

ANDERSON COUNTY LIBRARY BOARD BY-LAWS

ARTICLE I: Name

The name of this organization shall be the Anderson County Library Board (ACLB), referred to hereafter as the Board. The members shall be called Trustees.

ARTICLE II: Membership

Section 1. Terms of office, Appointment, Vacancies

The Anderson County Library Board of Trustees shall consist of nine members appointed by the Anderson County Board of Commissioners pursuant to and in accordance with procedures established by the Anderson County Board of Commissioners and Tennessee State Law, specifically the Tennessee Code Annotated (T.C. A.) § 10-3-101—10-3-108. A term is to be three years in length. Terms shall begin in July. Members of the Board may only serve two (2) full consecutive terms, in addition to an unexpired term they may have been appointed to fill. Individuals may be appointed again after a three year break in service. In May, or when necessary, the Board shall recommend to the appointing body new members to fill any vacancies on the Board.

Section 2. Compensation, Public Officials

Members of the Board of Trustees shall serve without salary, with the exception of the Secretary and Treasurer, who may be reimbursed for expenses. Further, Trustees may not be employees of the Library or closely related to an employee of the Library. And, as provided by the Tennessee Code Annotated (T.C. A.) § 10-3-103, not more than one (1) official each of the county and of the city governing bodies may serve on the Board.

Section 3. Selection Criteria

The recommended criteria for selection of local Library Board members is as follows:

- a. Full-time resident of the county or city;
- b. Regular library patron;
- c. Library contributor (either financial, property or volunteer work)
- d. Educator, social worker or other service provider involved with children, disabled or older adults, or person with professional experience useful to the work of the Board;
- e. Willingness and ability to serve, attend, and contribute to monthly, special and workshop meetings;
- f. Have computer equipment and ability to use email, the Internet, word processing, spreadsheet and other useful programs.
- g. Membership of the board shall strive, to the extent possible, to be reflective of the geographic and cultural diversity of the population of Anderson County.

ARTICLE III: Purpose and Duties

The purpose of this organization shall be to establish and maintain Anderson County Public Libraries, institutions legally organized according to the Library laws of the State of Tennessee, offering educational and recreational advantages to all citizens within the county, with locations in Briceville, Clinton, Norris, and Rocky Top.

The duties of the Trustees shall be in accordance with the Tennessee Code Annotated (T.C. A.)10-3-104 and attached herewith as Exhibit A.

ARTICLE IV: Officers

Section 1. Election and Tenure

The officers shall be a Chairman, a Vice-Chairman, a Secretary and a Treasurer who shall be elected annually by roll call at the annual June meeting of the Board of Trustees to take office in July of the same year. The Secretary and Treasurer may be the same individual. In the case of vacancy, the Board shall, at the next regular meeting, select a member to fill an unexpired term. Vacancies in office may be filled by the remaining members of the Board of Trustees voting thereon by ballot or by voice at the discretion of the Board.

Section 2. Duties

The Chairman of the Board shall preside at all Board meetings; appoint all committees, including committees for the study and investigation of special problems; authorize calls for special meetings and shall certify all bills approved by the Board, and generally perform the duties of a presiding officer.

The Vice-Chairman of the Board shall perform the duties of the Chairman in the latter's absence.

The Secretary shall keep a true and accurate account of all proceedings of the Board meetings; shall issue notices of all regular meetings; shall have custody of the minutes and other records of the Board, and shall notify the appointing governmental agency of any vacancy on the Board; and shall perform such other duties as may properly belong to the office or be delegated by the Board.

The Treasurer shall monitor the budget, financial records, reports, audits and investments, if applicable. The Treasurer shall compile summaries, track reports, and advise the Library Directors and the Board of correct procedures and developing financial problems. The Treasurer shall act as the liaison between the County Budget Director and the Library Directors. The Treasurer is approved by the Board for authorizing expenditures by the Anderson County Board of Commissioners and Budget Director for the County of Anderson. The Treasurer and Library Directors are to present budgets to the Board for their approval and the Board through the County Budget Director for County

Commission approval. The Board will inform each city government by providing a copy of the submitted and approved budget electronically or in person.

ARTICLE V: Removal

Section 1. Absences

The absence of any member of the Board from three (3) consecutive Board meetings, except for sickness shall be presumed to constitute a vacancy which shall be filled pursuant to Article II of these By-Laws.

Section 2. Removal for cause

Upon the recommendation of the Board, any member may be removed by the governing body appointing that member for incapacity, misconduct or neglect of duty.

ARTICLE VI: Meetings and Conduct

Section 1. Regular Meetings

The Board shall hold regular monthly meetings on the third (3rd) Thursday of all months except December at a time and place designated by the Board and rotated between the Libraries. The Board may approve a change of the date and time as it sees fit.

Section 2. Special Meetings

Special meetings shall be called by the Chairman, or upon the request of any two (2) members, for the transaction of business only as stated in the call for the meeting. Notice of the time and place of a special meeting shall be served upon, telephoned, mailed, or e-mailed to each Trustee at his or her usual place of business or residence at least forty-eight-(48) hours prior to the time of the meeting. Said meeting shall be public.

Section 3. Open Meeting Law

All meetings of the Board are subject to the Tennessee Open Meeting Law and are open to the public. THE TENNESSEE CODE ANNOTATED (T.C. A.) §8-44

Section 4. Executive Sessions

Executive sessions of the Board may be called by the Chairman or by majority vote during any publicly noticed meeting. If the County Lawyer is not present, he/she can be brought into the meeting by phone.

Section 5. Quorum

Five members shall constitute a quorum.

