

Adopted May 21, 1973;
Amended June 18, 1973, March 21, 1977,
February 15, 1982, September 15, 1997,
June 23, 2014 (Effective July 1, 2014)

**CONSTITUTION
FOR THE
AUGUSTA-RICHMOND COUNTY PUBLIC LIBRARY SYSTEM
AUGUSTA, GEORGIA**

**ARTICLE I
NAME AND LOCATION**

Section 1. Name. The name of the system shall be the Augusta-Richmond County Public Library System, (hereinafter referred to as the Library System). The Library System is a tax exempt organization under the laws of the State of Georgia and an exempt organization under Section 115 of the Internal Revenue Code.

Section 2. Location. The headquarters for the libraries in Augusta-Richmond County shall be the Augusta-Richmond County Public Library located at 823 Telfair Street, Augusta, Georgia.

**ARTICLE II
PURPOSE**

The purpose of the Library System shall be to offer a full program of library services to all citizens of Augusta-Richmond County to meet their informational, educational and recreational needs; to acquire and purchase library materials; to circulate materials to the public through existing service points; to develop existing libraries and to establish and develop branch libraries, as appropriate to the needs; to build a reference collection adequate to provide current and reliable information as demanded by the community; and to promote the use of libraries by means of instruction, library centered programs, exhibits and other public relations media.

ARTICLE III GOVERNING AUTHORITY

Section 1. Library System Board. The governing body of the Augusta-Richmond County Public Library shall be a board of trustees (hereinafter referred to as the Board) as prescribed by O.C.G.A. §20-5-41.

Section 2. Membership and Appointment. The Board shall be composed of ten (10) members, one (1) appointed by each Augusta Commissioner with the possibility of two (2) additional members appointed by the Richmond County Legislative Delegation as prescribed in Augusta-Richmond County Code.

Section 3. Term of Office. Members shall be appointed for a four (4) year term beginning on April 1 of the year in which the appointing Commissioner assumes office and until their successors are appointed.

Section 4. Removal. A Board member shall be removed for cause: (1) as determined by the appointing Augusta Commissioner or the Augusta Commission; or (2) for missing three (3) consecutive, regular scheduled Library Board Meetings (in accordance with O.C.G.A. §20-5-42(d)). However, a Board member's absence may be excused by a two-thirds (2/3) vote of the members. Members who are removed shall be notified in writing.

Section 5. Vacancies. If a member of the Board resigned or is removed for cause, a new member will be appointed to fill the unexpired term. Should the Richmond County Legislative Delegation choose to appoint two (2) members as provided in the Consolidation Act, such members shall serve for a term of four (4) years.

Section 6. Compensation. Members of the Board shall receive no compensation; however they 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 operating funds as permitted by O.C.G.A. §20-5-44.

Section 7. Officers and their elections.

- a. Officers of the Board shall consist of a President, Vice-President, Treasurer, and Secretary. No member can hold more than one office at a time. The Library Director (or appointed alternate) may serve as Secretary in an ex-officio capacity.
- b. Vacancies in office shall be filled by vote at the next Board meeting after the vacancy occurs.

- c. The Chair will appoint a Nominating Committee at the October meeting. The Nominating Committee will present a slate of officers at the January meeting.
- d. The officers shall be elected at the January meeting to serve for one (1) year, or until their successors are elected, and their terms of office shall begin at the close of the meeting in which they are elected. The term of office of the president shall be limited to two (2) successive terms of one (1) year each.

Section 8. Committees. Standing committee members may be appointed by the President and shall consist of at least three (3) members. The Board, by consensus, may create and dissolve a standing committee at any time upon a vote of majority by the Board members.

ARTICLE IV CONTRACTING AUTHORITY

The Library System, through the Board, is authorized to make and enter into such contracts or agreements as are deemed necessary and desirable. (O.C.G.A. §20-5-49)

ARTICLE V INTERLIBRARY COOPERATION

The Library System, through its Board, may enter into cooperative endeavors with other library systems, provided the resulting cooperative endeavor is conducive to mutual growth and development of each library system. Such cooperative endeavors must be within the limits of funds available to the Library System. Such cooperative endeavors must not be in violation of state and federal laws, regulations, or other agreements, contracts, or such Board policies.

ARTICLE VI NEW MEMBER LIBRARY

Section 1. Admission. Admission to the System is open to any counties which are contiguous to the service area (Augusta-Richmond County), provided that the authorized representatives of such county shall consult and work along with the Board and the Library Director.

