

PUBLIC LIBRARY CERTIFICATION

This certifies that our library

Valier 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.

Sheyl L. Goff

Library Board Chairperson

Quane S. Sheble

Library Director

October 10, 1997

Date

June 23, 1983

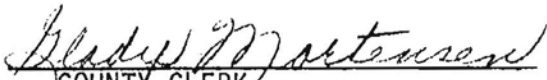
RESOLUTION # 21

Whereas it is to the mutual benefit to the Town of Valier and the County of Pondera to enter into a Contract of Services between the two parties, and since the County of Pondera does not have a Public Library, the Town of Valier agrees to provide Library services to the County of Pondera for the sum of \$11,275.00 for the fiscal year 1983-1984 to be paid by the County of Pondera to the Town of Valier.

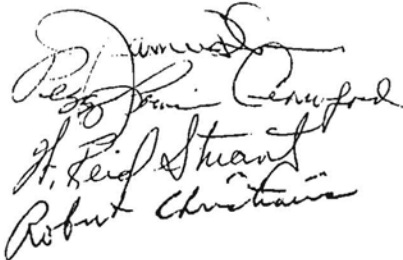
Dated this 23rd day of June 1983

attest:


MAYOR


COUNTY CLERK


CHAIRMAN
PONDERA COUNTY COMMISSIONERS



PONDERA COUNTY, MONTANA

SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS

PONDERA COUNTY, MONTANA, HELD MAY 15, 1961

The Board of County Commissioners met in Special Session on Monday May 15th, 1961 to look into a shortage in the Road and Bridge Budgets for 1960-1961. Both budgets have been depleted. After checking these budgets and discussing ways and means, motion was made by Commissioner Preputin and seconded by Commissioner Sheble that the road crew be laid off May 15th to May 26th. Motion carried.

ADJOURNMENT

There being no further business meeting was adjourned.

Louise Kingsbury
Secretary to the Board of County Commissioners, Pondera County, Montana.

Robert R. Emrick
Chairman of the Board of County Commissioners, Pondera County, Montana.

REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

PONDERA COUNTY, MONTANA, HELD JUNE, 1961

The Board of County Commissioners met in Regular Session on Monday June 5th, Tuesday June 6th and Wednesday June 7th, 1961 at ten o'clock each morning. All members were present including Chairman Robert R. Emrick, Commissioners Joe H. Preputin and James E. Sheble, Clerk Louise Kingsbury.

MINUTES READ

Minutes of the May meetings were read and approved as read.

PLAT APPROVED

A plat of an irregular tract of land was presented and approved viz:
A tract in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 Township 30 North Range 5 West of approximately 0.58 acres surveyed for the Emmett Ryan Post No. 36 American Legion.

PREDATORY ANIMAL BUDGET

Agent for the Fish and Wildlife Service met with the Board of County Commissioners with a request for the amount of \$2100.00 for the budget for Predatory Animal Fund for the fiscal year 1961-1962. Motion was made and seconded that this amount be allowed for this budget.

LIBRARY BOARD

Members of the Library Board met with the Board of County Commissioners as follows: John Lahr and Mrs. Dorothy Floerchinger of Conrad and Mrs. Mervin Chausse and Mrs. Constance Lohse of Valier. An examination by the Deputy State Examiner, Mr. Morris, disclosed the fact that no Petition had been submitted to the Board of County Commissioners at the time the County started participating in the expense of the library. These members of the Library Board were so informed and they agreed to circulate the Petitions during the meeting of the Board of County Commissioners.

The signed Petition for establishment of a Pondera County Free Library was presented to the Board of County Commissioners. The Petition was signed by more than ten (10) per cent of the resident taxpayers on the last completed assessment roll - 1960. The Board of County Commissioners set Friday June 30th, 1961 at 2 o'clock P. M. at the Pondera County Court House, as the time and place of a meeting for hearing of its contemplated action to establish by resolution a Pondera County Free Library and ordered publication of notice of meeting to be printed in four successive weeks issues prior to the meeting.

