

Approved:
April 20, 1989

Revised:
January 16, 2003

Revised:
October 18, 2007

**Constitution and Bylaws
Board of Trustees
Bartow County Library System**

Library Board Members

Greg Culverhouse, Chairman
Kate Dougherty, Vice-Chairman
Don Kordecki, Secretary
Marie Williamson, Treasurer
Abbe Boring
Wes Dickey
Jo Taylor

Constitution
Board of Trustees
Bartow County Library System

ARTICLE I. NAME

The name of the system shall be the Bartow County Library System.

ARTICLE II. HEADQUARTERS

The headquarters for the Bartow County Library System shall be located in Cartersville, Georgia.

ARTICLE III. PURPOSE

The purpose of the Bartow County Library System shall be to furnish library services to the people of the county under the regulations governing public libraries as set forth by the State of Georgia.

The Bartow County Library System shall offer a full program of library services to all citizens of Bartow County to meet their informational, educational, and recreational needs; acquire and purchase library materials; circulate materials to the public through the member libraries or by other appropriate means of library extension; develop existing libraries, and establish and develop member libraries, deposits, and other services as appropriate to the needs of the service area.

ARTICLE IV. CONSTITUENCY

The Bartow County Library System shall serve all citizens of the county through libraries located in Adairsville, Cartersville, and Euharlee, and other extension services.

ARTICLE V. LEGAL AUTHORITY

The legal authority for public libraries and boards of trustees is described in Title 20, Chapter 5, (§ 20-5-40, 42 (2006) of the Official Code of Georgia Annotated.

ARTICLE VI. GOVERNING BODY

Section 1. The governing body of the Bartow County Library System shall consist of a Board of Trustees composed of members who are appointed to the county library board by the governmental agencies financially supporting the library on a regular basis, as specified in the bylaws and the state law. The operation of the county library system is legally vested in this board under the provisions of the Official Code of Georgia Annotated, Title 20, Chapter 5, Article 2, Part 2 (§20-5-41). The library director shall serve as executive officer of the library board without vote, and be notified of all meetings of the board and committees of the board.

Section 2. The term of office for board members shall be three years, with starting and ending dates corresponding to the fiscal year. No member may serve on this board for more than two successive three-year terms of office.

Section 3. Board members shall receive no compensation. They may be reimbursed for any reasonable and necessary expenses incurred in the performance of library business or if stipulated in terms of any bequest or gift.

Section 4. Vacancies shall be filled in the same manner as appointments are made. If a vacancy occurs prior to the expiration of a trustee's term, the new appointee shall complete the unexpired term.

Section 5. Upon approval by the board, additional representatives may be added from any governmental agencies which, in the future, agree to support the library financially on a regular basis.

ARTICLE VII. OFFICERS

Section 1. The officers of the board of trustees shall be a chairman, a vice-chairman, and a secretary elected from those serving on the board. The county library board shall appoint a treasurer, who may or may not be a member of the board. The treasurer shall be appointed or reappointed annually by the board, and there shall be no limit to the number of terms he or she may serve in succession. These officers shall perform the duties prescribed by the bylaws and by the nominating committee.

Section 2. Nomination shall be made by a committee appointed by the Chairman of the Board. The Chairman and/or the Director may serve as one of the members of the nominating committee.

Section 3. The officers shall be elected at the April meeting to serve for one year or until their successors are elected, and their terms of office shall begin July 1. An officer is elected for a one-year term and may serve, upon reelection, for one successive term.

Section 4. The library director shall be authorized to serve as assistant secretary and assistant treasurer of the board.

Section 5. The treasurer, the director, and any members of the staff authorized to handle library funds shall be bonded for an amount commensurate with the amount of funds handled, determined by the board and entered in the minutes, and a copy of the bond filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia.

Section 6. All federal, state, and local funds used for the operation and improvement of the services and facilities of the county library system shall be received by the treasurer and shall be used in accordance with the budget approved by the board, and the intent of the appropriation and its attendant laws and regulations.

ARTICLE VIII. EXECUTIVE COMMITTEE

An Executive Committee, composed of the officers of the board, shall be entrusted to govern in the name of the board of trustees between meetings of the board.

