

## 14.5 Tonganoxie Public Library Board of Directors By-Laws

The following by-laws for the Tonganoxie Public Library were Adopted on July 8, 1998.

### TONGANOXIE PUBLIC LIBRARY TONGANOXIE, KANSAS

#### **BOARD OF DIRECTORS BY-LAWS**

##### ARTICLE I: NAME AND AUTHORITY

This organization shall be called "The Board of Directors of the Tonganoxie Public Library," existing by virtue of the provisions of K.S.A. 12-1222, with powers and duties as provided in K.S.A. 12-1215 and K.S.A. 12-1225 of the laws of the State of Kansas.

##### ARTICLE II: MISSION

The mission of the Tonganoxie Public Library is to provide a positive environment for lifelong learning and enjoyment. It strives to be the center of cultural activity, foster community partnerships and ensure that a dedicated and qualified staff provides the community with expertly selected materials and needed services and programs.

##### ARTICLE III: APPOINTMENT AND TERM

The Board of Directors of the Tonganoxie Public Library is a ten member board appointed by the Mayor of the City of Tonganoxie and approved by the Tonganoxie City Council. By Kansas law (K.S.A. 12-1222), according to charter ordinance 18 approved March 24, 2008 by the Tonganoxie city Council, "at least eight people appointed to the Library Board will be residents of Tonganoxie and the balance of the members should live within the Tonganoxie School District." The Mayor shall serve as an ex-officio member of the Board. No other person shall be appointed to the Board while that person holds any office, elected or otherwise, in the Tonganoxie city government.

Terms are for the duration of four years. The expiration date of any Director's term may be changed by majority vote of the Board and endorsement by the Mayor and Tonganoxie City Council. A person appointed to serve out an unexpired term is eligible to be appointed for two more full terms (K.S.A. 12-1222).

Directors who have served two consecutive terms shall not be appointed for another term until one year after the end of the second term served.

When a Board vacancy occurs, whether by reason of normal term expiration, removal from the municipality, or resignation, the remaining Directors shall consider the names of prospective members, together with their qualifications, at a regular meeting of the Board. Following a decision by the Directors, the President shall present such person's name and application, with their permission and a letter of recommendation, to the Mayor for approval by the city council for appointment to the Tonganoxie Library Board.

The absence of a member of the Board from two consecutive meetings shall be cause for the President to prepare and transmit to such member a letter of reprimand. Three such absences shall be construed as a resignation from the Board.

#### ARTICLE IV: BOARD RESPONSIBILITY

Legal responsibility for the operation of the Tonganoxie Public Library is vested in the Board of Directors. Subject to state and federal law, the Board has the power and duty to determine rules and regulations governing library operations and services.

The Board shall select, appoint, and supervise a competent and properly qualified library director, and determine the compensation of all library employees.

The Board shall approve the budget and make sure that adequate funds are provided by the City of Tonganoxie to finance the approved budget.

The Board shall audit and approve all library expenditures.

The Board shall supervise the maintenance of the buildings and grounds, as well as regularly review various physical and building needs to see that they meet the requirements of the total library program.

The Board shall study and support legislation that will bring about the greatest good to the greatest number of library users.

The Board shall cooperate with other public officials and boards and maintain vital public relations.

The Board shall approve and submit the required annual report to the Tonganoxie City Council.

#### ARTICLE V: ETHICS

The Board of Directors will promote a high level of library service within ethical standards. No part of the properties or net earnings of the library shall inure to the benefit of any Director. Directors will present the formal position of the library and its policies even if they personally disagree. They will protect the confidential nature of library business within the guidelines of The Freedom of Information Act. The Library Director shall assist the Library Board in reaching and maintaining standards and fulfilling the established mission of the library. Directors will read and support the Library Bill of Rights.

#### ARTICLE VI: OFFICERS

The officers shall be a president, a vice president, a secretary, and a treasurer, elected from among the appointed Directors at the annual meeting of the Board. No Director shall hold more than one office at a time. Vacancies in office shall be filled by vote at the next regular meeting of the Board after the vacancy occurs.

The president, vice president, and secretary shall serve a term of one year from the annual meeting at which they are elected and until their successors are duly elected. The treasurer shall serve a term of two years from the annual meeting at which he/she is elected and until his/her successor is duly elected.

The president shall preside at meetings of the Board, authorize calls for special meetings, appoint all committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees except the nominating committee, co-sign all checks drawn on funds held by the library (independently of the City), and generally perform all duties associated with the office of president.

The vice president, in the event of the absence or disability of the president, or of a vacancy in that office, shall assume and perform the duties and functions of the president.

The secretary shall keep a true and accurate record of all meetings of the Board, issue notice of all regular and special meetings, co-sign all checks drawn on funds held by the library (independently of the City), and generally perform all duties associated with the office of secretary. The library director or a member of the staff may be designated by the Board to perform any or all of the above duties with the exception of co-signing checks drawn on funds held by the library (independently of the City).

