustees to the Library Board is authorized and governed by the provisions of Colorado Revised Statutes § 24-90-109(A).

Section 4.2 The Library Board may, at its discretion, appoint one or more alternate trustees to the Library Board.

Section 4.3 The appointment of an alternate Trustee shall be subject to the appointment requirements of Article 2 of these Bylaws.

Section 4.4 Alternate Trustees shall attend all meetings and work sessions except as otherwise specified by the President. Alternate Trustees shall receive notification of all meetings and work sessions in the same manner as Trustees are notified.

Section 4.5 The Alternate Trustee shall be provided with all materials that are provided to the Board in anticipation of meetings and work sessions. The Alternate Trustee shall review all such materials and shall be prepared to participate at all meetings or work sessions.

Section 4.6 At the request of the President, the Alternate Trustee shall be seated as a voting member for the following purposes: a) To achieve a quorum in accordance with Article 2 Section 7 of these Bylaws; b) Having achieved a quorum, one or more Trustees is not in attendance at the time that a matter is the subject of official and formal action; or c) To achieve a quorum in the event a Trustee, for any reason including recusal, is unable to participate in the discussion and voting on a matter that is the subject of official and formal action.

4.6.1 In the event a conflict arises as to whether a Trustee or an Alternate Trustee is to be seated and accorded the right to vote on a matter, the Trustee in attendance shall be seated and the Alternate shall not be accorded a vote.

Section 5 Capital Committee

Section 5.1 From time to time the Clearview Library District may consider certain large-scale capital projects that the appointment of a specific Capital Committee is necessary. In the event three-fifths of the Trustees present at any meeting vote to form a Capital Committee, such committee shall be formed according to the following provisions.

5.1.1 The Capital Committee shall consist of not more than three Trustees.

5.1.2 The Capital Committee shall dissolve upon a three-fifths vote of the Library Board, but in no event shall the Capital Committee exist for more than five years; and

5.1.3 In the event that a Trustee is appointed to the Capital Committee but said Trustee's Term expires while the Trustee is serving on the Capital Committee, the Trustee shall, at the discretion of said Trustee, have his or her term extended for one additional term or until the Capital Committee is dissolved, whichever shall occur sooner.

Section 5.2 Nothing contained in this Section 5 is intended to limit the ability of the collective Library Board from removing a Trustee for cause in accordance with Article 3 of these Bylaws.

ARTICLE 6 ADMINISTRATIVE PROVISIONS

Section 1
Fiscal Year

The fiscal year of the Clearview Library District shall begin on the first day of January of each year and shall end on the 31st day of December of each year.

Section 2
Amendment

These Bylaws may be amended by a majority of the entire Library Board at any regular meeting or any special meeting called for that purpose, provided that the proposed amendment shall have been introduced at a regular meeting or special meeting called for that purpose at least fifteen days before the adoption of any amendments.

Section 3
Construction

Section 3.1 The titles of sections in these Bylaws are for convenience or reference only and are not to be considered in construing these Bylaws.

Section 3.2 Unless the context of these Bylaws clearly requires otherwise: a) References to the plural include the singular, the singular the plural, and the part the whole; b) References to one gender include all genders; c) “or” has the inclusive meaning frequently identified with the phrase “and/or”; d) “including” has the inclusive meaning frequently identified with the phrase “including but not limited to” or “including without limitation”; and e) References to “hereunder”, “herein”, or “hereof” relate to these Bylaws as a whole.

Section 3.3 Any reference in these Bylaws to any statute, rule, regulation, or agreement, including these Bylaws, shall be deemed to include such statute, rule, regulation, or agreement as it may be modified, varied, amended, or supplemented from time to time unless otherwise specifically stated.

These Bylaws were adopted a regular meeting of the Board of Directors on the 27th day of February, 1986.

Updated: July 25, 2016.

Windsor-Severance Library District
By: Ernest Ross, Chairman
Attest: Robert Schneider, Secretary

Amended: 08/24/89, 07/20/99, 09/26/06, 05/25/10, 06/26/11, 05/29/12, 01/29/13,
08/29/13, 07/31/14, 08/27/15, 07/25/16

