

PUBLIC LIBRARY CERTIFICATION

This certifies that our library

MEAGHER COUNTY/CITY LIBRARY

(library name)

qualifies as a "public library"
formed under either Title 7 or
MCA § 22-1-303 through 22-1-317

Attached is the legal documentation
establishing our library under the above.

Mary Doggett



Library Board Chairperson

Lisa Bond



Library Director

4-13-98

Date

RESOLUTION NO. 144

A RESOLUTION OF THE TOWN OF WHITE SULPHUR SPRINGS, MONTANA, DETERMINING AND FIXING THE AMOUNT OF TAXES TO BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF SAID TOWN FOR THE CURRENT FISCAL YEAR BEGINNING JULY 1, 1942, AND ENDING JUNE 30, 1943.

STREET

WHEREAS: It is necessary for the purpose of paying the expenses and liabilities created and to be created during the fiscal year 1942 and 1943 for the care, improvement, extension and repair of the streets of said town, that a tax of five (5) mills be levied upon all of the taxable property within the corporate limits of said town, to defray the expenses and liabilities before mentioned; and

CEMETERY

WHEREAS: It is necessary for the purpose of paying the expenses and liabilities created and to be created during the fiscal year 1942 and 1943 for the care, extension and improvement of the cemetery of said town, that a tax of one (1) mill be levied upon all of the taxable property within the corporate limits of said town, to defray the expenses and liabilities before mentioned; and

SERIAL REFUNDING BONDS SERIES 1939

WHEREAS: It is necessary for the purpose of paying the principal and interest which may become due on Serial Refunding Bonds Series 1939, during the fiscal year 1942 and 1943, that a tax of five (5) mills be levied upon all of the taxable property within the corporate limits of said town to defray the expenses and liabilities before mentioned; and

SERIAL REFUNDING BONDS SERIES 1940

WHEREAS: It is necessary for the purpose of paying the principal and interest which may become due on Serial Refunding Bonds Series 1940, during the fiscal year 1942 and 1943, that a tax of three and one-half (3½) mills be levied upon all of the taxable property within the corporate limits of said town to defray the expenses and liabilities before mentioned; and

GENERAL

WHEREAS: It is necessary for the purpose of paying the expenses and liabilities created and to be created during the fiscal year 1942 and 1943, by the general business and miscellaneous requirements of said town, that a tax of fifteen (15) mills be levied upon all of the taxable property within the corporate limits of said town to defray the expenses and liabilities before mentioned; and

LIBRARY

WHEREAS: It is necessary for the purpose of paying the expenses and liabilities created and to be created during the fiscal year 1942 and 1943 for the care, addition and improvement of the library of said town, that a tax of one (1) mill be levied upon all of the taxable property within the corporate limits of said town, to defray the expenses and liabilities before mentioned;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITE SULPHUR SPRINGS, MONTANA:

STREET

That there be, and by this resolution there is, levied a special tax of five (5) mills upon all of the taxable property within the limits of said town, as returned by the Assessor Meagher County, Montana, for the year 1942, and the revenue derived therefrom shall be used for defraying the expenses and liabilities hereinbefore mentioned of the streets of said town.

CEMETERY

That there be, and by this resolution there is, levied a special tax of one (1) mill upon all of the taxable property within the limits of said town, as returned by the Assessor of Meagher County, Montana, for the year 1942, and the revenue derived therefrom shall be used for defraying the expenses and liabilities before mentioned, of the cemetery of said town;

SERIAL REFUNDING BONDS SERIES 1939

That there be, and by this resolution there is, levied a special tax of five (5) mills, upon all of the taxable property within the limits of said town as returned by the Assessor of Meagher County, Montana, for the year 1942, and the revenue derived therefrom shall be used for defraying the expenses and liabilities hereinbefore mentioned on Serial Refunding Bonds Series

SERIAL REFUNDING BONDS SERIES 1940

That there be, and by this resolution there is, levied a special tax of three and one-half (3½) mills, upon all of the taxable property within the limits of said town as returned by the Assessor of Meagher County, Montana, for the year 1942, and the revenue derived therefrom shall be used for defraying the expenses and liabilities hereinbefore mentioned on Serial Refunding Bonds Series 1940;

GENERAL

That there be, and by this resolution there is, levied a general tax of fifteen (15) mills upon all of the taxable property within the limits of said town, as returned by the Assessor of Meagher County, Montana, for the year 1942, and the revenue derived therefrom shall be used for the general purposes of said town.

LIBRARY

That there be, and by this resolution there is, levied a special tax of one (1) mill upon all of the taxable property within the limits of said town, as returned by the Assessor of Meagher County, Montana, for the year 1942, and the revenue derived therefrom shall be used for defraying the expenses and liabilities before mentioned, of the library of said town.

