

08/2006

BROOKS COUNTY LIBRARY
CONSTITUTION

February 21, 1989

ARTICLE I. Name

The name of the system shall be the Brooks County Library System.

ARTICLE II. Headquarters

The headquarters for the Brooks County Library shall be located in Quitman, Georgia.

ARTICLE III. Purpose

The purpose of the Brooks County Library shall be to furnish library service to the people of the county under the regulations governing public libraries as set forth by the State of Georgia.

The Brooks County Library shall offer a full program of library service to all citizens of Brooks County to meet their informational, educational, and recreational needs; acquire and purchase library material; 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 of a research nature 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 Brooks County Library System shall serve all citizens of the county through libraries located in Quitman and Morven and Troupeville and through other extension services.

ARTICLE V. Legal Authority

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

ARTICLE VI. Governing Body

Section 1. The governing body of the Brooks County Library shall consist of a Board of Library Trustees composed of trustees who are appointed to the County Library Board by the governmental agencies financially supporting the library on a regular basis, Continued, Page 2

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Constitution

as specified in the bylaws and the State law. The operation of the 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.

The Board of Trustees shall consist of not more than nine members and shall be constituted as follows:

Four members appointed by the Quitman City Council;
Four members appointed by the Brooks County Commission; and,
One member appointed by the Brooks County School Board.

To the extent possible, the proportion of representation of each governmental agency on the library board shall correspond to the proportion of financial support received by the library from that agency. Adjustments in representation, if needed, shall be made at the end of each fiscal year.

Section 2. The term of office shall be three years, with starting and ending dates corresponding to the state fiscal year. No member may serve on this board for more than two successive three year terms of office (6 years).

A member may be reappointed after a one year absence from the board.

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.

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. At the direction of the Board, the Director shall serve as Treasurer.

These officers shall perform the duties prescribed by the Bylaws and by the parliamentary authority adopted by the Board.

Section 2. Nomination shall be made by a committee of three Board Members appointed by the Chair of the Board. The Chair and/or the Director may serve as one of the three members of the nominating committee.

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Constitution

Section 3. The Officers shall be elected at the August 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.

Section 4. 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 Division of Public Library Services of the Georgia State Department of Education. [amended 8/20/97 read "Office of Public Library Services of the State Department of Technical and Adult Education" in place of Division of Public Library Services of the Georgia State Department of Education] [Amended 8\16\2002 see amendment 11]

Section 5. All Federal, State and local funds used for the operation and improvement of the services and facilities of the Brooks County Library System shall be received by the Director 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. Standing Committees

Standing Committees shall be the Finance Committee and the Building and Ground Committee. Other special committees may be appointed by the Chairman as needed.

ARTICLE X. Interlibrary Cooperation

The Brooks County 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 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 Brooks 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.

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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 Division of Public Library Services of the State Department of Education [amended 8\20\97 read Office of Public Library Services of the State Department of Technical and Adult Education in place of Division of Public Library Services of the State Department of Education] [Amended 8\16\2002 see amendment 11] immediately upon adoption.

Amendment

I. Article VII Section 4 and Article XII were amended to read "the Office of Public Library Services of the State Department Technical and Adult Education" in place of the reference to the Division of Public Library Services of the State Department of Education. August 20, 1997.

II. Article VII Section 4 and Article XII were amended to read "the Office of Public Library Services of the Board of Regents of Georgia in place of the reference to the Office of Public Library Services the State Department Technical and Adult Education" August 16, 2000

III. References to Chairman and Vice-Chairman amended to read Chair and Vice-Chair, Nov. 15, 2000

2005

BROOKS COUNTY LIBRARY
BYLAWS

February 21, 1989

ARTICLE I. DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS

The County Board of Trustees is the legal governing body of the Brooks County Library System. It shall be the duty and responsibility of Members of the Board of Trustees:

- (a) To employ a Director for the County Library System who meets state certification requirements and such other employees as necessary upon the recommendation of 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 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; and,
- (g) To notify the County Library System Director in advance of all meetings of the Board or committees.
- (h) To make every reasonable effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person will conclude from the circumstances that a board members' ability to protect the public interest, or perform public duties, are compromised by personal interest. An appearance of conflict can exist even in the absence of a legal conflict of interest. **[Amended August 17, 2005, see amendment VI].**

ARTICLE II. Duties of the 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.

Section 2. The Vice Chair shall preside in the absence of the Chair. All other duties of the Vice Chair shall be assigned by the Chair.