SANITARIAN REQUEST

Mr. Sloulin from the State Board of Health met with the Board of County

COMMISSIONERS MINUTE BOOK

Bustrey Food's, Inc.	Groceries-Ward Indians	\$ 16.00
Dupuyer Service Station	Gas-Ward Indian	3.00
Safeway Stores	Groceries-Ward Indians	2.00
Temple's	Groceries-Ward Indians	14.50
Myron Thompson	Groceries-Ward Indians	49.00
Vi & Joe's Phillip 66	Gas-Ward Indians	7.50
<u>Re:classification Fund</u>		
A. C. Petersen	May Salary and Exp.	459.02
Equitable Life Assurance Soc.	Employees Insurance Premiums	3.50
Farmers State Bank of Conrad	Federal Tax Withheld	67.40
Mountain States Tel. & Tel.	Service	11.00
Public Employees Retirement Sys.	May Contribution-Retirement	31.88
Social Security Division-Pers.	Contribution Soc. Sec.	12.75
State Treasurer	State Tax Withheld	7.02
<u>Weed Fund</u>		
John I. Wilson	Supervisor-Weed Spraying	241.00
Continental Oil Co.	Gas & Oil	79.84
Deiler Bernatz Co.	Supplies	17.55
Egin Metal Products	Supplies	25.00
Farmers State Bank of Conrad	Federal Tax Withheld	3.90
Farmers Supply Coop.	April Supplies & Inv. Aug.	58.28
Independent Observer	Call for Bids	11.40
K's Auto Parts	Supplies	8.12
Monarch Lumber Co.	Supplies	6.22
N & A Auto Co.	Gasket	.49
Nasco, Inc.	Supplies	13.88
Public Employees Retirement Sys.	Contributions to Retirement	14.94
Rain & Ranch Supply Co.	Weed-Spray Chemical	2070.00
Smith Equipment Co.	Supplies	12.00
Social Security Division-Pers.	Contribution-Soc. Sec.	7.23
State Treasurer	State Tax Withheld-May	.21
Twin Service Co.	Supplies & Engine	102.10
<u>Fair Fund</u>		
Elmer T. Crawford	Fair Contract-Payment	300.00
Maris B. Yeager	Work-Fair	25.00
<u>Airport Fund</u>		
Montana Power Co.	Service-Airport	19.97
<u>Brady Special Improvement Fund</u>		
The Montana Power Co.	Brady Street Lighting	51.48
<u>Brady Sewer Maintenance Fund</u>		
The Brady Garage	Welding Brady Sewer	4.50
James R. Sangray	Work on Sewer	40.00
<u>Library Fund</u>		
Great Falls Public Library	Library Service to Pondera Co.	3625.00

ADJOURNMENT

Meeting was adjourned at 5:30 P. M. on Thursday June 8th.

Louise Kingsbury
Secretary to the Board of County Commissioners, Pondera County, Montana.

Robert R. Emrick
Chairman of the Board of County Commissioners, Pondera County, Montana.

SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS

PONDERA COUNTY, MONTANA, HELD JUNE 30, 1961

The Board of County Commissioners met in Special Session on Friday June 30th at the Court House at 10 o'clock A. M. to receive the petition circulated for a Pondera County Free Library. Members were all in attendance including Chairman Robert R. Emrick, Commissioners Joe H. Preputin and James E. Sheble, Clerk Louise Kingsbury.

Petitions were presented having signatures of the required number of qualified signers. The Chairman Robert R. Emrick signed the following resolution, after motion was made by Joe H. Preputin and seconded by James E. Sheble that this be done:

PONDERA COUNTY, MONTANA

RESOLUTION ESTABLISHING PONDERA COUNTY FREE LIBRARY AND AUTHORIZING FURNISHING OF LIBRARY SERVICE THROUGH CONTRACT WITH INCORPORATED CITY OR TOWN.

