

CONSTITUTION AND BYLAWS

FOR

NORTHEAST GEORGIA REGIONAL LIBRARY SYSTEM

Approved October 24, 1989
Revised October 25, 2022

ARTICLE I. NAME:

The name of the library shall be the Northeast Georgia Regional Library System.

ARTICLE II. HEADQUARTERS

The headquarters for the Northeast Georgia Regional Library shall be in Clarkesville, Georgia.

ARTICLE III. PURPOSE

The purpose of the Northeast Georgia Regional Library System shall be to furnish library service to the people of the Region under the regulations governing public libraries as set forth by the State of Georgia.

The Northeast Georgia Regional Library System shall offer a full program of library service to all citizens of the participating counties to meet their informational, educational, cultural and recreational needs; to select, acquire and process library materials; to circulate materials to the public through the headquarters library or by other appropriate means of library extension; to develop existing libraries, and to establish and develop branch libraries, deposits, and bookmobile services as appropriate to the needs of the service area; to build a reference collection adequate to the needs of the service area; and to promote the use of the library resources by means of instruction, library-centered programs, exhibits, and other public relations media.

ARTICLE IV. CONSTITUENCY

The Northeast Georgia Regional Library System shall serve all citizens of Habersham, Rabun, Stephens and White Counties, and such other counties or municipalities as may become part of the Region, through the headquarters library, branch libraries, and bookmobile and other extension services. Membership in the Northeast Georgia Regional Library System provides the citizens of Habersham, Rabun, Stephens and White Counties with reciprocal borrowing privileges in all libraries in the System.

Any county adjoining any county that is a member of the Northeast Georgia Regional Library System may become a part of the Northeast Georgia Regional Library System either by contract or agreement with the library's Board of Trustees, or by payment of an amount agreed upon for such participation, based on the cost of providing the service in said county or municipality, and by the provisions of Title 20, Chapter 5, Article 2 of the Official Code of Georgia Annotated. Existing Libraries are located in the cities of Clarkesville, Cornelia, Clayton, Toccoa, Cleveland and Helen.

ARTICLE V. LEGAL AUTHORITY

The legal authority of Public Libraries and Boards of Trustees is described in Article 2, Chapter 5, Title 20 of the Official Code of Georgia Annotated, amended March 26, 1984.

ARTICLE VI. GOVERNING BODY

Section 1. The governing body of the Northeast Georgia Regional Library System shall be a Board of Trustees composed of at least one and no more than 4 members selected by and from the membership of each participating County Library Board of Trustees. The operation of the Regional Library System is legally vested in this Board under the provisions of the Official Code of Georgia Annotated, Article 2, Chapter 5, Title 20.

Section 2. Appointments to the Regional Board will be for a term of three (3) years or the expiration of the members' terms on the county boards, whichever comes first. Appointments shall be staggered. Appointments to the Regional Board will be reviewed annually by the appointing County Boards.

Section 3. Members of the Board shall receive no compensation; however, they may be reimbursed for any reasonable and necessary expenses incurred in the performance of library business. Dues or fees for membership in local, state, regional or national library associations may be paid from library funds. (Georgia Code, Article 2, Chapter 5, Title 20, Section 20-5-44).

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.

Section 5. Additional representatives may be added from any library system which may affiliate with the Northeast Georgia Regional Library System in the future.

ARTICLE VII. OFFICERS

Section 1. Officers of the Board of Trustees shall consist of a Chairman, Vice-Chairman and Secretary, elected for two year terms. The Chairman shall not serve more than two (2) consecutive terms.

Section 2. Nominations shall be made by a committee appointed by the Chairman of the Board at the January meeting. The Chairman and/or the Director may serve as one of the members of the nominating committee.

Section 3. The officers shall be elected at the April meeting to serve for a term of two years or until their successors 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 Georgia Public Library Service.

Section 5. All federal, state and local funds used for the operation and improvement of the services and facilities of the Regional Library System shall be received by the treasurer and shall be used in accordance with the budget approved by the Board. The Northeast Georgia Regional Library Board delegates these activities for the receipt and use of local funds to the various branches. The Regional Board retains responsibility for these activities.

ARTICLE VIII. EXECUTIVE COMMITTEE

An executive committee, composed of the officers of the Board of Trustees shall be entrusted to govern in the name of the Board between regular meetings of the Board. The executive committee is responsible to the Board of Trustees and shall report their actions to the full Board at the next regular meeting.

ARTICLE IX. STANDING COMMITTEES

Standing committees shall consist of a Finance Committee, Building and Grounds Committee, Operations Committee and Constitution and By-laws Committee. Other committees shall be appointed by the Chairman as needed.

ARTICLE X. CONTRACTS

The Northeast Georgia Regional Library System is authorized to make and enter into such contracts or agreements, for all or any part of the Regional Library System as are deemed necessary and desirable under the provisions of Title 20, Chapter 5, Article 2 of the Official Code of Georgia Annotated.

