

CONSTITUTION OF THE BOARD OF TRUSTEES OF THE FULTON COUNTY LIBRARY SYSTEM

ARTICLE I NAME AND LOCATION

The Fulton County Library System (FCLS) is a county-wide library system and provides library services to Fulton County, Georgia, and that part of the City of Atlanta in DeKalb County, Georgia. For purposes of signage, letterhead, website and other materials and non-legal documents, the library system may also be known as the Atlanta-Fulton County Library System (AFCLS) within the corporate limits of the City of Atlanta.

ARTICLE II PURPOSE AND MISSION

FCLS serves as a cultural and intellectual center that enriches the community and empowers all residents with essential tools for lifelong learning. FCLS shall offer a full program of library services to all citizens of the FCLS service area.

ARTICLE III GOVERNANCE

Section 1. Governing Law. FCLS was established by the Georgia Legislature in accordance with the Act of 1982, Ga. L. 1982, p. 4174, as amended by Ga. L. 1983, p. 4228, Ga. L. 1984, p. 4711, Ga. L. 1985, p. 4327, Ga. L. 1986, p. 5370, Ga. L. 1988, p. 4613, Ga. L. 1990, p. 3715, Ga. L. 1993, p. 4429, Ga. L. 1995, pp. 3739, 4084, Ga. L. 1996, p. 3859, Ga. L. 1997, p. 3635, Ga. L. 2005, p. 4345, and Ga. L. 2015, p. 4054. Title 20, Chapter 5, Part 2, O.C.G.A. § 20-5-40 *et seq.*, also applies.

Section 2. Board of Trustees. FCLS is administered by a Board of Trustees as prescribed by Ga. L. 2015, p. 4054.

Section 3. Membership; Eligibility; Terms; Removal

- (a) Membership. There shall be seven Fulton County-appointed members of the Board of Trustees, with one member to be appointed by each member of the Board of

Commissioners of Fulton County and confirmed by a majority of the Board of Commissioners. The mayor of the City of Atlanta shall appoint one member to serve on the board of Trustees *ex officio* as a nonvoting member. Any vacancy on the Board of Trustees shall be filled in the same manner as an initial appointment.

- (b) Eligibility. Each member of the Board of Trustees appointed by a member of the Board of Commissioners shall reside within Fulton County during his or her service on the Board of Trustees. No person may be appointed or serve as a member of the Board of Trustees who holds any elective office. No member of the Board of Trustees who has been removed for cause or for failure to attend meetings shall be eligible for reappointment during the appointing authority's present term of office.
- (c) Terms. Each member of the Board of Trustees appointed by a member of the Board of Commissioners shall serve at the pleasure of the appointing member of the Board of Commissioners and for the same term as the Commissioner making such appointment.
- (d) Removal. Members of the Board of Trustees shall be removed for cause or for failure to attend three consecutive meetings or for failure to attend four or more meetings in a calendar year.

Section 4. Duties and Responsibilities. The Board of Trustees shall have duties and responsibilities which include but are not limited to the following:

- (a) Strategic Direction: To develop an annual strategic plan for the library system.
- (b) Executive Director: To hire an executive director of the library system who shall serve at the pleasure of the library board of trustees with the confirmation of a majority of the Board of Commissioners of Fulton County and shall report directly to the library board of trustees for purposes of job performance, evaluation, and budgeting.
- (c) Plan of service: To review and approve an annual plan of service for the distribution of services throughout the legal service area by January 1 as developed by the executive director.
- (d) Library Facility Master Plan: To review as needed current and long-range plans for utilization of library resources, revising any plans as appropriate;
 - i. Finance: To develop with the executive director and staff the annual operating and capital budgets for the library system; monitoring actual financial performance and authorizing adjustments to expense budgets when needed. ii. To approve proposed budgets and changes to budgets prepared by the library

system executive director and staff and to assume responsibility for the presentation of the library's fiscal needs to the Fulton County Board of Commissioners; iii. To present financial and progress reports to the Fulton County Board of Commissioners and to the public;

