

**CONSTITUTION
and
BYLAWS
of the
KINCHAFOONEE REGIONAL LIBRARY BOARD**

April 28, 2009

Amended January 26, 2010

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**ARTICLE I
NAME**

The name of the system shall be the Kinchafoonee Regional Library.

**ARTICLE II
HEADQUARTERS**

The headquarters for the Kinchafoonee Regional Library shall be in the Kinchafoonee Regional Library Administrative Offices located in the Terrell County Public Library in Dawson in Terrell County.

**ARTICLE III
PURPOSE**

The purpose of the Kinchafoonee Regional Library 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 Kinchafoonee Regional Library shall offer a program of library services to all citizens of participating counties 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 extensions; develop existing libraries and establish and develop member libraries, deposits, and other services as appropriate to the needs of the service area; to build a reference collection and provide reference services 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 Kinchafoonee Regional Library shall serve all citizens of Calhoun, Clay, Quitman, Randolph, Terrell and Webster Counties, and such other counties or municipalities as may become part of the region, through the headquarters library, county libraries, and other extension services. Membership in the Kinchafoonee Regional Library provides the citizens of Calhoun, Clay, Quitman, Randolph, Terrell, and Webster Counties with reciprocal borrowing privileges in all libraries in the System.

Each library board must sign a participation agreement specifying the amount of the annual assessment paid to the regional library system. In this agreement, the library system must specify in writing, how regional services shall be rendered and how State funds shall be distributed. This document will be in effect for no less than three years.

Any county or municipality adjoining any county that is a member of the Kinchafoonee Regional Library, may become part of the Kinchafoonee Regional Library either by contract or agreement with the library's Board of Trustees, or by payment of an amount agreed upon for such participation, based on the cost of providing the service in said county or municipality, 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 Edison (Calhoun County), Fort Gaines (Clay County), Georgetown (Quitman County), Cuthbert (Randolph County), Dawson (Terrell County), and Preston (Webster County).

The Kinchafoonee Regional Library system is a member of the Georgia Library Public Information Network for Electronic Services (PINES) and provides the citizens of the State of Georgia with free and reliable access to its public library collection and information through an Internet-based multi-system union catalog.

**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 Kinchafoonee Regional Library shall consist of a Board of Library Trustees composed of trustees serving on member County Library Boards who are appointed to the Regional Library Board by each County Library Board as specified in the bylaws and the State law. The County Library Boards shall appoint the following: Calhoun, two members; Clay, one member; Quitman two members; Randolph, two members; Terrell three members and Webster, two members. 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. A member may not be a present or former employee of the Kinchafoonee Regional Library system.

SECTION 3. The term of office shall be for three years with starting and ending dates corresponding to the state's fiscal year. Terms shall be staggered so that only one-third of the members' terms shall expire in the same year. *Amended 4/26/2010*

SECTION 4. 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 for fees for individual membership of board

members in state, regional, and national library associations may be paid from operating funds.

SECTION 5 . 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 6 . 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 7 Additional representatives may be added from any library system that may affiliate with the Kinchafoonee Regional Library in the future.

ARTICLE VII OFFICERS

SECTION 1.

The officers of the Board of Trustees shall be a Chair, a Vice-Chair, and a Secretary, 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 Regional Library Board.

SECTION 2.

Nominations shall be made by a committee of two board members appointed by the Chair of the Board. The Chair and/or the Director may serve as one of the members on the Nominating Committee.

SECTION 3.

The officers shall be elected at the July meeting to serve for one year or until their successors are elected, and their terms of office shall begin at the close of the meeting at which they are elected. An officer is elected for a one-year term and may succeed him/herself.

SECTION 4.

The Chair, Vice-Chair, 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, a copy of the bond filed with the Office of Public Library Services, a Unit 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 Bookkeeper and shall be used in accordance with the budget approved by the Board.

**ARTICLE VIII
EXECUTIVE COMMITTEE**

SECTION 1.

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.

SECTION 2.

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

**ARTICLE IX
STANDING COMMITTEES**

SECTION 1.

Standing committees shall be the 1. Finance /Audit/ Personnel Committee; 2. Buildings/Grounds Committee; 3. Operations/Services Committee; and 4. Constitution and Bylaws Committee. The Chair may appoint other special committees, as needed. A committee may consist of two members and the board chair.

**ARTICLE X
INTERLIBRARY COOPERATION**

The Kinchafoonee Regional Library 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 Board 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 Kinchafoonee 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 (2) weeks prior to the meeting, and provided that a quorum is present. All amendments to the Constitution will be filed with the Director of the Office of Public Library Services, a Unit of the Board of Regents of the University System of Georgia.

**BYLAWS
Of the
KINCHAFOONEE REGIONAL LIBRARY**

**ARTICLE I
DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS**

The Regional Board of Trustees is the legal governing body of the Kinchafoonee Regional Library system. It shall be the duty and responsibility of 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 recommendation 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 Director.
- (b) To approve budgets prepared by the Regional Library 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 Director in advance of all meetings of the Board or committees.

**ARTICLE II
DUTIES OF OFFICERS**

SECTION 1.

The Chair shall preside at all regular or called board meetings. He/she shall appoint all committees and shall be an ex officio member of all committees. He shall approve the deposit of all monies received in a bank or banks approved by the Board of Trustees. He/she shall notify, in writing, any supporting agency whose appropriations are not paid promptly and in full. He/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 shall be audited by the Georgia Department of Audits and Accounts. Official copies of all financial reports shall be kept in the Regional headquarters at all times.