Passed and approved this 11th day of August, 1942.

Attest:

Blanche Johnson
Town Clerk.

Wm. D. ...
Mayor.

Mayor States: I've been stated the object of the meeting: To discuss the matter of paying the salary of a librarian until September 1941, said salary \$5.00 per month.

Mrs. Harris - Mrs. A. Committee of three ladies, Mrs. Herbert Harris, Mrs. C. A. Klanger, Mrs. Klanger & Mrs. Reinhold Johnson appeared before the Council in behalf of the County 4 H Clubs to ask the help of the City and Council to help the Librarian until the W.P.A. work of reinstating all Abraham projects.

After discussion, it was moved by Alderman Johnson that the Town of White Sulphur Springs pay the salary of a Librarian until September 1941, said salary to be in the amount of \$5.00 per month, and to be taken from the General Fund. Motion being seconded by Alderman Scherkind was put to vote and carried unanimously.

The Council, then, upon motion duly made, seconded, and carried unanimously, adjourned.

Attest
Reinhold Johnson
Clerk of Council

Mr. Johnson

Mayor

179

ORD #

White Sulphur Springs, Tennessee
The date of the meeting

The Town Council met in regular session on August 1941, Treasurer Scherkind

Resolution No. 1444 was then introduced, being a Resolution of the Town of White Sulphur Spring, Kentucky, fixing the amount of taxes to be levied for the fiscal year beginning July 1, 1942 and ending July 30, 1943. After discussion the motion was made by Alderman Johnson that Resolution No. 1444 be read in full the first time and the second and third times by title only and placed upon its final passage. Motion being seconded by Alderman Rye, was put to vote and carried unannounced, and, they will be called Resolution No. 1444 passed by the following vote:

- Alderman Edwards Yes
- " Rye Yes
- " Kelly Yes
- " Johnson Yes
- " Berg Yes
- Absent and not voting Alderman Schreck

There being no further business upon motion duly made, seconded, and carried unanimously the Council adjourned.

Attest:
 [Signature]
 Clerk & Treasurer

Jm [Signature]

White Sulphur Spring - Kentucky

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INTERLOCAL AGREEMENT
BETWEEN THE
CITY OF WHITE SULPHUR SPRINGS
AND THE
COUNTY OF MEAGHER
TO COOPERATE IN THE PROVISION OF LIBRARY SERVICES
AS THE "MEAGHER COUNTY-CITY LIBRARY"

THIS AGREEMENT, made and entered into this 7th day of October, 1991, by and between the CITY OF WHITE SULPHUR SPRINGS, a political subdivision of the State of Montana, operated under the direction of the White Sulphur Springs City Council, hereafter referred to as "CITY", and the COUNTY OF MEAGHER, a political subdivision of the State of Montana, operated under the direction of the Meagher County Commissioners, hereafter referred to as "COUNTY".

RECITALS:

WHEREAS, the CITY and COUNTY are both authorized by law to provide public libraries and in the past have operated as a joint County-City Library under the provisions of §22-1-316 MCA with the CITY providing library space and utilities and the COUNTY providing other financing; and upon the acquisition of a separate library building with the assistance of grant funds it is desirable to re-organize and define the agreements and obligations of each with respect to the operation of the Meagher County-City Library; and

WHEREAS, §§ 7-11-101 through -108 MCA authorize local governments to enter into interlocal agreements to jointly provide services that each are authorized to provide; and

WHEREAS, the interlocal agreement method provides ^{more} a/suitable and efficient mechanism for the joint provision of library services than the provisions of Title 22, Chapter 1, Part 3, MCA; and

WHEREAS, the purpose of this agreement is to provide a basis for cooperation between the CITY and COUNTY which will result in equitable library services to all residents of the CITY and COUNTY; and

WHEREAS, the CITY and COUNTY are desirous of entering into a contract whereby library services continue to be provided from a central facility located within the City of White Sulphur Springs and operated through the joint efforts and authority of both parties; and

WHEREAS, the CITY and COUNTY have agreed to furnish funds and revenues to assist in the operation of the joint COUNTY-CITY library pursuant to the laws of the State of Montana;

NOW, THEREFORE, in consideration of the execution of this agreement and the mutual covenants hereinafter expressed, the parties join in continuing to maintain a joint COUNTY-CITY library under the terms, conditions and covenants herein contained, and it is mutually agreed as follows:

I. COUNTY-CITY LIBRARY

As hereinafter provided, the CITY and the COUNTY agree to support the functions of the joint COUNTY-CITY library within the City of White Sulphur Springs, and agree to provide the services of the public library to all residents of the County. The joint library shall be known as the "MEAGHER COUNTY-CITY LIBRARY".

