

**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 begin on January 1 and shall expire on the last day of December of the Trustee’s Term. Mid-year appointees shall begin immediately upon appointment.

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, the Weld RE-4 School District Board and the Greeley City Council may each appoint a representative to serve as a non-voting liaison (each a “Liaison”) to the Library Board. Liaisons should be members of their respective boards and/or residents of the Library District’s legal service area.

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

Section 1.3 Qualification. Trustees shall be appointed in accordance with Colorado Library Law and must reside within the boundaries of the District’s legal service area.

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.

3.1.6 The Trustee relocates outside the boundaries of the District's legal service area.

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 immediately upon written notice to the President of the Library Board.

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. Upon resignation, death, or removal of a Trustee, an interview committee will be formed consisting of the remaining Library Board (the “Vacancy Interview Committee”). The Vacancy Interview Committee by a majority vote shall fill the vacancy for the remainder of the unexpired term without further ratification. The procedure for selection of candidates shall follow Sections 4.3.1 through 4.3.6.2

Section 4.2 Upon the creation of a Vacancy under 4.1.1, the President of the Library Board shall notify the Library Board, the Windsor Town Board, the Severance Town Board, the Weld RE-4 School District Board, the Greeley City Council and the Clearview Library District Friends & Foundation 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. The appointee from the Library Board shall be the Chair of 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, or may elect to appoint 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, or may elect to appoint 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, or may elect to appoint one person who resides in the Clearview Library District to serve on the Interview Committee.
- 4.2.5 The Mayor of the City of Greeley shall select one of its currently serving Council Members to serve on the Interview Committee, or may elect to appoint one person who resides in the Clearview Library District’s legal service area within the Greeley City Limits to serve on the Interview Committee.

- 4.2.6 The President of the Clearview Library District Friends & Foundation shall appoint a member of its board who resides in the Clearview Library District's legal service area to serve on the Interview Committee. The appointee from the Clearview Library District Friends & Foundation will initially be a non-voting member of the Interview Committee, however, shall be elevated to a voting member in the event of a failure to appoint a total of five (5) voting members to the Interview Committee by the deadline to submit applications for the Vacancy or in the event that a previously appointed member of the Interview Committee is not available to participate in the interviews.
- 4.2.7 The Library Director shall serve on the Interview Committee as a subject matter expert as well as be available to provide such advice and information as requested by the Interview Committee, but shall be a non-voting member.
- 4.2.8 The President of the Clearview Library District Friends & Foundation shall appoint a second member of its board who resides in the Clearview Library District's legal service area to serve as a non-voting member, unless and until, after the Vacancy application deadline has passed, there is an even number of voting members, the non-voting member may be elevated to a voting member by the Chair of 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 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 shall 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 a letter of interest 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 Severance Library Site or submitted

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electronically by email to director@clearviewlibrary.org, 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 advertisement(s) 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, empaneled under Section 4.1.1 for any vacancy due to an expired term, 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, the Weld RE-4 School District Board, and the Greeley City Council of the Interview Committee's selection.

4.4.2

The Windsor Town Board, the Severance Town Board, the Weld RE-4 School District Board and the Greeley City Council shall ratify the appointment of the Interview Committee's selection at their next regularly scheduled meeting, except that the failure of these boards to act within sixty days of receipt of such selection shall be considered a ratification of the appointment. A vote not to ratify the appointment by either the Windsor Town Board or the Weld RE-4 School District shall constitute denial of the appointment. In the event of denial of an appointment, the Interview Committee will be re-empaneled under 4.1.1.

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 immediately upon the majority vote of the Vacancy Interview Committee.

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

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4.4.3.3 Should a vacancy exist that would result in a majority of Trustees possessing terms ending in the same year, the length of the then-vacant term may, upon approval of the Library Board, be altered to a term of either two (2) or four (4) years. Such decision by the Library Board must be made by resolution prior to notice of the vacancy, as described in Section 4.3, above. The length of the term shall be included in the advertisement of vacancy.

Section 4.5 Trustees who have fulfilled their Term are eligible for reappointment, provided that they apply through the process described in Article 2, 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. Tenure as an Alternate Trustee is exempt from the term limits in these Bylaws.

Section 5 Meetings

Section 5.1 The Library Board shall hold a monthly meeting at any location owned or managed by the Library District or otherwise duly noticed in the agenda at 5:30 P.M. on the last Thursday of each month unless necessity requires otherwise. An agenda for each meeting will be posted no-less than twenty-four hours in advance of each regular meeting.

Section 5.2 Special meetings may be called by any Trustee with the consent of the President 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 no less than twenty-four hours in advance 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 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 5.5 As soon as feasible after January 1 of each year but not to exceed the 10th of January, the Library Board shall have an organizational meeting to select officers and choose committee assignments for the coming year.

Section 6 Quorum

Section 6.1 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.

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Section 6.2 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(1)(b)) and is able to engage in discussion with the Library Board on the topic or topics on the Agenda.

Section 6.3 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 7 Powers and Responsibilities

Section 7.1 The Library Board shall be vested with all powers and have all responsibilities as outlined in Colorado Revised Statutes § 24-90-109.

Section 7.2 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 8 Proceedings

The current edition of Robert's Rules of Order shall govern the proceedings of the Library Board, with the exception of the Library District's investment policy requirement

of a super majority for amendment.

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 organizational meeting in January and shall serve for a term of one year, to begin upon election at the organizational meeting and end on December 31st or the next organizational meeting, whichever is later.

Page 7 of 12 Section 3 Removal

Any officer may be removed by a majority vote of 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 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.

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**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 oversee 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 receiving recommendations from the Library Director regarding employment and personnel matters (hiring, termination, promotion, etc.) when such actions may create public attention, lead to legal action, or require changes to appropriated budget funds, as determined in the discretion of the Library Director.

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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 Library Board may, at its discretion, appoint one or more alternate trustees (jointly "Alternate Trustees" or individually (Alternate Trustee") to the Library

Board.

Section 4.2 The appointment of an alternate Trustee shall be subject to the appointment requirements of Article 2 of these Bylaws.

Section 4.3 All 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 4.4 Each Alternate Trustee shall be provided with all materials that are provided to the Library Board in anticipation of meetings and work sessions. The Alternate Trustees shall review all such materials and shall be prepared to participate at all meetings or work sessions.

Section 4.5 At the request of the President, an 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.

4.5.1 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 Trustee shall not be accorded a vote.

Section 5 Capital Committee

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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 two 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

Section 5.2 Nothing contained in this Section 5 is intended to limit the ability of the collective Library Board from removing a Trustee from the Capital Committee for cause in accordance with Article 2, Section 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.

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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 at regular meeting of the Board of Directors on the 27th day of February, 1986.

Updated: August 26, 2021.

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, 07/28/16, 07/27/17, 06/28/18, 7/25/19, 8/26/21, 10/27/22,
6/29/23