

Morgan County Library

Board of Trustees

By-Laws of the Board of Trustees

Section A

Article I

Organization

The district comprised of Morgan County Missouri, as permitted by Section 182.010 in the Missouri Statutes, shall be called the “Morgan County Library”

Article II

Purpose

The purpose of the Morgan County Library District is to provide the library services to the residents of Morgan County Missouri and to represent the library both to the people and governing officials. The primary responsibility of the Board is to establish policy. The Board members shall represent the entire Morgan County Library District and have their responsibilities fixed by Chapter 182 of the Revised Statutes of the State of Missouri, and other applicable laws.

Such statutes shall serve as a basis for establishing policies that reflect the needs of the Library District and provide efficient, effective and informative services.

Article III

Board of Trustees

Section 1: Number of Qualifications. The Board of Trustees of the library shall be composed of 5 members appointed by the Morgan County Commission. Appointees shall be residents of Morgan County.

Section 2: Term of Office. Trustees shall be appointed for a period of 4 years, from the first day of July following their appointment, and annually thereafter before the first day of July.
(Updated 8/14 – Pursuant to Section 182.050 of the Missouri State Statutes)

Section 3: Resignations. Vacancies. Any resignation or vacancy which occurs in the unexpired term of a trustee shall be filled by appointment by the Morgan County Commission. A letter of resignation shall be sent, by the resignee, to the President of the Board, with a copy to the Library Director of the District. The President or Secretary shall immediately notify the Morgan County Commission of the vacancy, with a request for an appointment for the unexpired term.

Section 4: Officers. The officers of the Board shall be a president, vice-president, a secretary and a treasurer.

Section 5: Election and Terms of Officers. At the regular meeting in July the board shall nominate and elect from its members, a President, Vice-President, Secretary and Treasurer. No person shall be nominated or hold more than one office at a time.

Officers so elected shall hold office for a term of 2 years or until their respective successors is elected and qualified. Any member completing a full term of office as an officer may be re-elected to a second term.

(Updated 8/14 – Pursuant to Section 182.050 of the Missouri State Statutes)

Section 6: Vacancy in Office. Any vacancy occurring in any of the offices of the Board of Trustees shall be filled by nomination and election at the next regular meeting of the Board. Any person elected to office to fill any such vacancies shall hold office until the next regular election of officers.

Section 7: President, Duties of. It shall be the duty of the president to preside at all meetings of the board; to appoint all committees not otherwise provided for, authorize calls for any special meetings. The president shall perform all duties provided by law; he shall be the chief executive of the library board and in general do all things customarily provided by said office, and shall be Ex-officio member of all committees of the Board.

Section 8: Vice-President. Duties of. In case the president is absent, incapacitated or refuses to act as the President, then the duties of that office, as above provided, shall devolve upon the Vice-President. In case a vacancy occurs in the office of the President, then, in such event, the Vice-President shall perform all function of the President until a successor for the unexpired term is elected. In the event of absence of both President and Vice-President or the inability of both of them to act for any cause, the duties of President shall devolve upon the Secretary and further to the Treasurer.

Section 9: Secretary. Duties of. The secretary shall be responsible for all official correspondence of the Board, and shall keep a permanent record of the proceedings of the Board. The position shall be charged with the responsibility of giving notices required by these by-laws and to perform such other duties as, from time to time, the Board may direct. The secretary may delegate such of his duties as he may desire, and as may be approved by the Board, to a recording secretary. The recording secretary may or may not be an employee of the District, but in performing such duties shall be considered within

the direct employ of the Board, and shall serve at its pleasure. Such delegation shall in no way, however, relieve the secretary from responsibility for the performance of statutory duties.

Section 10: Treasurer. Duties of. The Treasurer shall be responsible for the supervision of all financial matters pertaining to the library. The Treasurer shall delegate normal supervision of financial duties to the Director of the Library District, who shall present to the Board, at its regular meetings, a complete financial report.

Positions on the Board or with the administration of the District which deal with funds shall be sufficiently bonded, at the cost of the District to protect the District's financial interest.

Article IV

Meeting of the Board of Trustees

Section 1: Regular meetings. The regular meeting of the Board of Trustees shall be held at the designated location at such time as the Board may, by resolution, designate.

Section 2: Notice of meetings. Notice of regular meetings shall be mailed to every member of the Board prior to the date of said meeting. Meeting notices shall also be publicly posted in accordance with the Revised Statutes of Missouri.