II. BOARD OF TRUSTEES

(1) The Board of Trustees shall be composed of five members appointed as follows:

(A) Two members residing within the CITY shall be appointed by the Mayor, with the advice and consent of the City Council.

(B) Three members residing in the COUNTY shall be appointed by the Board of County Commissioners.

(2) Terms:

(A) Trustees shall hold their offices for five (5) years from the date of appointment and shall serve until their successors have qualified. All terms shall expire on June 30. Before July 1 of each year a trustee shall be appointed to replace the retiring trustee.

(B) Initial appointments pursuant to this agreement shall be staggered such that one CITY appointee shall be appointed for ___ years and one for ___ years; one COUNTY appointee shall be appointed for 1 year(s), one shall be appointed for 3 years and one shall be appointed for 5 years.

(C) All vacancies, whether by resignation, expiration of term, removal for cause, or otherwise, shall be filled by appointment by the City County or County Commissioners, depending on which entity appointed the trustee whose position became vacant.

(D) Trustees shall serve no more than two (2) full terms of five years in succession. However, trustees who have served more than five years prior to the effective date of this agreement shall serve no more than one (1) additional five-year term under this agreement.

III. DUTIES AND RESPONSIBILITIES OF THE BOARD OF TRUSTEES

(1) The Board of Trustees of the COUNTY-CITY library shall be the policy-making body of the library, having control over expenditures of the public library fund, the library building, including maintenance and operation.

(2) The Board of Trustees shall appoint and set the compensation of the chief librarian who shall serve as the secretary of the Board and shall serve at the pleasure of the Board. With the recommendation of the chief librarian, the Board shall employ and discharge such other persons as may be necessary in the administration of the affairs of the library, fix and pay their salaries and compensation and prescribe their duties.

(3) The Board shall have the power to contract, including the right to contract with the federal (United States) and State governments and agencies or departments thereof, regions, counties, cities, school districts, educational institutions, the State Library and other libraries, to give and receive library service, through the boards of such regions, counties and cities and the district school boards, and to pay out or receive funds to pay

costs of such contracts, and to apply for and receive grants from any federal or state agencies or other public or private sources.

(4) The Board shall have the power to acquire, by purchase, devise, lease or otherwise, and to own and hold real and personal property in the name of the CITY and COUNTY for the use and purposes of the library and to sell, exchange or otherwise dispose of property real or personal, when no longer required by the library and to insure the real and personal property of the library.

(5) The Board shall pay necessary expenses of members of the library staff when on business of the library.

(6) The Board shall prepare an annual budget, indicating what support and maintenance of the public library will be required from public funds, for submission to the appropriate agency of the governing body. A separate budget request shall be submitted for new construction or for capital improvement of existing library property.

(7) The Board shall make an annual report to the governing body of the CITY and the COUNTY on the condition and operation of the library, including a financial statement. The Trustees shall also provide for the keeping of such records as shall be required by the Montana State Library in its request for an annual report from the public libraries and shall submit such an annual report to the State Library.

(8) The Board shall have the power to accept gifts, grants, donations, devises, or bequests of property, real or personal,

from whatever source and to expend or hold, work, and improve the same for specific purpose of the gift, grant, donation, devise, or bequest. These gifts, grants, donations, devises, and bequests shall be kept separate from regular library funds and are not subject to reversion at the end of the fiscal year.

(9) The Board shall exercise such other powers, not inconsistent with law, necessary for the effective use and management of the library.

(10) The Trustees shall serve without compensation but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds. The Trustees shall meet and elect a chairman and such other officers as they consider necessary for one year terms.

IV. BUDGET AND FINANCE

The CITY and the COUNTY agree to fund the library budget on the following basis:

(1) Meagher County agrees to support the library to the best of its ability and therefore agrees to contribute an amount determined by the Commissioners to be reasonably required for such purposes, but not exceeding the sum collected from the maximum mill levy allowed by law. The COUNTY may supplement the county-wide mill levy for libraries from other sources if it determines that additional funds are necessary. The CITY agrees to contribute an amount not less than the sum required annually to provide utilities

to the new library building, including but not limited to electricity, water, sewer and garbage removal, together with such additional amounts determined annually by the City Council to be a necessary or desirable supplement to the county-wide mill levy. The CITY shall not be responsible for payment for cable television installation, service, or related charges or expenses.

(2) Funds may be placed in a library depreciation reserve fund for acquisition and replacement of property, equipment and improvements necessary to maintain and improve library services. This fund may be expended, invested and held in accordance with §§22-1-305 through 22-1-307, inclusive, MCA.

(3) A category of special budget requests funded by sources of revenue other than local taxes may be considered for projects such as capital improvements, long-term funding commitments or special one-time allocations, long-term funding commitments or special one-time allocations. Such requests will be reviewed and must be approved by both CITY and COUNTY for inclusion in the budget.