SECTION 2.

The Vice-Chair shall preside in the absence of the Chair. The Chair shall assign all other duties of the Vice-Chair.

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 Regional Library headquarters. He/she shall notify the proper appointing local Boards of vacancies, which may occur on the Regional Library Board. He/she shall report changes of membership to the Office of Public Library Services, a Unit of the Board of Regents of the University System of Georgia. The Secretary shall send copies of the minutes of all meetings to the local board chairpersons and county librarians.

**ARTICLE III
DUTIES OF THE DIRECTOR**

SECTION 1.

The Director of the Kinchafoonee Regional Library 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 recommend for employment or termination other staff members, as necessary, in compliance with applicable laws and the availability funds, and to employ and terminate other staff members so authorized by the County Board;

- (b) To attend all meetings called by the Georgia Public Library Services, a Unit of the Board of Regents of the University System of Georgia or send a substitute authorized by the Division Director;
- (c) To prepare any local, state, or federal budgets;
- (d) To notify the Board of Trustees and the Georgia Public Library Services, a unit 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 Board of Trustees of the Kinchafoonee Regional Library System;
- (f) To attend all meetings of the Board of Trustees of the Kinchafoonee Regional Library system, 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, including no less than one each calendar quarter. Meetings shall be held on the fourth Tuesday at 10:00 AM in the months of January, April, July, and October at the Terrell County Library. The date, time, and/or location may be changed at the discretion of the Chair and/or the Director.

SECTION 2.

Special meetings may be called by the Chair or upon the written request of one (1) Board member, for the transaction of business as 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 Kinchafoonee Regional Library shall notify each member of the date, time, and place of the Regional Board Meeting.

SECTION 4.

Meetings of the Executive Committee may be called by the Chair to transact any business requiring attention between regular meetings of the full Regional Library 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. Executive sessions may be held according to the provisions of the Code. The Library 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 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 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 the Constitutions and By laws, shall govern the proceedings of the Board of Trustees of the Kinchafoonee Regional Library.

SECTION 7.

Each member of the Regional Library Board shall have one vote. The Chair shall not vote except in the case of a tie vote, at which time the Chair shall vote to break the tie.

SECTION 8.

In the event that a member of the Regional Library Board is unable to attend a regularly scheduled meeting, the local board may appoint an alternate representative for that specific meeting. The alternate will have one vote. (added- KRL Board 1/26/2010)

SECTION 9.

The local board may appoint an alternate at large. In the event that a member of the Regional Library Board is unable to attend a regularly scheduled meeting, that member may call upon the alternate at large to attend without subsequent approval by the local board. If the alternate at large attends a Regional Library Board meeting due to the absence of the

regular Regional Library Board member, the alternate at large has one vote
. (added – KRL Board 1/26/2010)

SECTION 10.

Six (6) members of the Board of Trustees constitute a quorum. No official business may be conducted without a quorum. Except as stated elsewhere in 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 Kinchafoonee Regional Library is responsible for all reports as deemed necessary by local and state funding agencies, and any other reports necessary to obtain funds or meet requirements of the law or the Georgia Public Library Services, a Unit 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 (3) consecutive regularly scheduled meetings. There are no excused absences unless the meeting has been rescheduled from the regularly scheduled meeting on the fourth Tuesday at 10 AM of July, October, January, and April. The minutes will reflect the members that are absent and present at each meeting.

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 Kinchafoonee Regional Library may cause the arrest, fine, and imprisonment of persons who borrow, and fail to return, books and other property owned by the Kinchafoonee Regional Library; 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 20.

**ARTICLE VIII
DISSOLUTION OF/ OR WITHDRAWAL FROM THE REGIONAL
LIBRARY SYSTEM**

SECTION 1.

The 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 may withdraw from the system if a majority of the Board Members vote to do so. Notice of withdrawal must be sent to the Chair of the Regional Board of Trustees and the 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 Georgia Public Library Services, a Unit 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 Regional Library System must elect to expel a member county upon the following conditions:

- (a) Failure of the county to maintain the agreed level of support to the regional system as in the most recent system participating agreement; or
- (b) Failure of the county to meet criteria, which may jeopardize the system's eligibility for state or federal funds.

SECTION 4.

Notice of expulsion shall be sent not less than six months prior to the end of the state fiscal year to the Chair of the County Board of Trustees, and funding agencies party to the participation agreement, the Director of the Regional Library System, and the Georgia Public Library Services, a Unit of the Board of Regents of the University System of Georgia.

SECTION 5.

In the event of the withdrawal of one county from a regional system, all equipment and materials purchased with state or federal funds for use in the library or libraries in that county 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 Kinchafoonee Regional Library 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 Materials and the Maintenance and Operations budgets for the current year.

ARTICLE IX FINANCIAL

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

Section 2. All checks issued by the Kinchafoonee Regional Library shall be signed by the Board Chair and Director. If one is unable to sign, by the Vice-Chair or Assistant Director.

Section 3. The Director has the authority to sign contracts, reports, agreements, and necessary documents under the direction of the Chair, for all or any part of the regional library system.

ARTICLE X ORDER OF BUSINESS

The order of business for meetings of the Kinchafoonee Regional Library Board shall be:

1. Call to Order
2. Approval of Minutes
3. Committee Reports
4. Old Business
5. New Business
6. Report from Regional Director
7. Report from County Libraries
8. Adjournment

ARTICLE XI 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 the 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, a Unit of the Board of Regents of the University System of Georgia immediately upon adoption.

Amended: October 23, 2007

Amended: April 28, 2009