Section 3: Special Meetings. The President of the Board may, and at the request of 2 members of the Board, call a special meeting of said Board, stating the object of said meeting. One day or more prior notice shall be given to any such special meeting. No business shall be transacted at said special meeting except as stated in the call thereof, without the unanimous consent of all members of the Board. The Library Director may request an emergency of the Board.

Section 4: Executive Session/Meeting. Executive session/meeting may be called by the President or at the request of 2 members of the Board. Only those items as defined by law may be discussed during an executive session/meeting, i.e., litigation, personnel matters, and real estate transactions.

Section 5: Quorum. A simple majority of the current appointed Board shall constitute a quorum for the transaction of business at all meetings of the Board. In the event that a quorum shall not be present, then, in such event, a majority of those present may adjourn said meeting until a time and place certain and specified at the time of said adjournment. No other notices of such adjournment shall be required.

Section 6: Attendance at Meetings. Members of the Board of Trustees are expected to attend meetings of the Board. The Board may request resignation of any member who has been absent for three consecutive Board meetings of four meetings during a twelve month period. Board members are expected to call the Library District business office when they are unable to attend a meeting.

Section 7: Public Records. All minutes of the Morgan County Library District shall be considered open records except those protected under applicable statutes: such as matters dealing with real estate values, personnel, or litigation.

Article V

Library Director

Section 1: Director and Library Staff. Employment and Compensation. The Board of Trustees shall retain powers of hiring, evaluating, remunerating and disciplining the Director of the Library District under general personnel policies as established by the Board. Annual evaluations of the Director shall be conducted by the Board of Trustees.

Section 2: Director and Library Staff. Duties of. The Director shall be the chief executive officer of the Library District and shall serve at the pleasure of the Board of Trustees. The position shall be responsible for the execution of the orders and policies adopted and promulgated by the Board. The Director shall have authority to interview and recommend candidates for employment in positions authorized by the Board. Final selection and approval of candidates is reserved by the Board. The Director, in addition to being the chief executive officer of the Library District and being responsible for carrying out the policies of the Board, shall also perform such other duties as the Board, by resolution, may direct from time to time.

Article VI

Committees

Section 1: Committees. There shall be such standing and special committees as the Board may from time to time, by resolution, provide.

Unless otherwise provided in resolution creating any such committee, the same shall consist of three members of the Board and shall be appointed by the President, annually.

Section 2: Meetings. All committees shall be subject to call of their respective chair. A majority of the members of each committee shall constitute a quorum. Reasonable notice of all committee meetings shall be given, by the chair, to all committee members and the Board President.

Article VII

Order of Business

The order of business at all regular meetings of the Board shall be as follows:

1. Roll Call,

2. Public Comments,
3. Approval of Minutes,
4. Approval of Bills,
5. Reports,
6. Old Business,
7. New Business,
8. Adjournment.

The foregoing order of business may be suspended or varied at any meeting by agreement of those present.

Article VIII

Parliamentary Law

In all matters of procedures not specifically covered herein, the Board shall be guided by the rule of reason. The Trustees, through a simple majority may require that meetings be conducted according to Robert's Rule of Order.

Article IX

Indemnification

The Morgan County Library District will defend, indemnify and hold harmless any one or all of the Trustees of the District for any mistake of judgment or other action taken in good faith by the Trustees in performance of their statutory duties, unless resulting from willful negligence or bad faith. The foregoing right of indemnification shall be in addition to, and not exclusive of, all other rights to which such Trustee may be entitled.

The Board, at its discretion, may authorize the purchase of a policy or policies of insurance against liability of the Board, and its employees to indemnify any person pursuant to this By-law, which shall contain such terms, and conditions as the Board may deem appropriate to the extent and in the manner permitted by law.

Article X

Professional Services

The Board may, at its discretion, authorize a qualified attorney-at-law to represent the Board in legal matters.

An audit of all accounts of the District shall be made at least annually by a certified public accounting firm appointed by the Board and shall be a public document.

Article XI

Amendments

These by-laws may be amended, effective immediately, in whole or in part, at any regular or special meeting, after not less than seven days prior written notice of any such proposed amendment shall have been given all members of the Board and upon the affirmative vote of a majority of all members of the Board present at the meeting.

These By-Laws accepted in the meeting of March 13, 2001 and supersede all previous editions and revisions.