ARTICLE IX. STANDING COMMITTEES

Standing committees shall be the Finance Committee, the Personnel Committee, the Building/Facilities and Grounds Committee, the Policy Committee, the Art Gallery Committee, and the Committee on Constitution and Bylaws. A board member will be appointed to represent the board at meetings of the Friends of the Library. Other special committees and appointments may be made by the chairman as needed.

ARTICLE X. INTERLIBRARY COOPERATION

The Bartow County Library System may enter into cooperative endeavors with other library systems for the purpose of sharing personnel, materials, and services by confederation or by merger as seen fit by the governing bodies of the library systems. Such cooperative endeavors must be within the limits of funds available to the boards of trustees, conducive to mutual growth and development of library services, and not in violation of state or federal laws, regulations, or other agreements, contracts, or library board policies.

ARTICLE XI. CONTRACTS

The Bartow County Library System is authorized to make and enter into such contracts or agreements, for all or any part of the county library system as are deemed necessary and desirable under the provisions of Title 20, Chapter 5, Article 2 (§ 20-5-49) of the Official Code of Georgia Annotated.

ARTICLE XII. AMENDMENT OF CONSTITUTION

This constitution may be amended at any regular meeting of the board of trustees by a two-thirds vote of the members present, provided that notice is made in writing at least two weeks prior to the meeting, and provided that a quorum is present. All amendments to the Constitution will be filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia immediately upon adoption.

Bylaws
Board of Trustees
Bartow County Library System

ARTICLE I. DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS

The Bartow County Board of Trustees is the legal governing body of the Bartow County Library System. The board shall consist of no fewer than seven members including at least one appointee from each governmental agency financially supporting the library on a regular basis. The duties and responsibilities of members of the board of trustees shall include but are not limited to the following:

- a) To employ a director for the county library system who meets state certification requirements, and such other employees as necessary upon the recommendation of the county library system director. Authority for the administration and supervision of the libraries in the system shall be vested in the county library director. Employment, dismissal and the assignment of respective duties, authorities, and responsibilities of all employees shall be in accordance with approved personnel policies of the board.
- b) To approve budgets prepared by the county library system director and to assume responsibility for the presentation of the library system's fiscal needs to the supporting agencies.
- c) To attend board meetings.
- d) To establish policies governing library programs, including rules and regulations governing the use of the library system.
- e) To set policy for the receipt and administration of gifts of money and property.
- f) To present financial and progress reports to governing officials and to the public.
- g) To notify the county library system director in advance of all meetings of the board and board committees.
- h) To notify the appropriate supporting agency authorities of a vacancy on the board and present the name of the recommended appointee.

ARTICLE II. DUTIES OF THE OFFICERS

Section 1. The chairman shall preside at all regular or called board meetings. He or she shall appoint all committees and shall be an ex-officio member of all committees.

Section 2. The vice-chairman shall preside in the absence of the chairman. All other duties of the vice-chairman shall be assigned by the chairman.

Section 3. The secretary shall record the official actions of the board, keep a record of attendance at board meetings, and have the custody of the official books, which shall be housed in the county library headquarters. The secretary shall notify the proper appointing authorities of vacancies which may occur on the county library board. He or she shall report changes of membership to the Office of Public Library Services of the Board of Regents of the University System of Georgia. The secretary shall send copies of the annual report of activities, income, and expenditures to each funding agency.

Section 4. The treasurer shall deposit all monies received in a bank or banks approved by the board of trustees. He or she shall notify, in writing, any supporting agency whose appropriations are not paid promptly and in full. He or she shall pay all bills which have been approved by the director who shall make all purchases and who shall countersign all checks. An account of all receipts and expenditures must be kept and a report made at each quarterly meeting. The accounts shall be audited at the direction of the board and according to State Aid Criteria and other state regulations. Official copies of all financial reports and the treasurer's books shall be kept in the county library headquarters at all times.

ARTICLE III. DUTIES OF THE DIRECTOR

Section 1. The director of the county library system must hold at least a Grade 5 (b) Librarian's Professional Graduate Certificate as defined by the State Board for the Certification of Librarians.

Section 2. The director shall be the administrative head of the county library system under the direction and review of the board.