Section 3. The Secretary shall record the official actions of the Board, keep a record of attendance at Board meetings, and have custody of the official books, which shall be housed in the County Library Headquarters. He/She shall notify the proper appointing authorities of vacancies which may occur on the County Library Board. He/She shall report changes of membership to the Division of Public Library Services of the Department of Education. The Secretary shall send copies of the annual report of activities, income, and expenditures to each funding agency. **[Amended August 20, 1997; See Amendment 4]**

Section 4. (a) The Director shall serve as Treasurer. He/She 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 properly and in full. The Director shall pay all bills and make all purchases. 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 regulations. Official copies of all financial reports and the Treasurer's books shall be kept in the County Library Headquarters at all times.

(b) The Director shall obtain approval for all **unbudgeted** expenditures exceeding \$500.00, other than those for materials, from the Board Chair. Any **unbudgeted** expenditure exceeding \$1,000 must be approved by the Board of Trustees. **[Amended August 17, 1994; See Amendment III] [Amended August 16, 1995 to read unbudgeted expenditures;]**

ARTICLE III. Duties of the Director

Section 1. The Director of the County 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 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 as authorized by the County Board;

(b) To attend all meetings called by the Division of Public Library Services of the State Department of Education or send a substitute authorized by the Division Director; **[Amended August 20, 1997; See Amendment IV]** **[Amended August 16, 2000; see Amendment 5]**

(c) To prepare any local, state, or federal budgets;

(d) To notify the Board of Trustees and the Division of Public Library Services of the State Department of Education **[Amended August 20, 1997; See Amendment 4]** **[Amended August 16, 2000; see Amendment 5]**

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 Brooks County Library System; and,

(f) To attend all meetings of the Board of Trustees of the County Library, or any affiliated Boards, or to designate a person to attend in his place.

ARTICLE IV. Meetings

Section 1. The County 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 third Tuesday in the months of February, May, August and November at 3:30 p.m. at the headquarters Library, or at some other location as designated by the Chair. **[Amended May 20, 1992; See Amendment 1]**

Section 2. Special meetings may be called by the Chair or upon the written request of three Board members for the transaction of library business.

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

Section 5. All meetings must be open to the public and the

news media. The County Board may, however, enter into a closed session in accordance with the Official Code of Georgia Annotated 50-14-1 through 50-14-6.

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 Brooks County Library.

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

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

- Call to order
- Approval of minutes of previous meeting
- Treasurer's report
- System Director's report
- Reports of committees
- Unfinished business
- New business
- Adjournment

ARTICLE V. Reports

The County 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 shall be filed with each funding agency. All reports necessary to obtain funds or meet requirements of the law shall be filed with the Division of Public Library Services of the State Department of Education **[Amended August 20, 1997; See Amendment 4]. [Amended August 16, 2000; see Amendment 5]**

ARTICLE VI. Attendance

Section 1. A Board member shall be removed for cause or for failure to attend three consecutive regularly-scheduled meetings. **[Amended August 19, 1992; See Amendment 2]**

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 funding agency responsible for his appointment. The funding agency shall be asked to appoint another representative to fill that member's unexpired term.

ARTICLE VII. Penalties

Employees or agents of the Brooks County Library may cause the arrest, fine, and imprisonment of persons who borrow, and fail to return, books, and other property owned by the Brooks County 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 2.

ARTICLE VIII. 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 with the Division of Public Library Services of the State Department of Education immediately upon adoption. **[Amended August 20, 1997; See Amendment 4] [Amended August 16, 2000; see Amendment 5].**

AMENDMENTS

I. Article IV, Section I was amended to read "The County 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 third Wednesday in the months of February, May, August and November at 3:30 p.m. at the headquarters Library, or at some other location as designated by the Chair." May 20, 1992

II. Article VI, Section I was amended to read " A Board member shall be removed for cause or for failure to attend, without good cause, three consecutive regularly-scheduled meetings. August 19, 1992

III. Article II, Section 4 (b) was amended to read "The Director shall obtain approval for all expenditures exceeding \$100 from the Board Chair or, if the Chair is unavailable, the Board Secretary. One of these officers will co-sign all checks of \$100 or more. Any nonbudgeted expenditure exceeding \$1,000 must be approved by the Board of Trustees. August 17, 1994

IV. Article II, Section 3; Article III, Sections 3b and Section 3d; Article V; and Article VIII are amended to read "the Office of Public Library Services of the State Department of Technical and Adult Education" in place of "the Division of Public Library Services of the Department of Education." August 20, 1997.

V. Article II, Section 3; Article III, Sections 3b and Section 3d; Article V; and Article VIII are amended to

read "the Office of Public Library Services of the Board of Regents of Georgia in place of the Office of Public Library Services of the State Department of Technical and Adult Education" August 16, 2000.

VI. Article I, section h. added as follows:

- (i) To make every reasonable effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person will conclude from the circumstances that a board members' ability to protect the public interest, or perform public duties, are compromised by personal interest. An appearance of conflict can exist even in the absence of a legal conflict of interest. August 17, 2005