

## RESOLUTION No. 2021-05-01

### AMENDING THE BYLAWS OF THE CITY OF FORT MORGAN PUBLIC LIBRARY ADVISORY BOARD

**WHEREAS**, the Fort Morgan City Council must approve changes made to the Bylaws of the various boards and commissions within the City of Fort Morgan; and,

**WHEREAS**, the Fort Morgan City Council last amended the bylaws of the Public Library Advisory Board (the "Board") via Resolution, on June 4, 2013; and

**WHEREAS**, The Board has elected to change the way they conduct their meetings, in Article V of their bylaws, to meet every other month, as opposed to monthly, and to allow for the option for meetings to be conducted virtually, in addition to, or instead of, in person; and

**WHEREAS**, the City Council now desires to amend the Fort Morgan Public Library Advisory Board Bylaws, as found in "Exhibit A" of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:**

**Section 1:** The City of Fort Morgan Public Library Board Bylaws are hereby amended to reflect the changes as shown in the attached "Exhibit A."

INTRODUCED, PASSED, APPROVED AND ADOPTED this 18<sup>th</sup> day of May, 2021, the vote upon roll call being as follows:

Ayes: Mayor Ronald Shaver, Councilmembers Deal, Kaper, Lindell, Schossow and Urdiales

Nays: None.

Absent/Absent: None



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY: Ronald Shaver  
Ronald Shaver, Mayor

ATTEST:

John Brennan  
John Brennan, City Clerk

STATE OF COLORADO )  
COUNTY OF MORGAN )  
CITY OF FORT MORGAN )

ss.

**CERTIFICATE**

I, John Brennan, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 18<sup>th</sup> day of May, 2021.

  
\_\_\_\_\_  
John Brennan, City Clerk

**Exhibit A**

**BYLAWS  
OF  
THE FORT MORGAN PUBLIC LIBRARY BOARD**

**Article I  
Library Board Established**

- Section 1. The Fort Morgan Public Library is a "municipal library", C.R.S. § 24-90-103(II), established operated and maintained as a "public library" by the City of Fort Morgan, Colorado in whole or in part with money derived from taxation and which is for the free use of the residents of the Fort Morgan Legal Service Area.
- Section 2. Pursuant to the *Fort Morgan Charter Article IV Section 4(d)(7)*, the Fort Morgan Public Library Board (hereinafter "the Board") is established to advise and assist the Council in the establishment, maintenance and operation of the Fort Morgan Public Library.

**Article II  
Board Members**

- Section 1. Members of the Library Board shall be recommended by the Board with the consent and approval of the City Council. In addition to provisions of the Colorado Revised Statutes, the following shall apply to members of the Board. This Board shall consist of seven members as appointed. A majority of the Board must be comprised of residents of the Fort Morgan Legal Service Area. The remainder of the positions may consist of non-residents. Board Members shall serve for a period of three years, with one-third of the positions expiring each year, as determined by City Council. There are no term limitations.

Qualifications for membership on the Board shall include:

1. Interest in library/museum services and the growth and development of the Library.
2. Availability
3. Dependability
4. Willingness and desire to serve.
5. Member of Library in good standing.

**Approved by Resolution  
Fort Morgan City Council  
May 18, 2021**

- Section 2. In the event of the death, disability or resignation of a Board Member, recommendations shall be made by the Board to the City Council for the appointment of a member to fill the unexpired term. A Board member may resign by giving written notice of resignation to the Library Board. This resignation is effective when received by the Library Board unless the written notice specifies a later effective date.
- Section 3. The City Clerk shall advertise for open positions and forward the application to the City Council Liaison, a non-voting member, who will present the application to the Board. Upon affirmation by vote of the Board, the Council Liaison will make recommendation that City Council approve the nomination by appointment to the Board.
- Section 4. Board Members shall not receive a salary or other compensation for services as a member of the Board, but necessary training incurred in Board business may be paid from the general fund of the Library consistent with City Policy.
- Section 5. A Board Member may be removed only by a majority vote of the City Council, but only upon a notification of just cause. Just cause may consist of, but is not limited to: three (3) unexcused absences within a year; or behavior judged by the Board to be counterproductive to the mission and intent of the Fort Morgan Library. The reason for the recommendation will be part of the minutes and will be conveyed to City Council in writing.

### **Article III Officers**

- Section 1. The officers of the Board shall be a Chair, a Vice-Chair, and a Secretary. These officers shall be elected from the Board at the meeting held in November and take office in January.
- Section 2. Officers shall serve one-year terms.
- Section 3. The duties of the Chair shall include:  
Preside at all Board meetings  
Call special meetings as required  
Establish special committees and task forces
- The duties of the Secretary shall include:  
Take attendance and record minutes at meetings of the Board

**Approved by Resolution**  
**Fort Morgan City Council**  
**May 18, 2021**

Provide records of meetings to Director of Library/Museum Services and City Clerk by e-mail.

Have the Library By-Laws available when needed.

Keep a permanent record of the Minutes.

- Section 4. An officer may resign from his/her office at any time by giving written notice of resignation to the Board. A resignation is effective when the written notice is received by the Board and announced at its next regular meeting. If a resignation is made effective at a later date, the Board may permit the officer to remain in office until the effective date.

If it so chooses, the Board may remove an officer at any time, with or without cause, by a two-thirds majority vote of the Board.

## **Article IV**

### **Powers and Duties of the Board**

- Section 1. Recommend for approval and adoption by the City Council such bylaws, not inconsistent with the *Charter* and ordinances of the City, for the governance of the Board and for the orderly operation of the City Library.
- Section 2. Advise and offer suggestions for the orderly and efficient management and control of the Library.
- Section 3. Review the annual library budget request prepared by the Director of Library/Museum Services prior to its submittal to City Council.
- Section 4. Review the Library Manager's disbursement of the Library funds.

## **Article V**

### **Meetings**

- Section 1. The Board shall meet monthly every other month, in-person or virtually, on the third Monday of January, March, May, July, September and November, at 4:30 p.m., unless rescheduled, at a time and date set by the Board members. Any change in time or date shall be submitted to the City Clerk and posted for public notice at least three business days in advance of the meeting date and time.

Section 2. A quorum will consist of a simple majority of the number of members. If a quorum is present when a vote is taken, the affirmative vote of a majority of the members' present is an act of the Library Board.

Section 3. All meetings of the Library Board shall be open to the public upon notice to the public of the time and place of such meeting.

### **Article VI Amendments**

Section 1. Amendments to these By-laws may be recommended by a majority vote of members of the Board for approval by City Council.

REVISED AND RECOMMENDED FOR COUNCIL APPROVAL: May 11, 2021

APPROVED BY CITY COUNCIL: May 18, 2021

*Certified By:*

John Brennan, City Clerk



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