WHEREAS, a Petition for establishment of a Pondera County Free Library, signed by more than ten per cent (10%) of the resident taxpayers whose names appear upon the last completed assessment roll of Pondera County, Montana, and more than half of whom reside outside of the County Seat, was filed with the Board of County Commissioners on June 7, 1961, and

WHEREAS, the County Commissioners of Pondera County thereupon did appoint a meeting for a public hearing on said Petition, said public meeting to be held on June 30, 1961, at 2:00 P. M. at the Pondera County Court House in Conrad, Pondera County, Montana, and

WHEREAS, for four (4) successive weeks prior to June 30, 1961, the Board of County Commissioners of Pondera County, Montana, did publish in each issue of the Independent-Observer, a newspaper of general circulation in Pondera County, Montana, notice of the contemplated action to establish a Pondera County Free Library, giving in said notice the date and place of the meeting for the said public hearing, and

WHEREAS, at the date and place of said meeting on June 30, 1961, no person or persons appeared to protest the establishment of a Pondera County Free Library, and it appears that the granting of said Petition will be in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County, Montana, that there is hereby established a Pondera County Free Library.

AND IT IS FURTHER RESOLVED by the Board of County Commissioners of Pondera County, Montana, that pursuant to the provisions of R.C.M. (1947) 44-211, instead of establishing a separate county free library, the Board of County Commissioners shall enter into a contract with the board of library trustees or other authorities in charge of a free public library of an incorporated city or town, such contract to provide that the free public library of such incorporated city or town shall assume the functions of a county free library within Pondera County, Montana, and the Board of County Commissioners of Pondera County, Montana, shall agree to pay out of the county free library fund into the library fund of such incorporated city or town such sum or sums as may be agreed upon, and either party to such contract or contracts may terminate the same by giving six months' notice of intention to do so.

PASSED AND ADOPTED by the Board of County Commissioners of Pondera County, Montana, this 30th day of June, 1961.

COUNTY OF PONDERA
OFFICIAL SEAL
STATE OF MONTANA

Robert R. Emrick
Chairman of the Board of County Commissioners of Pondera County, Montana.

ATTEST:

Louise Kingsbury
Clerk.

HOLIDAY APPROVED

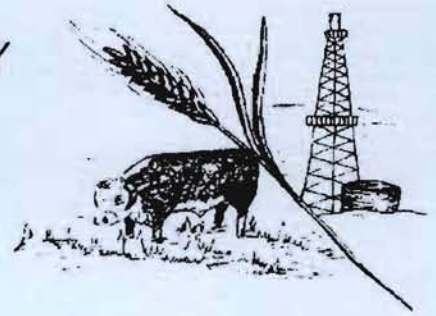
Motion was made by Commissioner Sheble and seconded by Commissioner Preputin that, since Governor Nutter had proclaimed July 3rd as a holiday for all state and county Offices, that Pondera County Court House would be closed on Monday July 3rd.



PONDERA COUNTY

20 4TH AVENUE S.W.

CONRAD, MONTANA 59425



PONDERA COUNTY ATTORNEY
CHRIS P. CHRISTENSEN
Pondera County Courthouse
20 4th Ave. SW
Conrad, Montana 59425
Telephone: 406-278-4050
Fax: 406-278-4034

May 27, 1998

Darlene Staffedt, Director
Statewide Library Resources
Montana State Library
1515 E. 6th Ave.
Helena, MT 59620-1800

In Re: Pondera County Library

Dear Ms. Staffedt:

We have reviewed the materials submitted by you to Duane Sheble of the Valier Public Library. It is our joint opinion that in 1961 the Pondera County Commissioners, acting upon a Petition signed by a sufficient number of Pondera County residents from throughout the County, adopted a resolution creating the free Pondera County Library. At that time, the committee circulating that Petition, as shown by the minutes attached to prior correspondence provided to you, consisted of two residents of the City of Conrad and two residents of the Town of Valier. It was the clear intent of the County Commissioners of Pondera County to create a County library operating in two locations in the County, Conrad and Valier.

It appears to the undersigned that this is consistent with the process provided for in Section 22-1-303(2) MCA. We have each respectively so advised our respective clients, the Pondera County Commissioners and the City Council of Valier.