Section 2. General criteria. In the event that the Board determines that the addition of a member library to the system is desirable, that library may join the Library System by payment of the current shared services fee and execution of a participation agreement executed by and between the Library Board and the County Commissioner. Such executed participation agreement shall be in accordance with guidelines from Georgia Public Library Service of the Board of Regents of the University System of Georgia.

ARTICLE VII AMENDMENTS

Any Board member may request an amendment to this Constitution. This Constitution may be amended at any regular meeting of the Board with two-thirds (2/3) majority approval, provided that the proposed amendment is made in writing to the members at least 10 days prior to the meeting, and provided that a quorum is present. All amendments to the Constitution will be filed with the Georgia Public Library Service immediately upon adoption.

ARTICLE VIII CONFLICTS OF INTEREST

Except as specifically provided herein, in the event of any conflict between the provisions of this Constitution and the Georgia statute provisions governing the operation of public libraries, the Georgia statute shall govern.

Except as specifically provided herein, in the event of any conflict between the provisions of this Constitution and the Bylaws, this Constitution shall govern.

ARTICLE IX PARLIAMENTARY AUTHORITY

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

Adopted June 18, 1973;
Corrected for name change February 16, 1987
(Effective July 1, 1987);
Amended November 20, 1989,
September 15, 1997,
April 19, 2004, June 23, 2014
(Effective July 1, 2014)

**BYLAWS
FOR THE
AUGUSTA-RICHMOND COUNTY PUBLIC LIBRARY SYSTEM
AUGUSTA, GEORGIA**

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

The Augusta-Richmond County Board of Trustees (hereinafter referred to as the Board) is the legal governing body of the Augusta-Richmond County Public Library.

Section 1. Duties of the Board Members. The Board shall have duties and responsibilities which include, but are not limited to the following:

- a. To employ a library director who meets state certification requirements and such other employees as necessary upon the recommendation of the library system director; provided, however, that the board shall be authorized to delegate employment of staff members to the library system director; (O.C.G.A. §20-5-43)
- b. To approve budgets prepared by the library system director and assume responsibility for the presentation of the library's fiscal needs to the supporting agencies; (O.C.G.A. §20-5-43)
- c. To attend board meetings; (O.C.G.A. §20-5-43)
- d. To establish policies governing library programs, including rules and regulations governing the use of the library; (O.C.G.A. §20-5-43)
- e. To set policy for the administration of gifts of money and property; (O.C.G.A. §20-5-43)

- f. To present financial and progress reports to governing officials and to the public; (O.C.G.A. §20-5-43)
- g. To maintain a current bond for an adequate amount determined by the Board and recorded in minutes on the Library Director and other officials and employees authorized to handle funds; (O.C.G.A. §20-5-50)
- h. To maintain approved minutes in the files at the Augusta-Richmond County Library System headquarters; minutes shall be made available to the public in accordance with the Georgia Open Records Act;
- i. To make all Board decisions as a collective group. No individual Board members may make decisions or act for the Board unless specifically authorized to do so by an approving vote of the membership of the Board;
- j. To notify the appropriate authorities of a vacancy on the board so that a person may be appointed to complete unexpired or full terms; and
- k. To notify the library system director, in advance, of all meetings of library boards and board committees; (O.C.G.A. §50-14-1)
- l. To provide input to the City Administrator regarding the performance of the Director from the perspective of the Board no later than January 1. The President may appoint a committee at the October meeting to prepare said input.

ARTICLE II DUTIES OF THE OFFICERS

Section 1. The President shall preside at all regular or called Board meetings, generally perform the duties of the presiding officer, appoint committees (including committee chair), and be an ex-officio member of each committee.

Section 2. The Vice-President shall preside in the absence of the Chair.

Section 3. The Secretary shall record the official actions of the Board and keep a record of attendance at all Board meetings.

Section 4. The Treasurer or designated agent shall deposit all monies in a bank or banks approved by the Board. The payment of bills must be approved by the Director and submitted to the designated agent with proper documentation for payment. An account of all receipts and expenditures must be kept, and a report made monthly or quarterly to the Board during its regular meeting. A full audit shall be performed every three (3) years by an independent audit firm; and Agreed-Upon Procedures will be

performed as stipulated by Georgia Public Library Service. Official copies of all financial reports shall be kept in the Library headquarters at all times.

