

RESOLUTION 255

A RESOLUTION OF THE TOWN COUNCIL OF
THE INCORPORATED TOWN OF DARBY, DARBY MONTANA LEGALLY ESTABLISHING
THE DARBY PUBLIC LIBRARY AS A PUBLIC LIBRARY.

WHEREAS; the Montana State Library has requested documentation to verify that the Darby Public Library is indeed a legally established public library, and

WHEREAS; the legal documentation verifying of the original creation of the Library as the Darby Public Library could not be located, and

WHEREAS; documentation of the Darby Public Library being operational since June 6, 1956 has been found in the minutes of the Town Council meetings, and


WHEREAS; the Darby community and the Town Council recognizes the Darby Public Library as a public library, and

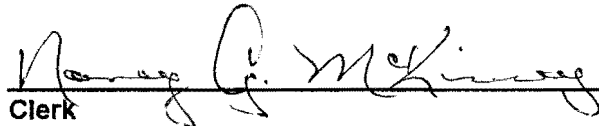
WHEREAS; this resolution will be incorporated into the minutes of a meeting of the Darby Town Council.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Darby hereby establishes the Darby Public Library as a free public library under the authority of Montana Code Annotated 22-1-303, subsection 1.

PASSED, ADOPTED AND APPROVED by the Town Council of the Incorporated Town of Darby, Darby, Montana at a regular meeting thereof, held on this 12th day of May, 1998.

(Seal)


Chairperson


Clerk

Resolution 1

A Resolution of The Darby Community Public Library Board to Dissolve the Darby Public Library Board and seat the Darby Community Public Library Board of Trustees

Whereas; a proposal to form a Darby Community Public Library District was placed on the ballot in November 1998, for voter approval, and

Whereas; the voters have approved the proposal, and

Whereas; the Town of Darby and the Ravalli County Commissioners have signed an Interlocal Agreement, that defines the boundaries of the district, appointment of board members, term and salaries of board members, powers of the board, financing of the library, ownership and disposition of property, duration, and conditions of being effective, and

Whereas; as stated in the Interlocal Agreement two Library Board members shall be appointed by the County Commissioners, one for a term of two years and the other for a term of three years. Two members shall be appointed by the Town Council, one for a term of one year and the other for a term of four years, with one being a Town resident and the other a resident of the 'district'. The fifth board member shall be appointed jointly by the Commissioners and the Town Council for a term of five years. Upon the termination of the original appointments to the board, each term shall be for a duration of five years, by the body of government that originally appointed the position, and

Whereas; Forest Hayes, Mayor of Darby, recommended that the former board of the Darby Public Library be appointed as board members of the Darby Community Public Library District, and

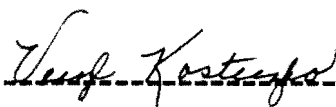
Whereas; the County Commissioners appointed Martha Hayes for a term of two years, Palma Morrison for a term of three years, and approved jointly appointing Veryl Kosteczko for a term of five years.

Whereas; that the Town Council appoint the following persons to the Board of Trustees, of the Darby Community Public Library. Veryl Kosteczko shall be appointed jointly with the Commissioners for the term of five years, Lowell Baltz shall be appointed for a term of four years, and Peggy Smith shall be appointed for a term of one year.

Now Therefore It Be Resolved; The Darby Public Library Board of Trustees be dissolved and its members dismissed from their duties with gratitude and appreciation.

And Now Therefore Be It Further Resolved; The new Darby Community Library Board of Trustees be established and its members seated in accordance with the prescribed methods stated in the above outline procedures.

Passed, Adopted and Approved by the Darby Community Public Library Board at a regular session held in Darby, Montana on this -
-----^{21st} day of January-----, 1999.



