

Adopted October 5, 1989
Amended July 1, 1993
Amended October 1, 1998
Amended May 5, 2000
Amended January 12, 2010

CONSTITUTION OF THE CHEROKEE REGIONAL LIBRARY SYSTEM

ARTICLE I. NAME

The name of the system shall be the Cherokee Regional Library System.

ARTICLE II. HEADQUARTERS

The headquarters for the Cherokee Regional Library System shall be in the LaFayette-Walker County Public Library in Walker County.

ARTICLE III. PURPOSE

The purpose of the Cherokee Regional Library System shall be to furnish library service to the people of the region under the regulations governing public libraries as set forth by the State of Georgia.

The Cherokee Regional Library System shall offer a full program of library service to all citizens of the participating counties to meet their information, 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, bookmobile and other services as appropriate to the needs of the service area; build a reference collection adequate to provide current and reliable information as demanded by the needs of the communities comprising the area served; and promote the use of library resources by means of instruction, library-centered programs, exhibits, and other public relations media.

ARTICLE IV. CONSTITUENCY

The Cherokee Regional Library System shall serve all citizens of Dade and Walker Counties and such other counties or municipalities as may become part of the region, through the headquarters library, branch libraries, and bookmobile or other extension services. Membership in the Cherokee Regional Library

System provides the citizens of Dade and Walker Counties with reciprocal borrowing privileges in all libraries in the system.

Any county adjoining any county that is a member of the Cherokee Regional Library System may become a part of the Cherokee Regional Library System either by contract or agreement with the library's participation, based on the cost of providing the service in said county, and by the provisions of Title 20, Chapter 5, Article 2 of the *Official Code of Georgia Annotated*. Existing libraries are located in the cities of Chickamauga, LaFayette, Rossville and Trenton.

ARTICLE V. LEGAL AUTHORITY

The legal authority for public libraries and boards of trustees is described in Title 20, Chapter 5, Article 2 of the *Official Code of Georgia Annotated*, amended March 26, 1984.

ARTICLE VI. GOVERNING BODY

Section 1. The governing body of the Cherokee Regional Library System shall consist of a Board of Library Trustees composed of eight trustees serving on member county library boards who are appointed to the Regional Library Board by the County library boards. There shall be three trustees from the Dade County Public Library Board and five trustees from the LaFayette-Walker County Public Library Board. The operation of the regional library system is legally vested in this Board under the provisions of the *Official Code of Georgia Annotated*, Article 2, Chapter 5, Title 20.

Section 2. The term of office shall be three years, with starting and ending dates corresponding to the library's fiscal year. No member may serve on this board for more than four successive three-year terms of office. A member may be reappointed to this board after an absence of one year and is then eligible for reappointment for up to four successive three-year terms of office.

Section 3. Board members shall receive no compensation but may be reimbursed for any reasonable and necessary expenses incurred in the performance of library business, or if stipulated in the terms of any bequest or gift. Membership dues or fees for individual membership of board members in state, regional and national library associations may be paid from operating funds.

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.

Members appointed to fulfill incomplete terms shall be considered to have served a full term if the date of appointment is 24 months or more before the ending date of the term. Members appointed to fulfill incomplete terms who serve 23 months or less of the term shall be considered not to have served a term, and shall therefore be eligible to be reappointed for the maximum number of terms.

Section 5. In the event a member of the Regional Board ceases, for any reason, to be a member of his/her local library board, then his/her term on the Regional Board shall end at the same time, and the local Library Board shall appoint a new representative to the Regional Board.

Section 6. Additional representatives may be added from any library system which may affiliate with the Cherokee Regional Library System in the future.

ARTICLE VII. OFFICERS

Section 1. The officers of the Board of Trustees shall be Chairman, a Vice-Chairman, and a Treasurer and Co-Treasurer elected from those serving on the Board. These officers shall perform the duties prescribed by the Bylaws and by the parliamentary authority adopted by the Board. The Secretary to the Board shall be the Director or his/her designee. The Secretary is not a member of the Board.

Section 2. Nominations shall be made by a committee of board members 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 July meeting to serve for two years or until their successors are elected, and their term of office shall begin at the close of the meeting at which they are elected. An officer is elected for a two-year term and may not succeed himself, except that there shall be no limit to the number of terms the Treasurer and Co-Treasurer may serve in succession.

