

CONSTITUTION
of the
HENRY COUNTY LIBRARY SYSTEM BOARD OF TRUSTEES
adopted
4/4/91
Amended
July 12, 1999

ARTICLE I
NAME

The name of the organization shall be the Henry County Library System.

ARTICLE II
HEADQUARTERS

The headquarters for the Henry County Library System shall be the McDonough Public Library located in McDonough, Georgia.

ARTICLE III
PURPOSE

The purpose of the Henry County Library System shall be to offer a full program of public library services to all citizens in Henry County under the regulations governing public libraries as set forth by the State of Georgia. The library system shall: provide free basic library service to residents of Henry County; effectively assemble, house, administer and disseminate library materials and information to meet the educational, informational and recreational needs of the citizens of Henry County; foster public awareness of the Henry County public libraries and the services and resources they can offer all residents of the service area; be informed of federal, state and local legislation affecting the extension and improvement of libraries; further develop existing libraries and establish and develop new libraries; build a reference collection adequate to provide current and reliable information as needed by the community; and encourage and receive appropriate gifts, donations, endowments, and bequests for the Henry County public libraries.

ARTICLE IV
CONSTITUENCY

The Henry County public libraries serve as the primary public resource for all Henry County, Georgia residents with reciprocal borrowing privileges in all libraries in the county. The Henry County Library System shall provide free basic library services to all residents of the county. There are four libraries in the system, including the headquarters library in McDonough and three branch libraries in Stockbridge, Hampton and Locust Grove.

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, , as amended.

ARTICLE VI
LIBRARY BOARD

SECTION 1.

The Henry County Library System Board of Trustees shall be comprised of seven members appointed by the governmental agencies financially supporting the Henry County Library System on a regular basis. The Henry County Commissioners shall appoint six members, and the Henry County Board of Education shall appoint one member. The operation of the Henry County Library System is legally vested in this Board under the provisions of the Official Code of Georgia Annotated, Article 2, Chapter 5, Title 20. Employees of the Henry County Library System and members of their immediate families shall not serve as members of the Library Board, nor shall two or more immediate family members serve simultaneously on the Library Board.

SECTION 2.

The term of office shall be four years, with terms beginning on January 1 The term of office shall continue until such time as the member is replaced.

SECTION 3.

Any person appointed to the Henry County Library System Board of Trustees must be a resident of Henry County. If he or she moves his or her legal residence outside the county, he or she shall be replaced on the Board.

SECTION 4.

Members of the Library Board shall receive no compensation; provided, however, that members 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. Dues or fees for individual or institutional membership in local, state, regional and national library associations may be paid from operating funds.

SECTION 5.

The Henry County Public Library System Director or his or her representative shall attend all meetings to act in an advisory capacity.

SECTION 6.

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 7.

Additional representatives shall be added from any governmental agencies, which may, in the future, choose to financially support the library on a regular basis.

ARTICLE VII
OFFICERS

SECTION 1.

The officers of the Library Board shall be a Chairman, a Vice-Chairman, a Secretary, and a Treasurer elected from those serving on the Board. These officers shall perform the duties prescribed by the Bylaws.

SECTION 2.

The officers shall be nominated either by a committee of board members appointed by the Chairman, or from the floor; and elected, by secret ballot, at the April meeting. An officer is elected for one year and may be elected to serve an unlimited number of successive terms of office.

SECTION 3.

The officers elected at the April meeting shall take office immediately and shall serve for one year or until their successors are elected.

SECTION 4.

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 shall be filed with the Georgia Public Library Service, 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 Henry County Library System 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

Standing committees shall be the Budget Committee, the Building and Grounds Committee, and the Community Programs Committee. Other Committees may be appointed by the Chairman as needed.

ARTICLE X
INTERLIBRARY COOPERATION

The Henry 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 the 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 Henry 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 Article 2, Chapter 5, Title 20 of the Official Code of Georgia Annotated (20-5-49).

ARTICLE XII
AMENDMENTS

This Constitution may be amended at any regular meeting of the Board 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 will be filed with Georgia Public Library Service of the Board of Regents of the University System of Georgia immediately upon adoption.

BYLAWS OF THE HENRY COUNTY LIBRARY SYSTEM BOARD OF TRUSTEES

ARTICLE I

NAME

Section 1. The name of this organization shall be the Henry County Library System.

ARTICLE II

PURPOSE

Section 1. The purpose of this Library System Board of Trustees shall be to offer a full program of public library services to all citizens in Henry County; to effectively assemble, house, administer, and disseminate library materials and information to meet the educational, informational, and recreational needs of the citizens of Henry County; to foster public awareness of the Henry County public libraries and the services and resources they can offer all residents of the service area; to be informed of federal, state and local legislation affecting the extension and improvement of libraries; to encourage gifts, donations, endowments, and bequests for the Henry County public libraries, and to receive all such gifts, donations, endowments, and bequests.