Section 3. It is the duty and responsibility of the director:

- a) To recommend for employment or termination other staff members, as necessary, in compliance with applicable laws, board policies, and the availability of funds.
- b) To attend all meetings called by the Office of Public Library Services of the Board of Regents of the University System of Georgia or send a substitute authorized by the office director.
- c) To prepare any local, state, or federal budgets.
- d) To notify the board of trustees and the Office of Public Library Services of the Board of Regents of the University System of Georgia of any failure to comply with:
 - 1) Policies of the board;
 - 2) Criteria for state aid;
 - 3) State and federal rules and regulations; and
 - 4) All applicable local, state or federal laws.
- e) To administer the total library program, including all affiliated libraries, in accordance with policies adopted by the system board of trustees.

- f) To attend all meetings of the county system board of trustees or to designate a person to attend in his or her place.

ARTICLE IV. MEETINGS

Section 1. The board of trustees shall hold no fewer than four regular meetings during each fiscal year, including no fewer than one each calendar quarter.

Section 2. Special meetings may be called by the chairman or upon the request of three board members, for the transaction of business stated in the call for the meeting. No business other than that for which the meeting was called may be conducted at a called meeting.

Section 3. Prior to each regular or called meeting, the secretary of the county library system shall notify the director and each member of the board of trustees of the date, time, and place of the board meeting.

Section 4. Meetings of the executive committee may be called by the chairman to transact any business requiring attention between regular meetings of the full library board.

Section 5. All meetings must be open to the public and the news media. The board may, however, enter into a closed session for the discussion of proposed or pending litigation; deliberation on acquisition or sale of real property; or hearings or discussion on the appointment, discipline or dismissal of an individual employee, without restricting the employee's right to a public hearing if requested. If the board enters into a closed session, no formal action will be taken. All decisions must be formally moved and adopted in an open board meeting to be legally binding.

Section 6. The latest edition of Robert's Rules of Order (revised), when not in conflict with this constitution and bylaws, shall govern the proceedings of the board of trustees of the Bartow County Library System.

Section 7. Each member of the library board shall have one vote. The chairman shall not vote except in the case of a tie vote, at which time the chairman shall vote to break the tie.

Section 8. A majority of the members of the board of trustees constitutes a quorum. No official business may be conducted without a quorum. Except as stated in Article VIII of this document, a simple majority affirmative vote of the quorum present and voting shall be necessary to approve any action before the board.

Section 9. The recommended order of business for meetings shall be:

- I. Call to order
- II. Approval of minutes from last meeting
- III. Treasurer's report
- IV. Director's report
- V. Open issues

- VI. New business
- VII. Public comment
- VIII. Announcements
- IX. Adjournment

Section 10. Teleconferencing may be utilized during a meeting to complete a quorum, or if arranged in advance of the meeting by the chairman and in accordance with the open meetings law as described in Title 50, Chapter 14, of the Official Code of Georgia Annotated.

ARTICLE V. REPORTS

The county library system is responsible for all reports as deemed necessary by local, state and federal funding agencies. An annual report of activities, income and expenditures shall be filed with each funding agency. All reports necessary to obtain funds or meet requirements of the law shall be filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia.

ARTICLE VI. ATTENDANCE

Section 1. A board member shall be removed for cause or for failure to attend three consecutive scheduled meetings.

Section 2. A letter reporting the removal and specifying the cause shall be sent to the affected board member and to the funding agency responsible for his appointment. The funding agency shall be asked to appoint another representative to fill that member's unexpired term.

ARTICLE VII. PENALTIES

Employees or agents of the Bartow County Library System may cause the arrest, fine and imprisonment of persons who borrow, and fail to return, books and other property owned by the library system; deface, damage, steal, or otherwise improperly use and/or abuse library property; or commit other violations as described in the Official Code of Georgia Annotated, Title 20, Chapter 5, Article 2 (§20-5-57).

ARTICLE VIII. AMENDMENTS

These bylaws may be amended at any regular meeting of the board of trustees by a two-thirds vote of the members present, provided that notice is made in writing at least two weeks prior to the meeting, and provided that a quorum is present. All amendments to these bylaws shall be filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia immediately upon adoption.