Chairperson



Secretary

*"Ravalli Republic"
Friday, Nov. 6, 1998*

Election wrap-up

COUNTY COMMISSIONER	PCT 1	PCT 2	PCT 3	PCT 4	PCT 5	PCT 6	PCT 7	PCT 8	PCT 9	PCT 10	PCT 11	PCT 12	PCT 13	PCT 14	PCT 15	PCT 16
ROGER DEHAAN - D	24	90	114	44	69	180	366	145	163	431	631	16	403	502	218	317
STEVE GREEN - I	47	85	144	50	65	227	436	140	157	379	549	64	314	333	103	157
ALAN THOMPSON - R	65	143	251	91	128	193	436	193	162	376	816	75	460	779	179	346
HOUSE DISTRICT 60																
JUDITH ANNE DEAVER										205	542	687	4			
ALLAN WALTERS										282	575	1,228	149			
HOUSE DISTRICT 61																
JIM SHOCKLEY - R													703	952	224	438
DOROTHY SIMPSON - D													456	636	261	368
HOUSE DISTRICT 62																
MATT BRAINARD - R																
JOHN LYNN - D																
VISION 2020																
FOR	36	120	162		108	232	533	210	243		857		460	661		336
AGAINST	94	176	327		141	337	632	235	226		1,044		651	857		438
DARBY LIBRARY LEVY																
FOR	91	216	328	137	134											
AGAINST	38	93	182	45	121											
							<i>For: 906</i>									
							<i>Against: 479</i>									
BR LIBRARY LEVY																
FOR						330	711	291	286	786	1,169	42	660			
AGAINST						254	494	181	188	376	799	116	496			
CI-33																
FOR	102	217	367	128	191	435	928	367	340	890	1,481	90	890	1,182	384	598
AGAINST																
CI-75																
FOR	84	225	329	111	183	338	676	274	262	645	1,174	124	741	998	244	527
AGAINST	52	86	184	72	77	249	537	197	216	481	809	27	435	611	245	299
I-113																
FOR	65	148	262	84	115	328	710	281	281	670	1,127	52	597	932	307	446
AGAINST	65	153	244	95	142	259	491	184	191	442	838	97	560	670	173	373

Jackson, Sue

From: Trista Smith [librarian@darbylibrary.net]
Sent: Thursday, September 09, 2010 9:14 AM
To: Jackson, Sue
Subject: Re: policy
Attachments: signedboardminutes0410.pdf; signedboardminutes0410 (1).pdf

Sue,

Here are the board minutes from when the collection policy was approved. There is just a general statement that the policy changes were accepted. I scanned in the signed minutes so that you had the signature of Ron and I. Let me know if this works for you. If not, it would not be a problem for Ron and I to print a copy of the collection policy and sign it.

Thanks,
 Trista

----- Original Message -----

From: Jackson, Sue
To: Trista Smith
Sent: Thursday, September 09, 2010 6:29 AM
Subject: RE: policy

Hi Trista – Thanks for the information. If the library policies are together in a manual, did the Board sign off officially approving them all? If so, that signature would work for our files. Or, I guess if there are meeting minutes where the policies were approved we could use that – would that be something you could easily share with us? -- Sue

From: Trista Smith [mailto:librarian@darbylibrary.net]
Sent: Wednesday, September 08, 2010 10:04 AM
To: Jackson, Sue
Subject: Re: policy

Hi Sue,

I was just going to email you. We actually revised all of our policies at once and we did not sign each of them. They just have a footnote stating revised 5/13/10. Do you need me to have the chair sign it and send it to you even though we approved them all together?

Thanks,
 Trista Smith
 Darby Public Library
 406-821-4771

----- Original Message -----

From: Jackson, Sue
To: Trista Smith
Sent: Wednesday, September 08, 2010 9:42 AM
Subject: FW: policy

Trista – Before you leave Darby, it would be good to finalize the library's collection management policy. Can you let me know about the board approval and signature page? Thanks. -- Sue

From: Jackson, Sue
Sent: Monday, August 30, 2010 3:20 PM
To: 'Trista Smith'
Subject: RE: policy

Hi Trista,

I'm back in the office today and had a chance to look at the policy. It is very similar to the one we have on file that is dated 2/1//10. I'll replace it with the May version you've just sent. This policy is very well done.