ARTICLE III

BOARD SELECTION, APPOINTMENT,
TERMS OF OFFICE AND COMPOSITION

Section 1. The Henry County Library System Board of Trustees (hereafter referred to as the Library Board) is the legal governing body of the Henry County Library System. It shall be comprised of seven (7) members appointed by the governmental agencies financially supporting the library system on a regular basis. Six (6) members shall be appointed by the Henry County Board of Commissioners.. One member shall be appointed by the Henry County Board of Education..

Section 2. 4) year terms. The four year term of office for all board members shall begin January 1 and end at the close of business on December 31, unless appointments are delayed , in which case those members shall continue to serve until such time as a new appointment is made and that member takes office. All members of the Library Board are eligible for re-appointment to unlimited additional terms.

[the Committee might want to consider setting a term limit, for example, 3 terms, with reappointment possible after one year off the Board.]

Section 3. Vacancies on the Library Board shall be filled in the same manner as appointments are made. The governmental agency charged with the authority to appoint the original member shall be responsible for the appointment of the replacement member. If a vacancy occurs prior to the expiration of a member's term, the new appointee shall be designated by the respective appointing authority to fill the unexpired term of the member creating the vacancy.

Section 4. All appointments shall be made in writing and shall be transmitted to the appointee and to the headquarters library of the Henry County Library System. All letters of appointment shall state the length of term in accordance with this Constitution and Bylaws, and the expiration date of appointment.

Section 5. An appointee to the Library Board must be a current resident of Henry County. Any member of the Library Board who moves outside Henry County automatically loses his or her position on the Library Board and a replacement will be appointed using the procedures outlined in Sections Two through Four above.

Section 6. No current Henry County Library employee or member of his or her immediate family shall be appointed to or may serve as a member of the Henry County Library Board, nor may two or more immediate family members serve simultaneously on the Henry County Library Board. Current members of the Henry County Board of Commissioners and/or the Henry County Board of Education may not serve as voting members of the Library Board.

ARTICLE IV

DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS

- (a) To employ a Director for the Henry County Library System who meets state certification requirements, and such other employees as necessary upon the recommendation of the County Library System Director. The Board may delegate selection and employment responsibilities to the Director. Authority for the technical administration and supervision of the libraries in the system shall be vested in the County Library System Director.
- (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 Library Board meetings.
- (d) To set policies governing library programs.
- (e) To establish 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 of Trustees or of its committees.
- (h) To cooperate with the efforts and interests of locally organized library "friends" groups in creating public support, increasing funding, and raising community awareness.

ARTICLE V

DUTIES OF OFFICERS

Section 1. Chairman

The Chairman shall preside at all regular or called board meetings and shall perform all other duties usually pertaining to such an office. The Chairman shall appoint all committees and shall be an ex-officio (non-voting) member of all committees.

Section 2. Vice-Chairman

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. Secretary

The Secretary shall keep a true and accurate account of the proceedings of all regular and special meetings of the Library Board and any meetings of the Executive Committee. Official copies of all minutes approved by the Library Board shall be kept permanently on file at the McDonough Public Library. The Secretary shall notify the appropriate governmental agency charged with authority to appoint a board member no later than three months prior the expiration of the current appointee's term. He or she shall report changes of membership to the Georgia Public Library Service 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. The Secretary shall notify, in advance, all Library Board members of all regular and special meetings.

Section 4. Treasurer

The Treasurer shall receive all gifts and county and school board funds for the operation of the Henry County Library System, as well as monies generated by fines and fees, and he or she shall deposit all in a bank or banks approved by the Board of Trustees. The Treasurer shall keep an itemized account of same. 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. All checks shall bear the signature of the Treasurer. The Treasurer shall prepare monthly and annual financial reports for presentation to the Library Board. Each board member shall receive a copy of all financial reports. Official copies of all financial reports and the Treasurer's books shall be kept in the County Library headquarters at all times. The accounts shall be audited at the direction of the Board and according to State Aid Criteria and other state regulations. The Treasurer and other library employees authorized to handle funds shall be bonded in an amount determined by the Library Board and recorded in the minutes.

ARTICLE VI

DUTIES OF THE DIRECTOR

Section 1. The Director of the Henry County Library System must hold at least a Grade 5(b) Librarians'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 recommend for employment or termination other staff members, as necessary, in compliance with applicable laws and the availability of funds, and to employ and terminate other staff members so authorized by the Library Board;
- (b) To attend all meetings called by Georgia Public Library Service of the Board of Regents of the University System of Georgia or send a substitute authorized by the Assistant Vice Chancellor and State Librarian;
- (c) To prepare any local, state, or federal budgets;
- (d) To notify the Board of Trustees and the Georgia Public Library Service 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
 - 4) All applicable local, state, or federal laws;
- (e) To administer the total library program, including all libraries, in accordance with policies adopted by the Library Board.
- (f) To attend all meetings of the Library Board, or any affiliated Boards, or to designate a person to attend in his or her place.