For your information, the City Council in Conrad appoints the Library Board to serve for the Conrad Library branch of the Pondera Library. The Town of Valier Council appoints the Valier Board.

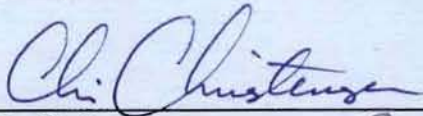
Darlene Staffedt
May 27, 1998
Page 2

The Pondera County Commissioners have sole budgeting authority and review budgets as submitted by both branches of the Pondera County Library. The Commissioners, in the normal budgeting process, make their determination with respect to the finance level of funding for each of these two branches of the Pondera County Library.

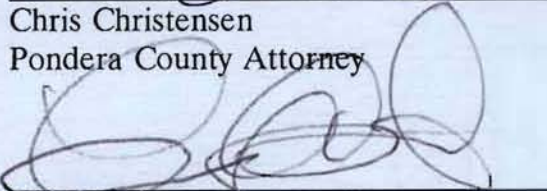
It is our opinion, as we stated above, the library operated by Pondera County in the Town of Valier is a duly constituted and authorized library under Section 22-1-303(2) MCA. This is not the same situation as that presented in the Choteau Library Board of Trustees v. Teton County Commission case.

If you require further documentation please let us know and we will work with Duane Sheble, the Valier Public Library librarian, to provide same.

Sincerely,



Chris Christensen
Pondera County Attorney



Larry D. Epstein
Valier City Attorney

cc: Pondera County Commissioners
Valier City Council

CITY/COUNTY AGREEMENT FOR VALIER PUBLIC LIBRARY

AGREEMENT made this 17th day of March, 2002, between the TOWN OF VALIER, 514 Montana Street, Valier, Montana, an incorporated city of the State of Montana, herein after referred to as TOWN and COUNTY OF PONDERA, 20 4th Avenue S.W., Conrad, Montana, a governmental entity of the State of Montana, hereinafter referred to as COUNTY.

RECITALS

Whereas, the TOWN operates a free public library pursuant to Montana Code Annotated 22-1-303; and

Whereas, the COUNTY has elected to enter into a contract with the TOWN, pursuant to Montana Code Annotated 22-1-315 in lieu of providing a separate county free library by duly enacted Resolution of the County Commissioners on June 30, 1961, and

Whereas, the TOWN and COUNTY agree that entering into a written contract to memorialize this relationship is in the best interest of their respective constituents;

Now, THEREFORE, in consideration of the terms, conditions and covenants hereinafter set forth and agree to be performed by the parties, the parties agree to follows:

1. The TOWN shall assume the function of a county free library for the County of Pondera.
2. The COUNTY shall pay out of the county free library fund into the library fund of TOWN such sum or sums as may be designated by the County Commissioners of Pondera County, each year for support of the library.
3. In no event shall said mills be less than 1.11 mills, which is the number of mills that the COUNTY presently contributes to the Valier Public Library Fund. The TOWN shall pay out of its city library fund, such sum or sums as may be designated by the City Council each year for the support of the public library. In no event shall said mills be less than 1.64 mills, which is the number of mills that the TOWN intends to contribute to the public library fund for fiscal year 2001-2002.
4. City shall continue to be responsible for all management and operational decisions which are required to be made by the TOWN for the operation of the joint TOWN-COUNTY free library, including but not limited to appointment of the Board of Trustees pursuant to Montana Code Annotated 22-1-308.
5. The Board of Trustees appointed to operate the joint TOWN-COUNTY free library shall continue to exercise their duties and responsibilities set forth in Montana Code Annotated 22-1-309, independent from the direction of either the City Council or County Commissioners, except to the extent provided thereunder.
6. This agreement shall be in full force and effective from after the first day of July, 2001 and shall continue from year to year unless terminated as provided herein.