ARTICLE III DUTIES OF THE DIRECTOR

Section 1. The Director must hold at least a Grade 5(b) Librarian's Professional Graduate Certification or higher as defined by the State Board for the Certification of Librarians. (O.C.G.A. §20-5-45)

Section 2. It is the duty and responsibility of the Director:

- a. To serve at the pleasure of the Board and may be appointed or removed upon a vote of a majority of the Board Members present at a board meeting.
- b. To have no right to vote in any action before the Board or committees.
- c. To have such authority, power, and discretion to manage and control the business, affairs, real and personal properties of the System, in accordance with the wishes and intentions of the Board.
- d. To employ or terminate other staff members, as necessary, in compliance with applicable laws and the availability of funds; to set the wages of staff members based upon his/her experience, job performance, and such other factors as may be provided for in an annual performance review of each staff member.
- e. To attend all meetings called by the Georgia Public Library Service of the Board of Regents of the University System of Georgia or send an appropriate designee authorized by Georgia Public Library Service.
- f. To prepare any local, state or federal annual budgets.
- g. To notify the Board and Georgia Public Library Service of any failure to comply with:
 - (1) Policies of the Board of Regents;
 - (2) Criteria for state aid;
 - (3) State and federal regulations; and
 - (4) Any applicable local, state, or federal laws.
- h. To attend all meetings of the Board and attend committee meetings when directed by the Board.

ARTICLE IV MEETINGS

Section 1. The Board shall hold no fewer than four (4) meetings during each fiscal year (such fiscal year shall run from July 1 until June 30 of each year). Board meetings will be held on the third Monday of each month of the year, except December. The location of the meetings shall be the Headquarters Library, or such alternate location as may be designated by the Director or by consensus of the Board.

Section 2. Each Board member shall have equal voting power. Except as otherwise provided in these Bylaws, the affirmative vote of the Board members representing a majority of the membership shall be required to approve any matter coming before the Board, provided a quorum is present.

Section 3. Prior to each regular Board meeting, as well as other committee meetings, the Director shall notify each Board member and the public of the date, time and location of the meeting at least one week in advance. Special meetings usually require at least 24 hours notice.

Section 4. All Board and committee meetings shall be open to the public to the extent required by law. All Board decisions, to the extent required by law, are to be formally moved and adopted in an open meeting in order to be legally binding.

Section 5. The quorum of the Board shall be a majority of the members. No official business may be conducted by the Board without a quorum.

Section 6. The standard Board Meeting agenda shall be:

- a. Call to Order
- b. Roll Call
- c. Approval of Agenda
- d. Approval of Minutes
- e. Approval of Treasurer's Report
- f. Library Director's report
- g. Other Reports
- h. Unfinished Business
- i. New Business
- j. Public Comment
- k. Adjournment

Section 7. A public comment shall be limited to five (5) minutes.

ARTICLE V REPORTS

All reports necessary to obtain funds or meet requirements of the law shall be filed with the Georgia Public Library Service of the Board of Regents of the University System of Georgia no later than the due date. An annual report of activities, income and expenditures also shall be filed with each funding agency as required. A copy of these reports shall be kept by the Director and readily accessible by the Board.

ARTICLE VI ATTENDANCE

Regular attendance of Board meetings by Board members is necessary and expected. A Board member's appointing authority will be notified by the President any time the Board member misses three (3) consecutive, regular scheduled Board meetings. The appointing authority will be notified in writing by the Chair within 10 days of the third missed meeting with a recommendation of removal. However, a Board member's absence may be excused by a two-thirds (2/3) vote of the members. Members who are removed shall be notified in writing.

ARTICLE VII PENALTIES

Employees or agents of the System may cause the arrest, fine, and imprisonment of persons who borrow, and fail to return, books and other property owned by the System; deface, damage, steal, or otherwise improperly use and/or abuse System library property; or commit other violations as described in the Official Code of Georgia.

ARTICLE VIII AMENDMENTS

Any Board member may request an amendment to these bylaws. These bylaws may be amended at any regular meeting of the Board with two-thirds (2/3) majority approval, provided that the proposed amendment is made in writing to the members at least two (2) weeks prior to the meeting, and provided that a quorum is present. All amendments to the Bylaws will be filed with the Georgia Public Library Service immediately upon adoption.

ARTICLE IX CONFLICTS OF INTEREST

Section 1. Except as specifically provided herein, in the event of any conflict between the provisions of these Bylaws and the Georgia state provisions governing the operation of public libraries, the Georgia state shall govern.

Section 2. Except as specifically provided in the Constitution, in the event of any conflict between the provisions of these Bylaws and the Constitution, the Constitution shall govern.