The only piece we need now is the signature page that indicates that the policy has been officially approved (and is supported) by the librarian and library board. Did you and the board chair sign off on this policy? If so, could you please send a copy of the signatures for our files? An electronic version is OK. The State Library will no longer approve policies, but it is important to have documentation that the policy has the formal approval of the library board.

Thanks.

Sue

From: Trista Smith [mailto:librarian@darbylibrary.net]
Sent: Friday, August 20, 2010 8:57 AM
To: Jackson, Sue
Subject: Re: policy

Hi Sue,

Sorry I didn't get back to you sooner. A collection policy was approved by the board, but I'm not sure if it is the one you have. They have decided to approve the collection policy and then have the Library director do a collection report yearly and attach it to the policy as an appendix. Let me know if you have any questions.

Thanks,
Trista

----- Original Message -----

From: Jackson, Sue
To: librarian@darbylibrary.net
Sent: Tuesday, August 17, 2010 7:26 AM
Subject: policy

Hi Trista,

I'm trying to update our files. We have a draft 2010 collection management policy for your library, but our copy doesn't have a signature page. Was this policy finalized and approved by your Board? We need this information for the standards.

Thanks!

Sue

Sue Jackson
Montana State Library
PO Box 201800
Helena MT 59620-1800
406-444-5350
1-800-338-5087 (toll free in MT)
406-444-0266 (fax)
sujackson@mt.gov

INTERLOCAL LIBRARY CONTRACT

THIS AGREEMENT, Made and entered into this 30th day of October 1998, by and between the County of Ravalli, a political subdivision of the State of Montana, and the Town of Darby, a municipal corporation,

WITNESSETH

WHEREAS, the Town and County are desirous of entering into a contract whereby library services will be provided for all of the residents of the District from a central facility located within the Town and operated by the joint effort and authority of both parties; and said District; the school district is named for boundary purposes only, and the exterior boundaries of the Library District shall coincide with the exterior boundaries of the named school district; and

WHEREAS, the creation of a District will better serve the needs and convenience of the residents of the District and allow fair allocation of the tax burden among those using the library services;

NOW, THEREFORE, the parties hereto agree as follows:

1. BOARD OF TRUSTEES, There is hereby established a joint town-county library, to be known as the Darby Community Public Library, the principal building and facilities for which shall be located within the Town of Darby. The operation of the Library shall be governed by a Board of Trustees who shall be appointed and hold office in the manner and for the terms described: The Town Council shall appoint two members, both of whom must be residents of the District, one of whom must be a Town resident, one of whom shall serve a term of one year, and the other shall serve a term of four years; the Board of County Commissioners shall appoint two residents of the District, one of whom shall serve a term of two years, and one of whom shall serve a term of three years; the Board of County commissioners and the Town Council shall jointly appoint a fifth member, who shall serve a term of five years; thereafter, each person appointed shall serve a term of five years, and the vacancies on the board shall be filled by appointment by the Town Council or the Board of County Commissioners, or both, depending upon which of these bodies appointed the original Trustee for that particular term.

The Library Board shall consist of said five trustees. No member of either governing body shall be a member of such board.

2. TERM AND SALARY OF BOARD. Vacancies on the Board of Trustees for an unexpired term shall be filled as soon as possible in the manner in which the members of the Board are regularly chosen. Trustees shall not receive a salary or other compensation for services as Trustee, but necessary expenses actually incurred shall be paid by the Library Fund. A library trustee may be removed only by vote of the Town Council or the Board of County Commissioners or both, depending upon which of these bodies appointed the original trustee for that particular term. The Trustees shall serve no more than two full terms in succession.

3. POWERS OF BOARD. The Board of Trustees shall have the powers and duties set forth in MCA 22-1-309, as the same may be amended from time to time, or its successor provision, which by this reference is incorporated herein.

The Board shall select one of its members as chairperson and such other officers as they may deem necessary, for one-year terms.

4. FINANCING THE LIBRARY. The Board of Trustees shall submit its budget proposal to the Town Council and the Board of County Commissioners in sufficient time for each to include the recommendations in their annual budget considerations.

