

# **MCMINN COUNTY LIBRARY BOARD**

## **BYLAWS**

### **ARTICLE I NAME**

This organization shall be known as the MCMINN COUNTY LIBRARY BOARD, located in McMinn County, Tennessee, established by the County of McMinn, according to the provisions of Title 10 of the Tennessee Code Annotated (TCA) 10-3-101 and 10-3-103, and exercising the powers and assuming the duties granted to it under said statute.

### **ARTICLE II OBJECTIVE**

This Board is organized to foster and promote library development in McMinn County. The public libraries under the auspices of the Board are Calhoun, E.G. Fisher, Englewood, and Etowah/Carnegie. The Board is responsible for the division and distribution of the allocation of funds from McMinn County. The Board recognizes and will abide by the American Library Association Freedom to Read Statement and the American Library Association Public Library Trustee Ethics Statement.

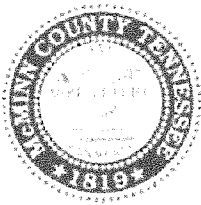
### **ARTICLE III MEMBERSHIP**

This Board shall consist of seven members and shall be composed of both men and women.

Four of these members shall be appointed by the McMinn County Commission, representing Calhoun, Englewood, Etowah/Carnegie, and Niota municipal areas. Three members are appointed by the Athens City Council in accordance with the Public Library Laws of the State of Tennessee. In accordance with TCA 10-3-103, not more than one (1) official each of the county or city governing bodies shall serve on this Board. The members shall serve without salary for terms of three (3) years. Directors may not serve more than two consecutive full terms. In case of resignation, a new member shall be appointed to fill the unexpired term and may then complete two (2) additional three-year terms.

Any member absent from three (3) consecutive meetings may be asked to resign.

Two Regional Library Board members from McMinn County are appointed by the McMinn County Commission for terms as proscribed in TCA 10-5-102. The McMinn County Library Board shall suggest names for vacancies which occur. These three-year term appointments are made by July. Members are subject to reappointment for a second three-year



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term. Every member of the Regional Library

Board who is not an active member of the McMinn County Library Board is designated as an *ex officio* member of the McMinn County Library Board and may vote, serve as a quorum, serve as an officer, enter discussions and serve on committees of the McMinn County Library Board. (Tennessee State Attorney General Opinions 86-1894, 78-269, 79-277, 98-114)

#### **ARTICLE IV OFFICERS AND DUTIES**

The officers of this Board shall be a Chairperson, a Vice-Chairperson, a Secretary and a Treasurer. Officers are elected for a period of one year and are subject to re-election. A Nominating Committee shall be appointed at the March meeting by the Chairperson and shall present a slate of officers at the May meeting. Additional nominations may be made from the floor at that time.

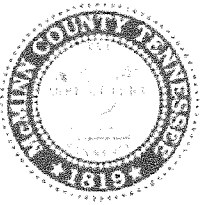
Basic duties of each officer are as follows:

The Chairperson shall preside at all meetings of the Board, appoint all committees, authorize calls for any special meetings execute all documents authorized by the Board and generally perform all duties associated with the office of Chairperson. The Chairperson shall provide notification of all meetings and agendas to *The Daily Post Athenian* in a timely fashion.

The Vice-Chairperson, in the event of the absence or disability of the Chairperson, or of a vacancy in that office, shall assume and perform the duties and functions of the Chairperson until the Chairperson returns or a new Chairperson is elected.

The Secretary shall keep true and accurate Minutes of all meetings of the Board, shall issue notice of all regular and special meetings and shall perform such other duties as are generally associated with the office of Secretary.

The Treasurer shall keep and maintain, or cause to be kept and maintained, full and accurate books and records of accounts of properties and transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital and other matters customarily included in financial statements. The Treasurer is responsible for ensuring any two officers have signed any and all checks drawn on these accounts. The Treasurer shall track Maintenance of Effort for all McMinn County libraries, invoice Athens City and McMinn County and write and distribute quarterly checks to the satellite libraries.



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#### **ARTICLE V MEETINGS**

The Board shall meet on the fourth Monday of January, March, May, July, September and November at the E.G. Fisher Public Library or other designated site at a time to be designated.

The election of officers shall be held at the time of the regular meeting in May of each year.

Minutes of all meetings shall, at a minimum, indicate Board members present, all items of business, all motions and the results of all votes taken. Current Board Minutes shall be retained in the E.G. Fisher Public Library for public review.