ARTICLE VII

MEETINGS

Section 1. The Library Board shall hold no less than four (4) regular meetings during each fiscal year, including no less than one each calendar quarter. Regular meetings shall be held on the first Monday of the months of January, April, July, and October at 5:30 p.m. (or at such other time as shall have been agreed upon by the members of the Board at the immediately preceding meeting) at the McDonough Public Library, or at some other location as designated by the Chairman. Should the first Monday of one of the above months be a legal holiday, the regular meeting shall be held on the second Monday of such month.

Section 2. The annual meeting of the Library Board shall be held at the time of the April meeting and may be considered as one of the four required meetings.

[changing the Annual Meeting from January to April would prevent a “lame duck” meeting in case the B of C meeting to appoint new Board Members fell after the January Board of Trustees meeting]

Section 3. Special meetings may be called by the Chairman or upon written request of three Board members for the transaction of business stated in the call for the meeting.

Section 4. Prior to each regular or called meeting the Director shall notify each member of the date, time, and place of the Library Board meeting.

Section 5. 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 6. All Library Board meetings must be open to the public and news media, in accordance with the Official Code of Georgia Annotated 50-14-1 et seq. The Library Board may, however, enter into a closed session with legal counsel for the discussion on acquisition or sale of real property; or a closed session for hearings or discussions on the hiring, performance, 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 may be taken. All discussions must be formally adopted in an open Board meeting to be legally binding.

Section 7. 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 Library Board .

Section 8. 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 9. Four (4), or one more than half of the extant members of the Library Board of constitute a quorum. No official business may be conducted without a quorum. Three members of the Executive Committee constitute a quorum of the Executive Committee. Except as noted in Article XIII, a simple majority affirmative vote of the quorum, present and voting shall be necessary to approve any action before the Board.

ARTICLE VIII

REPORTS

The Henry County Library System is responsible for all reports as deemed necessary by

local, state, and federal reporting agencies. An annual report of activities, income and expenditures, and any other reports necessary to obtain funds or meet requirements of the law or of the Georgia Public Library Service of the Board of Regents of the University System of Georgia shall be filed with each funding agency.

ARTICLE IX

ATTENDANCE

Section 1. Library Board members shall be removed for cause or for failure to attend three consecutive regular meetings, as provided in Georgia Code XXXXXXXX.

[Georgia Code apparently furnishes no definition of “cause” save moving out of the county]

Section 2. A letter reporting the removal and specifying the cause for removal shall be provided by the Secretary to the affected Library Board member and to the funding agency responsible for that member’s appointment to the Board. The appointing agency shall be asked to appoint another representative to fill the unexpired term of the removed member.

ARTICLE X

COMMITTEES

Section 1. Standing and Special Committees shall be appointed by the Chairman as the business of the Library Board may require.

Section 2. Standing Committees

Standing Committees shall be composed of three or more members and organized for a specific purpose.

The Standing Committees of the Henry County Library are the Budget Committee, the Building and Grounds Committee, and the Community Programs Committee.

The Budget Committee shall be responsible for determining, in cooperation with the Director, the financial requirements of the library system. The Budget Committee will prepare and submit a proposed budget to the Library Board at the March meeting.

The Building and Grounds Committee shall be responsible for the maintenance of the library buildings and grounds.

The Community Programs Committee shall be responsible for library publicity, fund raising coordination, program planning, and generating community support.

Section 3. Special Committees

Special committees shall be composed of two or more members and organized for a specific purpose; i.e., a personnel committee may be responsible for interviewing candidates and recommending the hiring of a needed Director.

Any special committee shall be considered to be discharged upon completion of the purpose for which it was appointed and after its final report is accepted by the Library Board.

Section 4. No committee shall have other than advisory powers unless specifically granted by the Board. All committees shall report at each meeting of the Board.

ARTICLE XI

FINANCIAL

Section 1. The fiscal year shall begin July 1 and end June 30.

Section 2. All checks against the Library Board's accounts shall be signed by the Treasurer or, if the Treasurer is incapacitated, by the Director and the Chairman.

Section 3. Monies placed in a savings account for the Library Board shall require the signature of the Treasurer for withdrawal. If the Treasurer is incapacitated, the signature of the Chairman shall be required.

Section 4. The disposition of materials, equipment, furnishings, and buildings purchased or constructed using local, state or federal funds shall be determined by the Board of Trustees and the Georgia Public Library Service, according to state and federal laws, rules, and regulations.

ARTICLE XII

PENALTIES

Employees or agents of the Henry 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 libraries; who 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 XIII

ORDER OF BUSINESS

The order of business for meetings of the Henry County Library Board shall be:

1. Call to order.
2. Approval and/or emendation of the Agenda.
3. Reading and approval of the minutes of the previous regular meeting.
4. Reading and approval of the minutes of any intervening special or called meetings.
5. Reading and approval of the minutes of any intervening meetings of the Executive Committee.
6. Report of the Treasurer.
7. Report of the Branch Supervisors, via the Director.
8. Reports of the Standing Committees.
9. Reports of Special Committees, if applicable.
10. Unfinished business
11. New business.
12. Adjournment.

ARTICLE XIV

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 will be filed, immediately upon adoption, with the Georgia Public Library Service of the Board of Regents of the University System of Georgia.