ARTICLE XI. 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 Georgia Public Library Service immediately upon adoption.

BY-LAWS OF THE NORTHEAST GEORGIA REGIONAL LIBRARY SYSTEM

ARTICLE I. DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS

The Regional Board of Trustees is the legal governing body of the Northeast Georgia Regional Library System. The duties and responsibilities of Members of the Board of Trustees include, but are not limited to, the following:

1. To employ a library director who meets state certification requirements and such other employees as necessary upon the recommendation of the library system director. Authority for the technical administration and supervision of the libraries in the System shall be vested in the Regional Library System Director. The Board shall be authorized to delegate employment of staff members to the library system director;
2. To approve budgets prepared by the library system director and, together with the local Boards of Trustees, assume responsibility for the presentation of the Library System's fiscal needs to the supporting agencies;
3. To attend board meetings;
4. To establish policies governing library programs, including rules and regulations governing the use of the library. Specific policy-making duties may be delegated in some instances to the boards of constituent counties;
5. To set policy for the administration of gifts of money and property; the board may, in some instances, delegate this activity to the boards of constituent counties.
6. To present financial and progress reports to governing officials and to the public;
7. To notify the library system director, in advance, of all meetings of the Library Board and Board Committees.

ARTICLE II. DUTIES OF THE OFFICERS

Section 1. The Chairman shall preside at Board meetings, appoint committees, and perform such other duties as generally pertain to that office. He shall be an ex officio member of all committees.

Section 2. The Vice-Chairman shall preside and perform the duties of Chairman in the latter's absence. All other duties of the Vice-Chairman shall be assigned by the Chairman.

Section 3. The Secretary shall keep a record of attendance at Board meetings, record the official actions of the Board, mail a copy of the official minutes to each member prior to the next meeting, and have custody of its official books, which shall be housed in the Regional Library Headquarters. He shall notify the proper appointing local Boards of vacancies which may occur on the Regional Library Board. He shall report changes of membership to Georgia Public Library Service. The Secretary shall send copies of the minutes of all meetings to the Chairmen of all local Boards.

Section 4. The Library Director shall serve as Treasurer on behalf of the board. He shall deposit all monies received in a bank or banks approved by the Board of Trustees. He shall notify, in writing, any supporting agency whose appropriations are not paid promptly and in full. He shall pay all bills. 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 and/or federal laws or regulations. Official copies of all financial reports and the Treasurer's books shall be kept in the Regional Library headquarters at all times.

ARTICLE III. DUTIES OF THE DIRECTOR

Section 1. The Director of the Regional 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. The Director of the library system shall have duties and responsibilities which include, but are not limited to the following:

1. To recommend for employment or termination other staff members, as necessary, in compliance with applicable laws and the availability of funds and to employ or terminate other staff members if so authorized by the library board. The Regional Board has delegated employment activities to the Habersham, Rabun, Stephens and White County Library Boards;
2. To attend all meetings called by Georgia Public Library Service or send a substitute authorized by the state librarian;
3. To prepare, or manage the preparation of, and submit any local, state, or federal annual budgets;
4. To notify the Board of trustees and Georgia Public Library Service of any failure to comply with:

- A. Policies of the Board;
 - B. Criteria for state aid;
 - C. State and federal rules and regulations;
 - D. All applicable local, state or federal laws;
5. To administer the total library program, including all affiliated libraries, in accordance with policies adopted by the system's Board of Trustees and to report to the Board all current and contemplated activities;
6. To attend all meetings of the system's Board of Trustees and affiliated Boards of Trustees or to designate a person to attend in his place.

ARTICLE IV. MEETINGS

Section 1. There shall be four regular meetings of the Library Board in a twelve month period. Regular meetings shall be held at 10:00 AM on the fourth Tuesday of January, April, July and October, (or an advertised change of date), at the headquarters library or at a designated branch library.

Section 2. Special meetings may be called at any time. No business other than that for which the meeting was called may be discussed or conducted at a called meeting.

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

Section 4. Meetings of the Executive Committee may be called by the Chairman to transact any business requiring attention between regular meetings of the full Regional Board.

Section 5. All meetings must be open to the public and the news media, in accordance with the Official Code of Georgia Annotated 50-14-1 et seq.

Section 6. The latest edition of Roberts' Rule of Order (Revised) when not in conflict with these Constitution and Bylaws, shall govern the proceedings of the Board of Trustees of the Northeast Georgia Regional Library System.

Section 7. Each member of the Regional Board shall have one vote. The Chairman shall not vote except in the case of a tie vote, at which time the Chairman shall vote to break the tie.

Section 8. A quorum consists of a simple majority of active board members. 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.