The treasurer shall participate in the budget preparation with the Director and attend city budget meetings when needed, and generally perform all duties associated with the office of treasurer. The treasurer must be bonded in an amount fixed by the Board and approved by the governing body of the City (K.S.A. 12-1226). The Library Director will compile a list of all invoices paid and income received, presenting it to the Board as the Warrant Certification Form. The Warrant Certification Form, check registries and Monthly Financial Reports will be distributed to the Board prior to the meeting for review and approval at the meeting. Upon approval, the Warrant Certification is signed by the President, Secretary and Treasurer.

#### ARTICLE VII: MEETINGS

The annual meeting, which shall be for the purpose of the election of officers, shall be held at the time of the regular meeting in May of each year.

A regular monthly meeting time will be established by the Board at the regular meeting in December and will be effective for the next calendar year. Meeting notices shall be posted according to law, and indicate the time, date, and place of the meeting and meeting agendas shall indicate all subject matters intended for consideration at the meeting and be given to each member of the Board at least two (2) days in advance of the meeting.

Special meetings shall be called at any time by the President or at the written request of a majority of Directors. Written notice stating time and place of any special meeting and the purpose for which called shall, unless waived, be given each member of the Board at least two (2) days in advance of such meeting, and no business other than that stated in the notice shall be transcribed at such meeting. budget

A quorum for the transaction of business at any meeting shall consist of six members of the Board present in person. In the absence of the President or Vice-President, the Directors present shall elect a temporary chair. The president may vote upon and may move or second a proposal before the Board. In the event of any unfilled vacancies on the Board, a quorum shall be a majority of the Board members in office.

All Board meetings and all committee meetings shall be held in compliance with the Kansas Open Meeting Act (K.S.A. 75-4317).

If a formal motion is made, seconded and carried, the Board may recess at a specified time to a closed or executive meeting, provided no binding action shall take place during the closed door session and provided the purpose of the session is stated (K.S.A. 75-4319). The motion to recess must include a statement of the justification for closing the meeting, the subjects to be discussed during the executive meeting, and the time and place at which the open meeting shall resume. This information must be contained in the minutes.

The law specifies that only certain subjects may be discussed during the closed meeting. Those which apply to libraries include: personnel matters; consultation with an attorney for the library which would be deemed privileged in the attorney-client relationship; matters relating to employer-employee negotiations; confidential data relating to financial affairs or trusts; and preliminary discussion relating to the acquisition of real property.

The rules contained in *Robert's Rules of Order*, latest revised edition, shall govern the parliamentary procedure of the meetings, in all cases in which they are not inconsistent with these bylaws and any statutes applicable to this Board.

#### ARTICLE VIII: COMMITTEES

The following standing committees:

- Building and Grounds Committee
- Personnel Committee
- Budget Committee

shall be appointed by the President promptly after the annual meeting and shall make recommendations to the Board as pertinent to Board meeting agenda items.

Each committee shall consist of at least three members, and they shall hold their offices until the next annual meeting or until their successors are appointed. Their duties shall be such as usually pertain to their respective titles.

Ad hoc committees for the study of special problems shall be appointed by the president, with the approval of the Board, to serve until the final report of the work for which they were appointed has been filed. These committees may also include staff and public representatives, as well as outside experts.

No committee shall have anything other than advisory powers.

#### ARTICLE IX: LIBRARY DIRECTOR

The Board shall appoint a Library Director who shall be the administrative officer under the direction and review of the Board. The Library Director shall be responsible for the employment and direction of the staff in accordance with the personnel policy in the library's policy manual as adopted by the Board for the efficiency of the library's service to the public, for the operation of the library under the financial conditions set forth in the annual budget, and for such responsibilities as are delegated to the Library Director by the Board of Directors.

The Director shall attend all regular and special Board meetings (but may be excused from closed sessions) and shall have no vote.

#### ARTICLE X: EDUCATION

All Directors will receive an initial orientation by the Board President and the Library Director. All Board members are encouraged to attend regional and state conferences and workshops. Expenses for attendance at workshops and conferences will be reimbursed at the same rate as for staff. The library provides and pays for a current membership in the Kansas Library Director Association for all members of the library board. The Board must participate in no less than one continuing education activity annually. This activity may be:

- Part of a regularly scheduled board meeting with materials and/or a presentation provided by the library system or other resource.
- Attendance at a continuing education activities provided by the library system and/or other continuing education providers.
- Other continuing education activities including viewing and discussion of online or recorded presentations.

### ARTICLE XI: CONFLICT OF INTEREST

Board members may not in their private capacity negotiate, bid for, or enter into a contract with the Tonganoxie Public Library in which they have a direct or indirect financial interest.

A Board member shall withdraw from Board discussion, deliberation, and vote on any matter in which the Board member, an immediate family member, or an organization with which the Board member is associated has a substantial 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 XII: AUDIT

The library will be audited annually, either as part of the City of Tonganoxie's annual audit or by an independent auditing firm.

### ARTICLE XIII: GENERAL

Any rule or resolution of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which four of the members of the Board are present and four of those present so approve.

These bylaws may be amended at any regular meeting of the Board by majority vote of all members of the Board, provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting at which such action is proposed to be taken.

Adopted by the Board of Directors of the Tonganoxie Public Library on the 20th day of December, 2017.