

**Sanders County/Town of Plains
INTERLOCAL LIBRARY CONTRACT**

THIS AGREEMENT, made and entered into this 22ND day of JUNE, 2021, by and between the County of Sanders, a political subdivision of the State of Montana, and the Town of Plains, a Municipal corporation.

WITNESSETH:

WHEREAS, the Town and the County continue to be desirous of entering into a contract whereby library services will be provided for all residents of the Plains Public Library District from a central facility located within the Town and operated by the joint efforts and authority of both parties; said District will encompass all land and property now located in the Plains High School District; the School District is named only for boundary purposes and the School District boundary is named to designate the boundaries of the District. (Montana Code Annotated 22-1-316)

WHEREAS, the Plains Public Library District serves the needs and convenience of the residents of the District and allows fairer allocation of the tax burden among those using the library services.

WHEREAS, the Plains Public Library District has been in place for more than 20 years and both parties agree that the existing agreement is in need of updating.

NOW, THEREFORE, the parties hereto agree as follows:

1. Board of Trustees.

There was established a joint City-County Library known as the Plains Public Library, the principal building and facilities for which are located within the Town of Plains. The operation of the Library is governed by a Board of Trustees which has been appointed and which holds office in the manner and for the terms described in Montana Code Annotated 22-1-308. The Town Council appoints two members both of whom must be town residents. The Board of County Commissioners appoints two members who are residents of the District. The Board of County Commissioners and the Town Council jointly appoint the fifth member. Each person appointed shall serve a term of five years with a maximum of two consecutive five-year terms, and vacancies on the Board are filled by appointment by the Town Council or the Board of County Commissioners or both, depending upon which of those bodies appointed the original trustee for that particular term.

The Library Board shall consist of five trustees. Not more than one member of each governing body shall be, at any one time, a member of such a 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 members of the Board are regularly chosen. A Trustee shall not receive a salary or other compensation for services as trustee, but necessary expenses actually incurred shall be paid from 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 those bodies appointed the original trustee for that particular term.

3. Powers of Board

The Board of Trustees shall have the powers and duties set forth in Montana Code Annotated 22-1-309, 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 deem necessary to serve for one (1) 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 recommendation in their annual budget considerations.

The Mill Levy estimated revenue may not cover all the operations cost of the Plains Public Library, the Town of Plains agrees to provide the following services to the Plains Public Library:

- a. insurance for the Library and its contents;
- b. property maintenance and snow removal; and
- c. library building repair and maintenance, including furnace and air conditioning;

The Library shall be supported by a library tax on all property within the District, consistent with Montana Code Annotated 7-11-1112, Montana Code Annotated 22-1-304 and Montana Code Annotated 15-10-420.

The County of Sanders shall have custody of the funds of the joint Library and shall provide administrative duties and costs, including, but not limited to the following: accounts management, check issuance, processing claims, financial record keeping, financial reporting, personnel, and payroll processing.

5. Ownership and disposition of property.

The Library Board of Trustees shall have exclusive control of expenditure of the public library fund, of construction or lease of the library buildings, and of the operation and care of the library. The Board of Trustees has the power to acquire, by purchase, devise, lease or otherwise, and to own and hold 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 personal property, when no longer required by the library.

In the event of the termination of the Plains Public Library District, the furniture, equipment, monies and other assets acquired prior to the effective date shall be transferred to the Town and/or County. In no event shall assets of the Plains Public Library be used for non-library purposes, unless there is a mutual agreement to the contrary.

6. Duration.

The duration of this Contract shall be perpetual. The Contract may be terminated by either party by a written Notice of Termination delivered to the other party and effective after one year thereafter.

7. **Condition for Effect.**

This Contract shall become effective upon adoption and approval and will continue during the existence of the District.

COUNTY OF SANDERS

Board of County Commissioners

Alan E. Maguire
Chairman

Oliver B. Cox
Commissioner

Carol A. Booker
Commissioner

Approved as to form and content:

James P. Loring
County Attorney

TOWN OF PLAINS, MONTANA

D. B. Rowan
Mayor

ATTEST:

Catherine Emmett
Clerk-Treasurer

Approved as to form and content:

[Signature]
Town Attorney

A Test: Michael Seal
Clerk + Recorder