

# PUBLIC LIBRARY CERTIFICATION

This certifies that our library

Bozeman 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.

Ronald A. Jones

Library Board Chairperson

Alice M. Meister

Library Director

February 17, 1998

Date

188

Ordinance No 79 <sup>new</sup>

An ordinance for the establishment and maintenance of a free public library in the City of Bozeman -

As it is claimed by the City Council of the City of Bozeman -

Section 1 - In accordance with an Act of the Legislative Assembly of Montana, Approved March 5<sup>th</sup> 1883 - There shall be a free public library in this City, for the use of the citizens thereof, under such regulations as may be prescribed by a board of directors hereinafter provided for, subject to the approval of the City Council -

## Section 2

The affairs of the library shall be managed by a board of six (6) directors one half of whom shall be ladies. They shall be appointed by the Mayor subject to confirmation by the City Council - Two (2) for a term of one (1) year - Two (2) for two (2) years and two (2) for three (3) years from the first day of May 1891 - And two (2) shall be appointed annually hereafter for a term of three (3) years. The Chairman of the Committee on Library of the City Council, shall be ex-officio Chairman of said board of directors, with the same power as the other directors -

## Section 3

Said board of directors shall make rules for their own government - They shall keep a record of their transactions, open at all times to the inspection of a committee of the Council. They shall have power to provide or furnish suitable rooms for the library, and to employ a suitable person for librarian. They shall have power to receive books from all sources for the use of such library and it shall be their duty to purchase

books therefor with any money of their disposal. They shall have power and it shall be their duty to prescribe all needful rules and regulations for the use of the books, and to preserve the same from loss or damage - They shall report annually on the 1<sup>st</sup> day of May to the City Council.

Section 4

An Annual tax of one half mill on the dollar of all taxable property in the City, is hereby levied for the support and maintenance of such library. One half of which, at least, shall be expended each year for the purchase of new books and periodicals for the library -

Section 5

The City treasurer shall preserve the tax so collected in a fund by itself, to be known as, the library fund, and the same shall only be expended for the purchase of books, equipments, and support and maintenance of such public library.

Section 6

This Ordinance shall be submitted to the qualified electors of the City of Bozeman at the regular election to be held April 6<sup>th</sup> 1891. In the manner prescribed by law and shall become operative and in force only if a majority of the votes cast at such election, shall be in favor of such public library, Passed, Adopted and Approved this 23<sup>rd</sup> day of February 1891 -

A. A. Pearl  
Mayor

Attest  
Wm. A. Jones  
City Clerk

Published in Avant Courier & posted  
Feb'y 27<sup>th</sup> 1891

d  
7  
x  
(  
-  
my  
ens  
may  
the  
mag  
elf  
ll  
vo(2)  
a  
ans  
d  
ans  
may  
with  
-  
ny  
no,  
of  
all  
able  
a  
shall  
ll  
ny

LIBRARY SERVICES CONTRACT

THIS AGREEMENT is entered into on the \_\_\_\_\_ 1st \_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 1997, by and between the Board of County Commissioners of Gallatin County, hereinafter referred to as "the County", and the Board of Library Trustees of the City of Bozeman Library, Bozeman, Montana, hereinafter referred to as "the Library".

W I T N E S S E T H :

WHEREAS, the County desires to provide library services for rural residents of Gallatin County, and the Library has existing library facilities; and,

WHEREAS, Section 22-1-315, MCA, provides that the County and the Library may enter into a contract by which the free public library of the City of Bozeman shall assume the functions of a county-free library within Gallatin County;

NOW, THEREFORE, it is agreed as follows:

1. In return for payments to be made by the County, the Library shall make available to all rural county residents the services provided by their library at no cost to county residents;

2. The County agrees to pay the Library for library privileges for its rural residents the sum of Two Hundred Sixty-

Three Thousand Two Hundred Seventy-six and no/100 Dollars (\$263,276.00). Payment will be made in equal quarterly installments on or before October 20, 1997, December 31, 1997, March 31, 1998, and June 30, 1998.

3. The Library hereby acknowledges that this contract is contingent upon available revenue and if revenue falls short, then the County shall make adjustments in disbursements to the Library.

4. By entering into this agreement, the Library provides through Exhibit "A" attached hereto, notification to the County by the governing body of the City of Bozeman, of a request to exclude the property of the incorporated City of Bozeman, Montana, from liability for taxes under the County library mill levy;

5. The Library hereby acknowledges and holds harmless the County for the failure of the County to collect all possible tax revenue payable to the Library pursuant to this contract. The Library acknowledges the possibility of delinquent and late taxes which are beyond the control of the County. Any such delinquent and late taxes which are payable to the Library shall be credited to the account of the Library, and any such taxes recovered after the term of this agreement shall be paid to the Library;

6. The Library shall administer the Library in such a manner as to extend the same library privileges to the rural

residents of Gallatin County outside the incorporated limits of the City of Bozeman subject to this contract as are enjoyed by city residents;

7. The duration of this contract shall be for the period of July 1, 1997 through June 30, 1998;

8. The terms of this contract may be altered only upon written consent of both parties hereto;

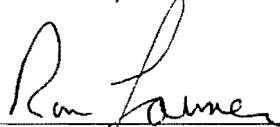
9. This contract may be terminated by either party hereto, upon six (6) months written notice of intention to do so.


DATED this 14th day of October, 1997.

BOARD OF COUNTY COMMISSIONERS  
OF GALLATIN COUNTY

BOARD OF TRUSTEES OF THE CITY  
OF BOZEMAN PUBLIC LIBRARY,  
BOZEMAN, MONTANA

\_\_\_\_\_  
Phil Olson, Chairman

  
\_\_\_\_\_  
Ron Farmer, Chair

  
\_\_\_\_\_  
Jane Jelinski, Member

\_\_\_\_\_  
William A. Murdock, Member

ATTEST:

APPROVED AS TO LEGAL CONTENT:

\_\_\_\_\_  
Shelley Vance, Clerk & Recorder

\_\_\_\_\_  
Marty Lambert,  
County Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

EXHIBIT "A"

NOTICE OF EXEMPTION FROM COUNTY LIBRARY TAX

TO: The Board of County Commissioners of Gallatin County  
FROM: The Governing Body of the City of Bozeman,  
Gallatin County, Montana.

YOU ARE HEREBY NOTIFIED that the City of Bozeman, Gallatin County, Montana has entered into a Library Services Contract with Gallatin County by which the Bozeman Public Library shall assume the functions of a county free library within Gallatin County. Pursuant to paragraph four (4) of that contract, the City of Bozeman, Montana, hereby requests that the property of the incorporated City be excluded from liability for taxes under the Gallatin County library mill levy.

DATED THIS 14th day of October, 1997.

BY:   
\_\_\_\_\_

\_\_\_\_\_  
City Manager, City of Bozeman, Montana