

**CONSTITUTION AND BY LAWS  
OF THE  
MOUNTAIN REGIONAL LIBRARY SYSTEM**

**CONSTITUTION**

**ARTICLE I. NAME**

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

**ARTICLE II. HEADQUARTERS**

The headquarters for the Mountain Regional Library System shall be the Mountain Regional Library in Young Harris, Georgia in Towns County.

**ARTICLE III. PURPOSE**

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

The Mountain Regional Library System shall offer a full program of library service to all citizens of the 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 extension; develop existing libraries and establish and develop member libraries, deposits, and other services as appropriate to the needs of the service area; build a reference collection adequate to provide current and reliable information of a research nature as demanded by the needs of the communities comprising the areas served; acquire and maintain state of the art technology and related infrastructure to provide access to electronic resources and materials; and promote the use of library resources by means of instruction, library-centered programs, exhibits, and other public relations media.

**ARTICLE IV. CONSTITUENCY**

The Mountain Regional Library System shall serve all citizens of Fannin, Towns, and Union Counties and other such counties or municipalities as may become part of the region, through the headquarters library, branch libraries, bookmobile, and other extension services. Membership in the Mountain Regional Library System provides the citizens of Fannin, Towns, and Union Counties with reciprocal borrowing privileges in all libraries in the system.

Any county or municipality adjoining any county that is a member of the Mountain Regional Library System, may become a part of the Mountain Regional Library System either by contract or agreement with the library's Board of Trustees, or by paying the cost of providing the service in said county or municipality, and by the provisions of Article 40, Chapter 5, Title 20 of the Official Code of Georgia Annotated. Existing libraries are located in the cities of Blue Ridge (Fannin County Public Library), Hiawassee (Towns County Public Library), and Blairsville (Union County Public Library), with the headquarters in Young Harris (Mountain Regional Library).

**ARTICLE V. LEGAL AUTHORITY**

The legal authority for public libraries and boards of trustees is described in Article 41, Chapter 5, Title 20, of the Official Code of Georgia Annotated, amended December 31, 1998.

**ARTICLE VI. GOVERNING BODY**

**Section 1.** The governing body of the Mountain Regional Library System 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 By-laws and the State law, and the ex officio members of each County Library Board. The operation of the regional library system is legally vested in the Board under the provisions of the Official Code of Georgia Annotated, Articles 41 through 43, Chapter 5, Title 20. The Board shall be composed of the following members:

**FANNIN COUNTY:**

Four (4) appointed members representing the Fannin County Library Board of Trustees shall be elected by the local Board to serve on the Mountain Regional Library Board in such a manner that all funding agencies

shall be represented on the Regional Board. Ex-officio members of the local Board shall be ex-officio members of the Regional Board.

**TOWNS COUNTY:**

Four (4) appointed members representing the Towns County Library Board of Trustees shall be elected by the local Board to serve on the Mountain Regional Library Board in such a manner that all funding agencies shall be represented on the Regional Board. Ex-officio members of the local Board shall be ex-officio members of the Regional Board.

**UNION COUNTY:**

Four (4) appointed members representing the Union County Library Board of Trustees shall be elected by the local Board to serve on the Mountain Regional Library Board in such a manner that all funding agencies shall be represented on the Regional Board. Ex-officio members of the local Board shall be ex-officio members of the Regional Board.

**Section 2.** The term of office for appointed members shall be three years, with starting and ending dates corresponding to the state fiscal year. No appointed member may serve on this board for more than two successive three-year terms of office (6 years). The terms of ex-officio members shall correspond with that of their governmentally elected office and shall be exempt from limitation.

**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.** In the event a member of the Regional Board ceases, for any reason, to be a member of his/her local library board, 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 Mountain Regional Library System in the future.