Section 4. The Treasurer, Co-Treasurer and 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 Georgia Public Library Services of the Board of Regents of the University System of Georgia.

Section 5. All federal, state, and local funds used for the operation and improvement of the services and facilities of the Regional Library System shall be received by the Treasurer or Co-Treasurer and shall be used in accordance with the budget approved by the Board.

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. COMMITTEES

Committees may be appointed by the Chairman as needed.

ARTICLE X. INTERLIBRARY COOPERATION

The Cherokee Regional 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 Cherokee Regional Library System is authorized to make and enter into such contracts or agreements, for all or any part of the regional library system as are deemed necessary and desirable under the provisions of Title 20, Chapter 5, Article 2 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 Georgia Public Library Services of the Board of Regents of the University System of Georgia immediately upon adoption.

Adopted October 5, 1989
Amended May 4, 2000
Amended October 4, 2001
Amended January 12, 2010
Amended July 11, 2011

BYLAWS OF THE CHEROKEE REGIONAL LIBRARY

ARTICLE I. DUTIES AND RESPONSIBILITIES OF THE BOARD MEMBERS

The Regional Board of Trustees is the legal governing body of the Cherokee Regional Library System. It shall be the duty and responsibility of the members of the Board of Trustees:

- (a) To employ a director for the Regional Library System who meets state certification requirements and such other employees as necessary upon the recommendations of the Regional Library System Director. Authority for the technical administration and supervision of the libraries in the system shall be vested in the Regional Library System Director.
- (b) To approve budgets prepared by the Regional Library System Director and, together with the local Boards of Trustees, 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.
- (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 Regional Library System Director in advance of all meetings of the Board or committees.

ARTICLE II. DUTIES OF THE OFFICERS

Section 1. The Chairman shall preside at all regular or called board meetings. He 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 to the Board 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 Regional Library headquarters. S/he shall notify the proper appointing local Boards of vacancies that may occur on the Regional Library Board. S/he shall report changes of membership to the office of Georgia Public Library Services of the Board of Regents of the University System of Georgia.

Section 4. The Treasurer shall deposit all monies received in a bank approved by the Board of Trustees. S/he shall notify, in writing, any supporting agency whose appropriations are not paid promptly and in full. S/he shall pay all bills that 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 and/or federal laws or regulations. Official copies of all financial reports and the Treasurer's books shall be kept in the Regional Library headquarters at all times.

Section 5. The Co-Treasurer shall act as a back-up for the Treasurer in the event the Treasurer is unavailable and has the authority to perform all duties.

ARTICLE III. DUTIES OF THE DIRECTOR

Section 1. The Director of the Regional 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 library system under the direction and review of the Board.

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

- (a) To employ all staff members, as necessary and in compliance with applicable laws and the availability of funds.
- (b) To attend all meetings called by the office of Georgia Public Library Services of the Board of Regents of the University System of Georgia or send a substitute authorized by the office of Georgia Public Library Services Director.
- (c) To prepare any local, state, or federal annual budgets.

- (d) To notify the Board of Trustees and the office of Georgia Public Library Services of the Board of Regents of the University System of Georgia any failure to comply with:
 - (1) Policies of the Board
 - (2) Criteria for State Aid
 - (3) State and federal rules and regulations
 - (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 Board of Trustees of the Cherokee Regional Library System.
- (f) To attend all meetings of the Boards of Trustees of the Regional Library and of the local libraries in the Region, or to designate a person to attend in his/her place.

ARTICLE IV. MEETINGS

Section 1. The Regional Library Board shall hold no less than four regular meetings during each fiscal year. Meetings shall be held on dates and times in July, October, January, and April as designated by the board, always to proceed the local board meetings. These meetings will be held at the Headquarters of the Cherokee Regional Library System, or at some other location as designated by the Chair.

Section 2. Special meetings may be called by the Chairman or upon the written request of two 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 discussed or conducted at a called meeting.

Section 3. Prior to each regular or called meeting the Director of the Regional Library System shall notify each member of the date, time, and place of the Regional Board meeting.

Section 4. Meetings of the Executive Committee (Chairman, Vice-Chairman and Treasurer) may be called by the Chairman to transact any business requiring attention between regular meetings of the full Regional Board.

Section 5. All meetings must be open to the public and the news media, in accordance with the Official Code of Georgia Annotated 50-14-1 et seq.