(e) Policies governing library system programs and services;

- i. To establish policies prioritizing the use of library resources and to communicate those policies to the Fulton County Board of Commissioners;
- ii. To establish reasonable rules and regulations governing the use of the library which are consistent with established legal precedent and Fulton County policies;
- iii. To set policies for the administration of gifts of money and property which are consistent with Fulton County policies relating to finance and purchasing;

(f) Board of Trustees

- i. To attend Board meetings;
- ii. To elect officers as provided in this Constitution;
- iii. To remove members of the Board of Trustees for failure to attend Board meetings which attendance shall be determined by the minutes of the meetings of the Board of Trustees or for cause as may be determined by the majority of members of the Board of Trustees in their sole discretion;
- iv. To notify appropriate commissioners on the Fulton County Board of Commissioners of vacancies on the Board of Trustees so that appointments may be made to complete unexpired or full terms;
- v. To notify the library system executive director, in advance, of all meetings of library Boards and Board committees; and
- vi. To provide for compliance by the Board of Trustees with the requirements of Georgia law governing open meetings, O.C.G.A. § 50-14-1 *et seq.*, and open records, O.C.G.A. § 50-18-70 *et seq.*

Section 5. Collective Authority. All decisions of the Board of Trustees shall be made by the Board as a collective body. No individual member may make decisions or act for the Board unless specifically authorized to do so by a vote of the membership of the Board.

Section 6. Compensation. The members of the Board of Trustees shall not receive compensation; however, in accordance with Ga. L. 2015, p. 4054, members of the FCLS Board of Trustees are authorized to receive a per diem allowance for each meeting of the Board of Trustees which they attend in such amount as may be fixed from time to time by the Board of Commissioners of Fulton County. Members may be reimbursed for any reasonable and necessary expenses incurred in the performance of library business. Dues or fees for membership in local, state, regional, or National Library Associations may be paid from library funds.

Section 7. Relationship between FCLS and Fulton County. The assets of FCLS are owned by Fulton County. FCLS is funded primarily by appropriations from Fulton County in the same manner as other departments of Fulton County government in accordance with the budgetary laws applicable to Fulton County and follows the purchasing procedures and requirements of Fulton County.

ARTICLE IV OFFICERS

Section 1. Officers. The officers of the Board of Trustees shall be a chairperson, a vice chairperson, and a secretary who shall perform the duties prescribed in the Bylaws. The office of secretary may, at the discretion of the Board, be held by the executive director of the library system or other library employee. In the event that the executive director or other library employee is elected to hold the office of secretary, he/she will be an *ex officio* member of the Board and will not be eligible to vote on Board issues.

Section 2. Election; Terms; Eligibility. Officers shall be elected as provided in the Bylaws to serve for a one year term. No member of the Board of Trustees shall hold more than one office at a time. No officer shall be eligible to serve more than two consecutive terms in the same office. The limitation on consecutive terms does not apply if the Board of Trustees elects the library executive director or other employee to serve as secretary. Vacancies in elected office shall be filled by vote at the next regular meeting of the Board of Trustees after the vacancy occurs.

ARTICLE V AMENDMENTS

Section 1. Amendment. This Constitution may be amended at any regular Board of Trustees meeting by a two-thirds vote of the members (five), provided the intended amendment is sent in writing to all members at least four weeks prior to the meeting at which the vote is taken.

Section 2. Annual Review. This Constitution shall be reviewed by the Board annually or sooner if revised Georgia Law suggests a review is in order. All amendments to the Constitution shall be filed with the Georgia Public Library Service, part of the Board of Regents, University System of Georgia immediately upon adoption.

ARTICLE VI PARLIAMENTARY AUTHORITY

The parliamentary authority shall be the latest edition of Robert's Rules of Order.

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