

# PUBLIC LIBRARY CERTIFICATION

This certifies that our library

NORTH VALLEY PUBLIC 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.

*Mark Paul*

Library Board Chairperson

*Patti Jo Thomas*

Library Director

FEBRUARY 5, 1998

Date

INTERLOCAL LIBRARY CONTRACT

THIS AGREEMENT, Made and entered into this 23 day of January 1990, by and between the County of Ravalli, a political subdivision of the State of Montana, and the Town of Stevensville, a municipal corporation,

W I T N E S S E T H

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 will encompass all of the lands and property now located within the boundaries of the Stevensville and Lone Rock School Districts; the school districts are named for boundary purposes only, and the exterior boundaries of the Library District shall coincide with the exterior boundaries of the two named school districts; 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 North Valley Public Library, the principal building and facilities for which shall be located within the Town of Stevensville. 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 consists of said five trustees. Not more than one member of the governing body shall be, at any one time, a member of such board.

2. TERM AND SALARY OF BOARD. Vacancies on the Board of Trustees for 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 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 chairman, 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 \$21,000.00 annually. This will be obtained by a District-wide levy in excess of the County-wide levy; the sum of the district levy and county levy will not exceed 5 mills. Additional services may be provided through grants and other non-mill levied sources.

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

1. A mill levy within the District \$18,700.00
2. From grants, gifts and other non-mill sources 2,300.00

The anticipated expenses of the District are as follows:

1. Operation and maintenance of the District 16,000.00
2. Book purchases and capital expenditures 9,000.00

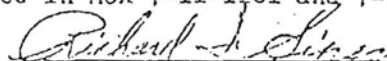
The Library shall be supported by a library tax on all of the property within the District, consistent with MCA 7-11-1112 and MCA 22-1-304.

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

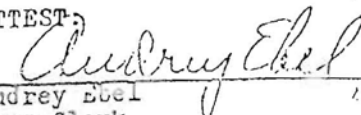
OWNERSHIP AND DISPOSITION OF PROPERTY: The property of the District, which consists exclusively of personal property, will be held by, and in the name of the District. The Town of Stevensville shall provide adequate space within the Town Hall under lease agreement with the Library District, and the space 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.

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.

CONDITION FOR EFFECT. This agreement shall become effective upon adoption and approval of the Multijurisdictional Service District as provided in MCA 7-11-1101 and 7-11-1112.

  
Richard I. Sipes, Mayor

ATTEST:

  
Audrey Ebel  
Town Clerk



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

Jerry L. Allen  
Jerry L. Allen, Chairman  
Board of Commissioners

APPROVED:  
John W. Robinson  
John W. Robinson  
Ravalli County Attorney

APPROVED:  
Robert B. Brown  
Robert B. Brown  
Town Attorney

APPROVED:  
Attorney General  
State of Montana



PO Box 201800 • Helena, Montana 59620-1800 • 406-444-3115  
FAX: 406-444-0266 • <http://msl.state.mt.us>

December 1, 2004

Mr. Tim Schreiber  
Farmers State Bank  
725 Main  
Stevensville, Montana 59870-0280

Re: North Valley Independent Public Library District

Dear Mr. Schreiber:

John Conlan, Chairman of the North Valley Independent Public Library District Board of Trustees has requested that I send a letter of clarification to your bank in regard to the library's status as a public library district. It is my understanding that this request was made to facilitate the refinancing of a building loan.

On June 8, 2004, the voters residing in an area defined by the Stevensville and Lone Rock school district boundaries approved the creation of the North Valley Public Library District and an ongoing mill levy to support that district. Subsequently, the Ravalli County Commission established the district and appointed the initial board of trustees. These actions were performed under Sections 22-1-701 through 22-1-711 of the Montana Code Annotated which provide the legal basis for the creation and operation of public library districts in the state of Montana. In accord with MCA 22-1-708, the Ravalli County Commission is required to annually levy a tax on the residents of the district sufficient to raise the amount certified by the board of trustees and approved by the electors. Once a public library district is legally established, dissolution of that district (MCA 22-1-710) can only be accomplished by a vote of the electorate residing within the district boundaries.

I hope this letter has clarified the basis under which the North Valley Independent Public Library District was created as well as the stability of its public funding.

Please feel welcome to contact me by telephone at 1-800-338-5087 or by E-mail at [bocooper@state.mt.us](mailto:bocooper@state.mt.us) if I may be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Cooper".

Bob Cooper  
Library Development Department

cc: John Conlan, Chairman  
North Valley Independent Public Library District

*An Equal Opportunity Employer*

Monday August 27 2001 2:50 PM

To: [redacted]

From: Jim N. Mickelson 251-8111

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STATE OF MONTANA RAVALLI COUNTY

884973

Page 1 of 5

RECORDED: 09/19/2001 10:35 PF

*Recorded by [redacted]* CLERK AND RECORDER BY: *[Signature]* FEE: 90.00

INTERLOCAL LIBRARY CONTRACT

THIS AGREEMENT, made and entered into this 12<sup>th</sup> day of September, 2001 by the County of Ravalli, a political subdivision of the State of Montana, and the Town of Stevensville.