Section 6. The latest edition of Robert's Rules of Order (Revised), when not in conflict with these Constitution and Bylaws, shall govern the proceedings of the Board of Trustees of the Cherokee Regional Library.

Section 7. Each member of the Regional 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. Five members of the Board of Trustees constitute a quorum. No official business may be conducted without a quorum. Except as stated in Article IX of this document, a simple majority affirmative vote of the members present and voting shall be necessary to approve any action before the Board.

ARTICLE V. REPORTS

The Cherokee Regional 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, and any other reports necessary to obtain funds or meet requirements of the law or the office of Georgia Public Library Services of the Board of Regents of the University System of Georgia, shall be filed with each funding agency.

ARTICLE VI. ATTENDANCE

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

Section 2. A letter reporting the removal and specifying the cause shall be sent by the Secretary to the affected Board member and to the local Board responsible for his/her appointment. The local Board shall be asked to appoint another representative to fill that member's unexpired term.

ARTICLE VII. PENALTIES

Employees or agents of the Cherokee Regional Library System may cause the arrest, fine, and imprisonment of persons who borrow and fail to return books and other property owned by the Cherokee Regional 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.

ARTICLE VIII. DISSOLUTION OF, WITHDRAWAL FROM, OR EXPULSION FROM THE CHEROKEE REGIONAL LIBRARY SYSTEM

Section 1. The Cherokee Regional Library System may be dissolved by reversal of the procedures followed in its original organization. A majority of the Board members in a majority of the counties must agree to the dissolution of the System.

Section 2. One county or city library may withdraw from the System if a majority of the County or City Library Board members vote to do so. Notice of withdrawal must be sent to the Chairman of the Regional Library Board of Trustees and the Cherokee Regional Library Director at least six months prior to the end of the state fiscal year. This notice must include reasons for the withdrawal and the method by which the decision was reached. The office of Georgia Public Library Services of the Board of Regents of the University System of Georgia must be notified of the receipt of this letter of intent within five working days.

Section 3. The Cherokee Regional Library System Board of Trustees may elect to expel a member county or city library upon the following conditions:

- (a) Failure of the county or city to maintain the agreed level of support to the Regional System as evidenced in the most recent approved budgets of the county or city library's funding agencies; or
- (b) Failure of the county or city to meet criteria for state aid, which jeopardizes the System's eligibility for state or federal funds.

Section 4. Notice of expulsion shall be sent within five working days of the determination of the above [Section 3 (a) and/or (b)] by the Regional Library Board to the Chairman of the County Board of Trustees, the Chairman of the City Library Board, all funding agencies that participate in funding that county or city library(ies), the Director of the Cherokee Regional Library System, and the office of Georgia Public Library Services of the Board of Regents of the University System of Georgia. Expulsion shall take place on a date to be determined by the Director and the Cherokee Regional Library Board of Trustees, taking into consideration the termination of sufficient funds for the operation of the county or city library.

Section 5. In the event of the withdrawal of one county or city library from the Cherokee Regional Library System, all equipment and materials purchased with state or federal funds for use in the library or libraries in that county or city library shall remain in those libraries. After the notice of withdrawal has been received by the Regional Library Board, there is no obligation on the part of the Regional Library System to purchase books, equipment, supplies, or other items for the use of the library or libraries in the withdrawing county, other than the fair share of items in the existing Maintenance and Operations budgets for the current year.

Section 6. In the event of the expulsion of one county or city library from the Cherokee Regional Library System, all furnishings, equipment and materials purchased with city, county, state or federal funds for use in the library or libraries in that county or city library shall be retained by the governing board, and shall be placed in other libraries in the Cherokee Regional Library System where they shall be used for general public library services. If there is no further use for an item, it shall be declared surplus and disposed of according to the Fixed Assets Disposal Policy. After the notice of expulsion has been sent by the Regional Library Board, there is no obligation on the part of the Regional Library System to purchase books, equipment, supplies, or other items for the use of the library or libraries in the withdrawing county or city.

Section 7. If a library has been expelled from the System, no employee working in that library shall displace an employee from another library in the System. Employees of that library shall be given priority in filling any vacant positions in the System for which they are qualified.

ARTICLE IX. 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 Georgia Public Library Services of the Board of Regents of the University System of Georgia.