Section 6. Voting

A Trustee who is present at a meeting of the Board at which action on any matter is taken, shall be conclusively presumed to have assented to the action taken, unless (a) his/her dissent shall be affirmatively stated by him/her at and before the adjournment of such meeting (in which event the fact of such dissent shall be entered by the Secretary of the meeting in the minutes of the meeting), or (b) he/she shall forward such dissent by registered mail to the Secretary of the Board immediately after the adjournment of the meeting. The right of dissent proved for by either clause shall not be available in respect of any matter acted upon at any meeting to a Trustee who voted at the meeting in favor of such matter and did not change his/her vote prior to the time that the result of the vote on such matter was announced by the Chairman of such meeting.

Section 7. Rules of Order

The most current Robert's Rules of Order shall decide points of procedure, including the more informal rules for conducting business in boards with fewer than a dozen members except as follows:

- a. All motions require a second before they may be voted on.

Section 8. Library Trustee Manual

Conduct for Board meetings shall be in accordance with the most current published Tennessee Public Library Trustee Manual which is incorporated herein as Exhibit B. (Exhibit B shall be attached to this document)

ARTICLE VII: Order of Business

The Order of Business, which may be altered for good reason, at regular meetings shall be as follows:

- Call to Order
- Revisions to the Agenda
- Appearance of Citizens, limited to 3-5 minutes each
- Approval of Minutes of last meeting
- Approval of Treasurer's report
- Library Directors' Reports
- Report of Regional Library
- Report of Committees
- Unfinished Business
- New Business
- Announcements/Next Meeting
- Adjournment

ARTICLE VIII: Committees

Committees are appointed as needed by the Chairman. Standing committees include, but are not limited to, the Budget Committee, Policy Committee, Personnel and Evaluation Committee. Any additional committees may be approved by the Board and assented to by the appointees.

ARTICLE IX: Library Directors

Section 1. Hiring, General Duties

The Library Directors are hired by, are responsible to, and are evaluated by the Board. The Library Directors are responsible for the administration, operation and management of the Library for which they are assigned, and supervise the work of the Library staff, including annual evaluations.

Section 2. Library Personnel

Library Directors inform the Board at the next monthly Board meeting when they have hired someone to fill a vacant position. Any new position must be approved by the Board. Directors will notify the Board of all actions including: changing personnel compensation, promotion, or reclassification. And, Library Directors inform the Board, preferably in advance, of any planned or actual employee recognition, discipline, or termination.

Section 3. New Library Positions, Implementation of Policies, Long Range Plans

Directors advise the Board when additional positions are needed to improve service. Directors suggest and implement plans for extending library services for which they are charged. The Library Directors implement all policies adopted by the Board including job descriptions, salary schedules, and personnel policies, and at all times, fully comply with Anderson County Personnel Policies and Procedures, including the Anderson County Compensation Plan. Directors implement long-range plans for the development of library programs, technology, and facilities.

Section 4. Reports, Board Advisors, Subject to County Regulations and Procedures

Directors formally report quarterly to the Board such information as the Board may request, and, at other times, as the Board may require. Directors advise the Board, and recommend policies and procedure to the Board for Board action. Quarterly reports are to be filed with the Regional office. The Library Directors shall act as technical advisors to the Board. The Library Directors shall be invited to attend all Board meetings and shall have no vote. The Library Directors shall follow county reporting, budget, purchasing, personnel, and other required regulations and procedures.

ARTICLE X: Conflict of Interest

Board members may not, in their private capacity, negotiate, bid for, or enter into a contract with any of the Libraries in which they have a direct or indirect financial interest. A Board member shall withdraw from Board discussion, deliberation, and vote on a matter in which the Board member, an immediate

family member, or an organization with which the Board member is associated has a substantial personal or financial interest. A Board member may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

ARTICLE XI: Proxy

Voting by proxy may be exercised at any called Library Board meeting and can only be delegated from one official Library Board member to another. Proxies shall be valid only for the particular meeting designated thereon and must be filed by the voting member with the Secretary twenty-four (24) hours before the appointed time of the meeting by submitting an authorized proxy form. Proxies are not to be used to determine a quorum.

ARTICLE XII: Amendments and Technical Corrections

Section 1. Amendments

The By-Laws may be amended by a majority vote of the Trustees of the Board at any regular meeting, providing that notice of the amendment was given at the preceding regular meeting of the Board.

Section 2. Technical Corrections

The Policy Committee may make formatting, grammatical or clerical ‘technical corrections’ to the By-Laws for clarity and readability provided that those changes do not alter the sense, meaning or effect of any provision. These technical corrections include the following:

- Correct obvious typographical, spelling and grammatical errors.
- Change capitalization for the purpose of uniformity.
- Renumber and rearrange sections or parts of sections.
- Insert or change the wording of headnotes.
- Change reference numbers to agree with renumbered sections.
- Strike out figures where they are merely a repetition of written words and vice versa.
- Make any other purely formal or clerical changes in keeping with the purpose of the By-Laws.

Any technical corrections made by the Policy Committee must be presented to the Board for review prior to taking effect. The Board may veto any proposed corrections or any part thereof. Technical corrections that are not vetoed by the Board take effect without prior reading or notice. The date of the technical corrections shall be noted in the minutes of the Board meeting, but shall not trigger a new “*revised by*” date for the By-Laws.

APPENDIX

Proxy Form

I designate _____ to vote my proxy on any
matter requiring a vote at the _____ *to be held on*
_____.

Signed: _____

Name: _____

Address: _____

Phone: _____

Date: _____

Last Revised by the Board: 16 June 2022