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Ravalli County Commissioners

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Ravalli County Commission
215 South 4th Street
Hamilton, MT, 59840

March 16, 2015

Dear Ravalli County Commission:

In November 2014, we asked the Ravalli County Clerk and Recorder to assist us in plans to present an increase in Mill Levy Funding to the Darby Community Public library district voters for approval. This request was promptly filled.

At our meeting in December 2014, The Clerk and Recorder and a Deputy County Attorney presented us with information that in essence raised the question of whether the Darby Community Public Library was a "City/County Public Library" or an "Independent Library District." The basic differences in operation were how trustees were selected/elected and whether the Board of Trustees had the authority to present a mill levy increase to the voters without the prior approval of the city and county.

We considered the information, and at our February, 2015 meeting, the Board of Trustees voted to become an Independent Library District effective 7/1/15. A copy of trustee's intent was sent to the State Librarians Office where it was then forwarded to the MT Department of Justice, Legal Services Division. Their reply was received on March 6, 2015 at 4:52 PM. It was unequivocal. The Darby Community Public Library District cannot become an "independent library district" simply by "operation of law". Rather, it must be put to the voters again.

The trustees have two opinions of law, both from respected sources. The opinions are significantly different. The trustee's decisions from the February 12, 2015 board meeting have not been implemented. The City/County had not been formally notified of the intent of the Library Board of Trustees.

At the regular board meeting on 3/12/15, the trustees voted to rescind their decision of 2/12/15 to become an Independent Library District on 7/1/15. They then reaffirmed their decision to remain a City/County Public Library under the present Inter-local Agreement for the present. Trustee nominees will be recommended by the trustees but formally appointed by the City and/or County. The next reappointment will be in June 2015 and be effective 7/1/15. A mill levy election is still planned for 9/15/15 and permission to hold the election will be from the City/County. The financial relationship with the Town of Darby will remain the same.

Sincerely,

Forest Hayes, Board of Trustees Chair

Barbara Ackerman, Board of Trustees Vice Chairperson

Judy Estler, Trustee

Ted Almgren, Trustee

Cc: Darby Town Council