Staffeldt, Darlene

From: Valier Public Library [valpubl@3rivers.net]
Sent: Tuesday, November 15, 2005 2:12 PM
To: Staffeldt, Darlene
Subject: Valier mills

What do you think?
Cathy

CITY/COUNTY AGREEMENT FOR VALIER PUBLIC LIBRARY

AGREEMENT made this ___ day of _____, 2005, between the TOWN OF VALIER, 514 Montana Street, Valier, Montana, an incorporated city of the State of Montana, herein after referred to as TOWN and COUNTY OF PONDERA, 20 4th Avenue S.W. Conrad, Montana, a governmental entity of the State of Montana, hereinafter referred to as COUNTY.

RECITALS

Whereas, the TOWN operates a free public library pursuant to Montana Code Annotated 22-1-303; and

Whereas, the COUNTY has elected to enter into a contract with the TOWN, pursuant to Montana Code Annotated 22-1-315 in lieu of providing a separate county free library by duly enacted Resolution of the County Commissioners on June 30, 1961; and

Whereas, the TOWN and COUNTY agree that entering into a written contract to memorialize the relationship is in the best interest of their respective constituents;

Now, THEREFORE, in consideration of the terms, conditions and covenants hereinafter set forth and agree to be performed by the parties, the parties agree to follows:

1. The TOWN shall assume the function of a county free library for the county of Pondera.
2. The COUNTY shall pay out of the county free library fund into the library fund of TOWN such cum or sums as may be designated by the County Commissioners of Pondera County, each year for support of the library.
3. In no event shall said mills be less than 1.11 mills, which is the number of mills that the COUNTY presently contributes to the Valier Public Library Fund. The TOWN shall pay out of its city library fund, such sum or sums as may be designated by the City Council each year for the support of the public library. In no event shall said mills be less than 11.64 mills, *[the Valier Public Library retains the right to give the TOWN permission to use a portion of said 11.64 mills, for operating funds.]*, which is the number of mills that the TOWN intends to contribute to the public library fund for fiscal year 2006-2007.
4. City shall continue to be responsible for all management and operational decisions which are required to be made by the TOWN for the operation of the joint TOWN-COUNTY free library, including but not limited to appointment of the Board of Trustees pursuant to Montana Code Annotated 22-1-308.

5. The Board of Trustees appointed to operate the joint TOWN-COUNTY free library shall continue to exercise their duties and responsibilities set forth in Montana Code Annotated 22-1-309, independent from the direction of either the City Council or County Commissioners, except to the extent provided thereunder.
6. This agreement shall be in full force and effective from after the first day of July, 2006 and shall continue from year to year unless terminated as provided herein.
7. Either party may terminate this contract upon six months notice in writing to the other party sent by certified mail, return receipt requested, at its principal place of business.
8. The parties herein agree to indemnify and hold harmless one another from any claim, action, liability, loss, damage or suit arising from the party's negligent or intentional conduct.

IN WITNESS WHEREOF, the parties have executed this agreement in triplicate on the day and year first above written.

TOWN OF VALIER

COUNTY OF PONDERA

Velda N. Loch, Mayor
Town of Valier, Montana

Pondera County Commissioner
Conrad, Montana

ATTEST:

ATTEST:

Jacalyn G. Sheble, Clerk/Treasurer
Town of Valier, Montana

Janice Hoppes, Clerk and Recorder
Pondera County, Conrad, Montana

State of Montana)
 : Ss
County of Pondera)

On this _____ day of _____, 2002, before me the undersigned Notary Public for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and the City Clerk of the Town of Valier, respectively, and whose names are subscribed to the within forgoing instrument and acknowledge to me that they executed the same on behalf and for the Town of Valier.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year in this certificate first above written.

(Notarial Seal)

Notary Public for the State of Montana
Residing at _____, Montana
My commission expires: _____

Valier
public

Montana State Library
Helena, Montana
August 19, 1998

Darlene,

After our phone conversation about our classification as a County library, the Mayor looked through back minutes and found the following Minutes dated Sept. 3, 1968 where the Town Council was being asked for, and permission was granted to establish a city library.

Even though we are established as a county library would this change our classification to City-County?