(4) The COUNTY agrees to act as fiscal agent and to supply administrative services to the COUNTY-CITY library, including personnel support, services for compliance with federal and state law, contract negotiation and administration, recruiting and record keeping, payroll and accounting, legal counsel available through the County Attorney, and other administrative support activities reasonably necessary to the continued operation of the library. The Meagher County Treasurer shall have custody of the funds of the joint COUNTY-CITY library.

V. EXPENSES

The COUNTY agrees to keep, maintain and provide adequate fire and physical loss insurance on the real property, building and contents. The CITY shall pay an amount sufficient to reimburse cost of utilities, including electricity, water, sewer and garbage removal, and excluding cable television services, which shall be deposited quarterly with the Meagher County Treasurer. All furniture except a counter and sink presently located in the existing library facilities may be removed by the Board of Trustees to the new facility. The CITY shall contribute the sum of Four Hundred Dollars (\$400.00) for the purchase of a new counter to be constructed and installed in the new facility.

VI. TRANSITION

In order to effect a smooth transition, the following steps shall be observed:

(1) Within five (5) days of the date both governing bodies have adopted and executed this agreement, the City Attorney shall forward this agreement to the Attorney General of the State of Montana for his approval, pursuant to §7-11-106 MCA. Within ten (10) days after the approval by the Attorney General and prior to commencement of its performance, the City Attorney shall file this agreement with the Meagher County Clerk and Recorder and with the Secretary of State for the State of Montana, pursuant to §7-11-107 MCA.

(2) The administrations of the CITY and COUNTY shall establish an appropriate procedure to transfer employees and management responsibilities.

(3) On or before the 7 day of October, 1991, a new library Board of Trustees shall be appointed pursuant to this agreement. The terms of current Board members shall expire upon the appointment of Trustees under this agreement. When appointing members to the new Board, both governing bodies shall automatically consider members of the current Board for re-appointment.

(4) The the remainder the fiscal year 1990-91, the budget for the COUNTY-CITY library shall be the budget as fixed and adopted. This adopted budget shall act as authority to spend funds appropriated for library purposes.

VII. EFFECTIVE DATE, DURATION, DISSOLUTION

(1) This agreement shall be submitted to the Attorney General of the State of Montana, following its adoption by both governing bodies of the CITY and COUNTY. It shall become effective on the ___ day of _____, 1991. It shall remain in effect until termination by either party pursuant to the termination provisions set forth herein. This agreement may be amended from time to time by mutual written agreement of the CITY and COUNTY.

(2) Either party may terminate this agreement by action of the governing body and upon the giving of at least ninety (90) days' notice in writing to the other governing body. The

termination shall become effective at the beginning of the next fiscal year.

(3) In the event this agreement is dissolved, the furniture, equipment, monies and other assets and all real property shall be distributed and re-assigned for library purposes within Meagher County unless there is an express agreement to the contrary. In no event shall assets of the COUNTY-CITY library be used for non-library purposes unless express permission is granted by both governing bodies.

Employees retained by either a CITY or COUNTY library shall retain all rights and benefits as accrued while employed under this agreement.

Dated this 7th day of ^{October}~~May~~, 1991.

COUNTY OF MEAGHER, by its Board of County Commissioners

[Signature]
[Signature]
[Signature]

ATTEST:

[Signature]
Meagher County Clerk and Recorder

APPROVED AS TO FORM AND CONTENT:

Meagher County Attorney
[Signature]
White Sulphur Springs City Attorney

CITY OF WHITE SULPHUR SPRINGS, by its City Council

[Signature]
Mayor
[Signature]
[Signature]
[Signature]
[Signature]

ATTEST:

[Signature]
City Clerk

**AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
THE CITY OF WHITE SULPHUR SPRINGS AND THE COUNTY OF
MEAGHER, TO COOPERATE IN THE PROVISION OF LIBRARY SERVICES
AS THE "MEAGHER COUNTY-CITY LIBRARY"**

THIS AMENDMENT entered into this 16th day of Nov., 2010 by and between the City of White Sulphur Springs, a political subdivision of the State of Montana, operated under the direction of the White Sulphur Springs City Council, hereafter referred to as "CITY", and the County of Meagher, a political subdivision of the State of Montana, operated under the direction of the Meagher County Commissioners, hereafter referred to as "COUNTY".

RECITALS

WHEREAS, the City and the County entered into an Interlocal Agreement made the 7th day of October 1991.

WHEREAS, the Interlocal Agreement provides that the agreement made be amended from time to time as set out in paragraph VII (1), page 9.

WHEREAS, the Interlocal Agreement provides residence requirements and appointment procedures in paragraphs II (1), II (1)(A) and II (1)(B), page 3.