ARTICLE V. PUBLIC COMMENT

The Northeast Georgia Regional Library System Board welcomes visitors to Board meetings and is willing to hear any person or persons desiring to appear before the Board.

1. Persons wishing to address the Board shall do so during the Public Comment portion of the meeting;
2. Persons may be scheduled in advance for public comment by signing up with the Regional Library Director no later than close of business the Friday before the regularly scheduled Tuesday meeting. Persons wishing to speak must notify the Regional Library Director verbally or in writing and include the subject matter;
3. If necessary, speakers will be able to sign-up with the Regional Library Director on a first-come, first-served basis with sign-up to begin not more than fifteen minutes prior to the announced start time of the meeting.
4. Each speaker will be allotted three (3) minutes for his or her presentation, not three minutes per topic. Groups addressing the Board on a single topic must choose one spokesperson;
5. After each individual speakers' remarks have concluded, the Chairman may, but shall not be required to, briefly respond, either personally or through another member of the Regional Library Board whom the Chairman shall delegate. If necessary, action on the matter for consideration of the Regional Library Board will be placed on the agenda for the next regular meeting following the date of the comment.
6. All remarks shall be made to the Regional Library Board as a body and addressed through the Chair. Remarks shall not be made to a particular Board member.
7. Questions from Regional Library Board may be asked for clarification. However, no person shall be permitted to enter into any discussion, either directly or through a member of the Regional Library Board, without permission of the Chair.
8. No person shall be allowed to make impertinent, derogatory, offensive, or slanderous remarks while addressing the Regional Library Board.
 - a. A person may be barred from further speaking before the Regional Library Board in that meeting if his/her conduct is deemed out of order;

- b. A person, once barred for improper conduct, shall not be permitted to continue or again address the Regional Library Board in that meeting unless a majority vote of the Regional Library Board allows;
- c. In the event the speaker thus barred fails to obey the ruling, the Chair may take such action as is deemed appropriate, including the removal of such person from the assembly;
- d. The Chair may bar a person from addressing the Regional Library Board meetings for up to two consecutive future meetings for improper conduct;
- e. A person barred by the Regional Library Board for this period may request a hearing, by written request, to the Chair stating the reason(s) for a reversal of the decision.
- f. The hearing shall be placed on an agenda and heard by the Regional Library Board. A majority vote of the Board shall be required to overturn the previous decision of the Chair to bar the person(s).

ARTICLE VI. REPORTS

The Regional Library System is responsible for all reports as deemed necessary by local and state funding agencies. An annual report of activities, income and expenditures, and any other reports necessary to obtain funds or meet requirements of the law or of Georgia Public Library Service, shall be filed with each funding agency.

ARTICLE VII. ATTENDANCE

A Board member shall be removed for cause or for failure to attend three consecutive regularly scheduled meetings. A letter reporting the removal and specifying the cause shall be sent by the Secretary to the affected Board member and to the local board responsible for his appointment. The local Board shall be asked to appoint another representative to fill that member's unexpired term.

The Board of Trustees may upon unanimous vote and upon good cause being shown waive the attendance required one time for any Board member. The Board shall not waive the attendance requirement except in cases of extreme emergency or unusual hardship.

ARTICLE VIII. DISSOLUTION OF OR WITHDRAWAL FROM THE REGIONAL LIBRARY SYSTEM

Section 1. The Regional Library System may be dissolved by reversal of the procedures followed in its original organization. A majority of the Board members in a majority of the counties must agree to the dissolution of the System.

Section 2. A participating library may withdraw from the System if a majority of the Board members vote to do so. Notice of withdrawal must be sent to the Chairman of the Regional Board of Trustees and the Regional Library Director at least six months prior to the end of the state fiscal year. This notice must include reasons for the withdrawal and the method by which the decision was reached. Georgia Public Library Service must be notified of the receipt of this letter of intent within five working days.

Section 3. The Regional Library System may elect to expel a member county upon the following conditions:

- a. Failure of the county to maintain the agreed level of support to the Regional System as in the most recent participating agreement.
- b. Failure of the county to meet criteria which may jeopardize the System's eligibility for state or federal funds.

Section 4. Notice of expulsion shall be sent not less than six months prior to the end of the state fiscal year to the Chairman of the county Board of Trustees, all funding agencies party to the participating agreement, the Director of the Regional Library System, and Georgia Public Library Service.

Section 5. In the event of the withdrawal of one county from the Regional System, all equipment and materials purchased with state or federal funds for use in the library or libraries in that county shall remain in those libraries. After the notice of withdrawal has been received by the Regional Library Board, there is no obligation on the part of the Regional Library System to purchase books, equipment, supplies, or other items for the use of the library or libraries in the withdrawing county.

ARTICLE IX. 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 shall be filed with Georgia Public Library Service immediately upon adoption.