WITNESSETH

WHEREAS, the County and the Town are desirous of entering into a contract to create the North Valley Library District (District) in accordance with MCA § 22-1-316 to provide library services to all residents from a central facility located within the District. The District shall encompass all of the lands and property now located within the boundaries of the Stevensville and Lone Rock School Districts; the school districts are named for boundary purposes only, and the exterior boundaries of the Library District shall coincide with the exterior boundaries of the two named school districts as more particularly described in Appendix A attached, and

WHEREAS, the 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, and

WHEREAS, the District shall have the principal building and facilities located within the Town of Stevensville.

NOW, THEREFORE, the parties hereto agree as follows:

1. BOARD OF TRUSTEES. In accordance with MCA § 22-1-317, the operation of the Library shall be governed by a Board of Trustees comprised of five members. Three members shall be appointed by the Board of County Commissioners, all of whom must be residents of the District living outside the incorporated boundaries of the town of Stevensville and two of the members shall be appointed by the Town of Stevensville Town Council, both of whom must be town residents.

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Monday, August 27, 2001 2:50 PM

To: psathal

From: Jim H. Vetterlein

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STATE OF MONTANA RAVALLI COUNTY  
RECORDED: 09/19/2001 10:35 PF

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Initially, the County shall appoint its members for staggered terms of one, three, and five years respectively. The Town shall initially appoint its members to staggered terms of two and four years. Subsequent to the expiration of each initial term, each person appointed shall serve a term of five years, and any vacancies on the board shall be filled by appointment by the appropriate governing body. Not more than one member of the respective governing bodies shall be, at any one time, a member of such board.

2. TERM AND SALARY OF BOARD. Vacancies on the Board of Trustees for unexpired terms 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 may be paid from library funds. A Library Trustee may be removed only by vote of the respective governing body. The Trustees shall serve not 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 Library Board of Trustees shall have exclusive control of the expenditure of the public library fund, of construction or lease of library buildings, and of the operation and care of the library. The Library Board of Trustees of every public library shall:

- (1) adopt bylaws and rules for its own transaction of business and for the government of the library, not inconsistent with law;
- (2) establish and locate a central public library and may establish branches thereof at such places as are deemed necessary;
- (3) have the power to contract, including the right to contract with 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

Monday, August 27, 2001 2:50 PM

To: Senthil

From: Jim N. McKeon

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and the district school boards, and to pay out or receive funds to pay costs of such contracts;

(4) 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 or county or both, as the case may be, 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) pay necessary expenses of members of the library staff when on business of the library;

(6) 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) make an annual report to the governing body of 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) 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 the 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) exercise such other powers, not inconsistent with law, necessary for the effective use and management of the library. (MCA 22-1-309)

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

4 FINANCING THE LIBRARY The Library Director and the Board of Trustees shall submit the Library's budget proposal to the Board of County Commissioners and Town



Monday, August 27, 2001 2:50 PM

To: Cynthia

From: Jim R. Mickelson 751-0173

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STATE OF MONTANA RAVALLI COUNTY  
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Councilers sufficient time for them to include the recommendations in their annual budget considerations.

Estimated costs of services: The estimated costs of services are and will continue to be obtained by a District-wide Levy. Additional services may be provided through grants and other non-mill levied sources.

The Library will be supported by a library tax on all of the property within the District, consistent with MCA 7-11-112 and MCA 22-1-304. However, the total mill levied may not exceed 5 mills for both County and Town residence.

The County of Ravalli and/or the Town of Stevensville may establish a library depreciation fund for the replacement and acquisition of property, capital improvements, and equipment necessary to maintain and improve library services, as set forth in MCA 22-1-305 to 22-1-307.

A further funding consideration is a category of special budget requests funded by sources other than local taxes for projects such as capital improvements, long-term funding commitments or special one-time allocations.

The employees of the North Valley Library District shall be county employees subject to county personnel policies. The County acknowledges the supervision and control of the employees resides with the Board of Trustees of the North Valley Library District as defined by Montana Law.

The County of Ravalli shall have custody of the funds of the North Valley Library District, and the Treasurer of Ravalli County shall hold all moneys collected for the North Valley Library District. The County agrees to act as fiscal agent and to supply administrative services to the District Library, including payroll and accounting, and other administrative support activities necessary to the continued operation of the

Monday, August 27, 2001 2:50 PM

To: Rosenthal

From: Jim V. Mckeator 1

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STATE OF MONTANA RAVALLI COUNTY  
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Library.

5. OWNERSHIP AND DISPOSITION OF PROPERTY: The property of the District, which consists of personal and real property, will be held by, and in the name of the Town of Stevensville and the North Valley Library District.  
In the event of dissolution of the North Valley Library District, all properties, consisting of personal and real, will become the property of the Town of Stevensville;
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 (90) period.
7. CONDITION FOR EFFECT: This agreement shall become effective on September 13, 2001 and upon adoption and approval by the Board of County Commissioners and the Town Council of the Town of Stevensville.

Dated this 12 of SEPT, 2001.

  
Chairman, Ravalli County Commissioners

  
Mayor William Mcisner  
Town of Stevensville