**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 Regional Board shall appoint a Treasurer, who may or may not be a member of the Regional Board. If the person appointed as Treasurer is not a member of the Regional Board, he/she shall not be an officer and may not vote. The Treasurer shall be appointed or reappointed annually by the Regional Board, and there shall be no limit to the number of terms he/she may serve in succession. With approval of the Board, the Director may be named as the Treasurer. These officers shall perform the duties prescribed by the By-laws and by the parliamentary authority adopted by the Board.

**Section 2.** Nominations shall be made by a committee of three 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.** Officers shall be elected at the August 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/herself.

**Section 4.** The Treasurer, the Director, and any member 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 the facilities of the Regional 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. COMMITTEES**

Committees shall be appointed by the Chairman as needed and shall be composed of a minimum of four persons, at least one of which must be a member of the library board.

**ARTICLE X. INTERLIBRARY LOAN COOPERATION**

The Mountain 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 Mountain 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 Article 49, Section 5, Title 20 of the Official Code of Georgia Annotated.

**ARTICLE XII. AMENDMENT OF CONSTITUTION AND BYLAWS**

This Constitution and 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 the Constitution and Bylaws will be filed with the Georgia Public Library Services of the Board of Regents of the University System of Georgia immediately upon adoption.

## BY LAWS

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

The Regional Board of Trustees is the legal governing body of the Mountain 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 and other such 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 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/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 Regional Library System headquarters. He/She shall notify the proper appointing local library Boards of vacancies which may occur on the Regional Library Board. He/She shall report changes of membership to the Georgia Public Library Services of the Board of Regents of the University System of Georgia. The Secretary shall send copies of the minutes of all meetings to the Chairmen of the local library Boards.

**Section 4.** The Treasurer shall deposit 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 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.

### **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 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 if so authorized by the Regional Board.

(b) To attend all meetings called by the Georgia Public Library Services of the Board of Regents of University System of Georgia or send a substitute authorized by the State Librarian.

- (c) To prepare any local, state, or federal annual budgets.
- (d) To notify the Board of Trustees and the Georgia Public Library Services of the Board of Regents of 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 affiliated libraries, in accordance with policies adopted by the Board of Trustees of the Mountain 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 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 first Friday in the months of February, May, August, and November at 10:00 a.m. at the headquarters library, or at some other location as designated by the Chairman.

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

**Section 3.** Prior to each regular meeting, the Director of the Library System 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 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. The Regional 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 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 Mountain Regional Library System.

**Section 7.** Each member of the Regional Board shall have one vote. The Chairman shall not vote except in the event of a tie vote, at which time the Chairman shall vote to break the tie.

**Section 8.** Seven (7) appointed members of the Board of Trustees constitute a quorum. Ex officio members shall not be counted toward a quorum, but may exercise all privileges of membership. No official business may be conducted without a quorum. Except as stated elsewhere in these documents, a simple majority affirmative vote of the members present and voting shall be necessary to approve any action before the Board.

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

- (a) Call to order, (b) Approval of minutes of previous meeting, (c) Treasurer's report, (d) System Director's report, (e) Reports of Committees, (f) Old Business, (g) New Business, and (h) Adjournment.

**ARTICLE V. REPORTS**

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

**ARTICLE VI. ATTENDANCE**

**Section 1.** An appointed member shall be removed for cause or failure to attend three consecutive regularly-scheduled. Ex officio members are exempt.

**Section 2.** A letter reporting the removal and specifying the cause shall be sent 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 Mountain 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 Mountain 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, Articles 52 through 55, Chapter 5, Title 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 procedure followed in its original organization as described in Article 51, Section 5, Title 20 of the Official Code of Georgia Annotated. 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 Chairman of the Regional Board of Trustees and the Regional Library Director as 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 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 Library System as in the most recent system participation 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 the expulsion shall be sent not less than six months prior to the end of the state fiscal year to the Chairman of the County Board of Trustees, all funding agencies party to the participating agreement, the Director of the Regional Library System, and the Georgia Public Library Service of the Board of Regents of the University System of Georgia.

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