Sorry that I misunderstood and thought that the City could pass a resolution to establish a City library if they felt so inclined. I knew that it wouldn't change our establishment but would make the classification what we thought we were - City-County.

Thank you for your help.

Duane

Duane Sheble

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
TOWN OF VALIER, MONTANA

A regular meeting of the Town Council, Town of Valier, Montana was held in the Council Chambers on Sept. 3, 1968. The meeting was called to order by Mayor Fitzpatrick with Aldermen Hayes, Culleton, Durnell and Nelson in attendance. Rideout, Arnst, Ted R. Crawford and DeVoe Swank were also in attendance.

The minutes of the August meeting were read and approved as read.

A motion was made by Nelson seconded by Culleton and declared carried to give Larry Hodgson permission to move his trailer home to Block 6 Lots 12 and 13 to establish residence.

The following Claims were read:

Payroll				1506.10
Valier Drug	Water Collection	Water		15.00
Wentworth's	Rubber Hip Boots	Water		13.95
Valier Drug	Office Supplies, 1st Aid Kit	General	7.50	
		Water	1.75	9.25
Fitz Repair Shop	Ambulance Repair	General		40.00
Graham & Ross	Mosquito Spray	General		147.60
Jewel Fitzgerald	Fire Phone	Fire		10.00
Gambles	Valve & Fire Truck Supplies	Parks	1.59	
		Fire	3.29	4.88
West. Const. Equip.	Tractor Rental	Water	100.00	
		Sewer O&M	119.00	219.00
Wrights Enco	Tire Repair & Gas	General		13.50
Valier Lumber Co.	Supplies	General		28.65
Co-op Supply Co.	Park Supplies	Street	4.08	
		Parks	27.65	31.73
Mont. Power Co.	Gas & Electric Service	Water	188.56	
		Street	174.75	
		Parks	7.50	
		Fire	6.00	376.81
Valier Library	Books	Library		10.00
Sterling Codifiers	Annual Supply Fee	General		150.00
Valier Garage	Gas & Oil	Street		13.75
Ruth's Conoco	Oxygen	Water		14.36
Mont. M.P.S.	Ins. Premium	General		126.83
Mountain States Tel	Tel. Service	Water	19.44	
		Fire	23.42	42.86
Continental Oil	Grease & Diesel Fuel	Street		12.32
Valier Bank of Mont	Fed. Withholding	General		77.50
Social Security	Social Sec. Premium	General		153.80
Continental Oil	Disallowed Gov. Cert.	Street		17.05
Valier Bank	Paying of Warrant	Water		565.00
Valier Bank	Purchase of C.D.	Police Retirement		457.34

A motion was made by Hayes seconded by Durnell and declared carried the Claims be paid as read.

Ted R. Crawford asked for permission to have a City owned Library built on Block 75 Lots 21, 22, 23, 24 1st addition Town of Valier. A motion was made by Durnell seconded by Culleton and declared carried this permission be granted.

Durnell made a motion seconded by Nelson and declared carried, Brad Karow be appointed to act as Treasurer for the building of the new Library and pay all bills that occur.

Ted Crawford turned over the Titles and Deeds to the Land, the new Library will sit on, to the Town. The City Library also holds the Deed to 80 feet of Lot 2 and all of Lot 3 in Block 3 of the Original Townsite of Valier. This property will be sold to Husky Oil Co. if they so desire, if not it will be turned back to the County to be placed on the Tax Roll.

DeVoe Swank asked permission to build a 16 x 16 L shaped toll shed on his property. Culleton made a motion seconded by Durnell and declared carried this be granted.

The Delinquent water bills were discussed and in a motion made by Durnell and seconded by Hayes and declared carried it was decided all water bills that are over 60 days delinquent they will be notified in writing and if no payment has been received by the Treasurer within 10 days of the notice the water will be turned off and not turned on until the bill is paid in full. There will be a fee of \$1.00 to turn it off and a fee of \$2.00 to turn it back on.

There being no further business the meeting was declared adjourned.

Larry A. Kavater
CLERK

Joe Fitzpatrick
MAYOR