Estimated costs of services: The estimated costs of services will be \$25,300 annually. This will be obtained by a District-wide levy in excess of the Countywide levy; the sum of the district levy and county levy will not exceed 5 mils. Additional services may be provided through grants and other non-mil levied sources.

The financing of the district shall be from the following sources:

1) A mil levy within the district	\$22,500
2) From grants, gifts and other non-mil sources	2,800

The anticipated expenses of the District are as follows:

1) Operation and maintenance of the District	\$17,300
2) Book purchases and capital expenditures	8,000

The Library shall be supported by a library tax on all of the property within the District, consistent with MCA 7-11-1112 and MCA 22-1-304.

The Town of Darby shall have custody of the funds of the Darby Community Public Library, and the Treasurer of Ravalli County shall transfer quarterly to the Town all monies collected for the Darby Community Library District.

5. OWNERSHIP AND DISPOSITION OF PROPERTY: The property of the District, which consists exclusively of personal property, will be held by, and in the name of the district. The Town of Darby shall provide adequate space adjacent to the Town Hall under a lease agreement with the Library District and the space shall be provided without cost to the District, but the district shall pay its share of repair and maintenance, heat, power, and other utilities for the space provided.
6. DURATION. The duration of this agreement shall be perpetual. The Agreement may be terminated by mutual consent accomplished by notice of termination in writing, delivered between the parties and effective after a ninety-day period.
7. CONDITION FOR EFFECT. This agreement shall become effective upon adoption and approval of the Multijurisdictional Service District as provided in MCA 7-1-1101 and 7-11-1112.

Forest E. Hayes
Forest E. Hayes, Mayor

ATTEST:

Nancy Evers
Nancy Evers
Town Clerk

Jack Atthowe
Jack Atthowe, Chairman
Board of Commissioners

Betty T. Lund
Betty T. Lund
County Clerk & Recorder

APPROVED:
George Corn
George Corn
Ravalli County Attorney

APPROVED:
N/A
Town Attorney

APPROVED:

<p>A</p> <p>VOTE IN ALL COLUMNS</p> <p>STATE AND NATIONAL</p> <p>UNITED STATES REPRESENTATIVE VOTE FOR ONE</p> <p><input type="radio"/> Dusty Deschamps Democrat</p> <p><input type="radio"/> Mike Fellows Libertarian</p> <p><input type="radio"/> Rick Hill Republican</p> <p><input type="radio"/> Webb Sullivan Reform</p> <hr/> <p>SUPREME COURT JUSTICE - NUMBER 1 Shall Supreme Court Justice Karla M. Gray of the Supreme Court, Seat Number 1 of the State of Montana be retained in office for another term?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p> <p><small>(Fill in the oval before the word "YES" if you wish the official to remain in office. Fill in the oval before the word "NO" if you do not wish the official to remain in office.)</small></p> <hr/> <p>SUPREME COURT JUSTICE - NUMBER 2 Shall Supreme Court Justice Terry N. Triewiler of the Supreme Court, Seat Number 2 of the State of Montana be retained in office for another term?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p> <p><small>(Fill in the oval before the word "YES" if you wish the official to remain in office. Fill in the oval before the word "NO" if you do not wish the official to remain in office.)</small></p> <hr/> <p>DISTRICT COURT JUDGE - DISTRICT 21 Shall Judge Jeff Langton of the Twenty-first Judicial District, of the State of Montana be retained in office for another term?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p> <p><small>(Fill in the oval before the word "YES" if you wish the official to remain in office. Fill in the oval before the word "NO" if you do not wish the official to remain in office.)</small></p> <hr/> <p>STATE SENATOR SENATE DISTRICT 30 VOTE FOR ONE</p> <p><input type="radio"/> Steve Benedict Republican</p> <hr/> <p>STATE REPRESENTATIVE HOUSE DISTRICT 59 VOTE FOR ONE</p> <p><input type="radio"/> Dale E. Berry Republican</p> <hr/> <p>Vote in Next Column</p>	<p>B</p> <p>COUNTY</p> <p>COUNTY COMMISSIONER - DISTRICT 2 VOTE FOR ONE</p> <p><input type="radio"/> Roger De Haan Democrat</p> <p><input type="radio"/> Steve Green Independent</p> <p><input type="radio"/> Alan Thompson Republican</p> <hr/> <p>COUNTY CLERK AND RECORDER/ SUPERINTENDENT OF SCHOOLS VOTE FOR ONE</p> <p><input type="radio"/> Betty T. Lund Republican</p> <hr/> <p>COUNTY SHERIFF/CORONER VOTE FOR ONE</p> <p><input type="radio"/> Perry Johnson Republican</p> <hr/> <p>COUNTY ATTORNEY/AUDITOR VOTE FOR ONE</p> <p><input type="radio"/> George Corn Democrat</p> <hr/> <p>COUNTY TREASURER/ ASSESSOR/SURVEYOR VOTE FOR ONE</p> <p><input type="radio"/> Mary Kay Browning Democrat</p> <hr/> <p>COUNTY ADMINISTRATOR VOTE FOR ONE</p> <p><input type="radio"/> Doyle Honea Republican</p> <hr/> <p>NONPARTISAN</p> <p>JUSTICE OF THE PEACE - DEPT. 1 Shall Judge Nancy Sabo of Department #1, Justice of the Peace of the County of Ravalli be retained in office for another term?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p> <p><small>(Fill in the oval before the word "YES" if you wish the official to remain in office. Fill in the oval before the word "NO" if you do not wish the official to remain in office.)</small></p> <hr/> <p>JUSTICE OF THE PEACE - DEPT. 2 Shall Judge Ed Sperry of Department #2, Justice of the Peace of the County of Ravalli be retained in office for another term?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p> <p><small>(Fill in the oval before the word "YES" if you wish the official to remain in office. Fill in the oval before the word "NO" if you do not wish the official to remain in office.)</small></p> <hr/> <p>Vote in Next Column</p>	<p>C</p> <p>COUNTY BALLOT ISSUES</p> <hr/> <p>DARBY COMMUNITY LIBRARY DISTRICT This ballot issue would establish and fund a Darby Community Library District, with its boundaries being the same as the Darby School District. The funding would be assessed at 3.5 mills and would appropriate approximately \$22,500 per year. This would allow the Darby Community Library to continue to provide the public with free computer use and Internet access as well as expand other normally expected library services.</p> <p><input type="radio"/> FOR establishing and funding the Darby Community Library District.</p> <p><input type="radio"/> AGAINST establishing and funding the Darby Community Library District.</p> <hr/> <p>CONSTITUTIONAL AMENDMENTS REFERENDUMS & INITIATIVES</p> <p>CONSTITUTIONAL AMENDMENT NO. 33 AN AMENDMENT TO THE CONSTITUTION PROPOSED BY THE LEGISLATURE</p> <p>An act submitting to the qualified electors of Montana an amendment to Article II, Section 28, of the Montana Constitution providing that criminal laws must be based on principles of public safety and restitution for victims as well as prevention and reformation.</p> <p>The Legislature submitted this proposal for a vote. The Montana Constitution currently provides that laws concerning criminal punishment are based upon the principles of prevention and reformation. This proposal would amend the Constitution to include public safety and restitution as additional principles upon which the criminal laws are to be founded. If approved the measure would take effect July 1, 1999.</p> <p><input type="radio"/> FOR revising the principles of criminal laws to include public safety and restitution.</p> <p><input type="radio"/> AGAINST revising the principles of criminal laws to include public safety and restitution.</p> <hr/> <p>Continued on Back</p>
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1515 East 6th Avenue • Helena, Montana 59620-1800 • 406-444-3115
FAX: 406-444-5612 • <http://msl.mt.gov>

May 18, 1998

Tana Fisher
Darby Public Library
Box 37 / 102 Main St.
Darby, MT 59829-0037

Dear Tana Fisher,

The Resolution 255 does the job. Thank you very much for your help in getting the legal documentation establishing the Darby Public Library.

Sincerely,

A handwritten signature in cursive script that reads "Darlene M. Staffedt".

Darlene M. Staffedt
Director, Statewide Library Resources

cc: Dana Ruby, Statewide Technology Librarian