Special meetings may be called at the discretion of the chairperson or may be called at the written request of four (4) members, for the transaction of business as stated in the call for the meeting. Except in cases of emergency, at least five (5) days' notice shall be given. In no case may less than two (2) hour notice be given.

A quorum at any meeting shall be a simple majority of the Board, and no meeting will be considered held without the necessary quorum.

All meetings shall be held in compliance with Tennessee's Open Meetings Law (TCA 8-44-101 through 8-44-108).

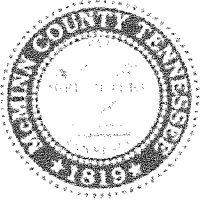
The Library Board is subject to governmental immunity and the limits of liability for negligent acts or omissions of its members as provided by the Tennessee Governmental Tort Liability Act, at Tennessee Code 29-20-101 et seq. Generally, Board members are immune from suit arising from the conduct of the affairs of the Board, except for conduct which amounts to willful, wanton, or gross negligence pursuant to Tennessee Code 29-20-201.

*Robert's Rules of Order*, revised, will be used to conduct meetings. Failure to follow such rules does not invalidate an otherwise legitimate action of the Board.

#### **ARTICLE VI      COMMITTEES**

The Chairperson shall make appointments to committees as necessary. These committees shall make reports and recommendations to the McMinn County Library Board at the Board meetings.

No committee shall have other than advisory powers.



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### **ARTICLE VII**

#### **DUTIES OF THE BOARD OF TRUSTEES**

The Board, in accordance with TCA 10-3-104, has the power to direct all of the affairs of the libraries in McMinn County, including E.G. Fisher Public Library and the libraries operated in partnership with the communities of Calhoun, and Englewood. The McMinn County Library Board recognizes the legal authority of the Etowah/Carnegie Public Library Board.

The Board shall work with the respective libraries, as requested by each library, to facilitate their budget process as they work with their respective cities in their budget process.

The Board may receive donations, devises and bequests to be used by it directly for library purposes.

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

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

The Board may work with City Boards or Advisory Committees to fulfill its duties and responsibilities.

The Board shall furnish to the Tennessee State Library and Archives such statistics and information as may be required, and shall make annual reports to the McMinn County Commission and/or the Athens City Council.

### **ARTICLE VIII**

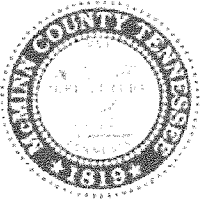
#### **LIBRARY DIRECTOR**

The Board shall select, appoint and supervise a properly qualified Library Director for E.G. Fisher Public Library. The Library Director shall direct the internal affairs of E.G. Fisher Public Library and such assistants and employees as may be necessary under the direction and review of the Board and consistent with their established policies.

The Directors of all four Public Libraries shall be invited and encouraged to attend all Board meetings but shall have no vote. The Directors shall act as technical advisors to the Board.

### **ARTICLE IX**

#### **CONFLICT OF INTEREST**



## MCMINN COUNTY LIBRARY BOARD

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Board members may not, in their private capacity, negotiate, bid for or enter into a contract with any of the libraries.

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.

A Board member may not serve on the Executive Committees of both the McMinn County Library Board and any Friends of the Library organization.

#### ARTICLE X GENERAL

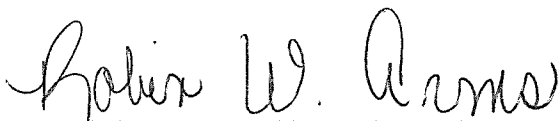
Following the establishment of a quorum, an affirmative vote of the majority of all of the Board present at the time shall be necessary to approve any action before the Board.

The Chairperson may vote upon, may make a motion or second a proposal before the Board.

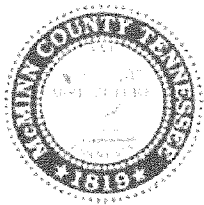
Any visitor who wishes to speak during Public Comment should inform the Chair they wish to be heard and the Chair must recognize the speaker. The Chair may establish a three-minute time limit for each speaker so recognized.

Any of these Bylaws may be changed, amended, or repealed at any regular meeting by a majority present, provided such changes are included in the published Agenda for that regular meeting.

Adopted by the Board of Trustees of the McMinn County Library Board on the 28 day of September, 2020.



Secretary



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15-Sep-20 SRS