

**CONSTITUTION
OF THE
HABERSHAM COUNTY LIBRARY
BOARD OF TRUSTEES**

Approved: October 26, 1989
Amended: July 23, 2007
Approved by Regional Board July 24, 2007
Amended: July 24, 2018
Amended: April 24, 2023
Amended: October 23, 2023

CONSTITUTION FOR THE HABERSHAM COUNTY LIBRARY PROGRAM

ARTICLE I. NAME

The name of the program shall be the Habersham County Library Program.

ARTICLE II. PURPOSE

The purpose of the Habersham County Library Program shall be to offer a full program of library service to all citizens of Habersham County, to meet their informational, educational, cultural, and recreational needs. The Habersham County Library Program shall furnish library service to the people of the county as set forth in the Constitution and Bylaws of the Northeast Georgia Regional Library and under the regulations governing public libraries as set forth by the State of Georgia.

ARTICLE III. CONSTITUENCY

The Habersham County Library Program is a member of the Northeast Georgia Regional Library System. Membership in the Northeast Georgia Regional Library System provides the citizens of Habersham County with reciprocal borrowing privileges in all libraries in the system. Likewise, the Habersham County Libraries lend materials to citizens of all other counties within the Regional Library System.

ARTICLE IV. COUNTY LIBRARY BOARD OF TRUSTEES

Section 1. The Habersham County Board of Trustees shall be composed of members appointed by the governmental agencies financially supporting the library program on a regular basis. Appointments shall be staggered.

Section 2. Members shall be appointed for a three-year term. No member of the Board of Trustees shall be eligible to serve more than two full, consecutive terms, not including an unexpired term. Nor can a member be reappointed to the Board of Trustees following this period until after a lapse of one (1) year. 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. Further, should any Trustee fail to attend three consecutive regular meetings of the Board of Trustees the member shall be considered as ineligible to serve, and a new member shall be appointed to fill such unexpired term as may be remaining. The appointment shall be made by the agency appointing the member deemed ineligible.

Section 3. Criteria for appointment: One member for any annual contribution up to \$1000.00, additional members for each \$3000.00 contribution (or major portion thereof equal to over one-half of the \$3,000.00 amount), with a maximum number of members to be four per supporting agency.

Section 4. Any person appointed to the Habersham County Library Board must be a resident of Habersham County. If he moves his legal residence outside the county, he shall be replaced on the Board.

Section 5. Members of the Board of Trustees shall receive no compensation; however, they may be reimbursed for any reasonable and necessary expense 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 6. Officers. Officers of the Board of Trustees shall consist of Chairman, Vice-Chairman, Secretary, and Treasurer, or a Secretary-Treasurer. Board members that are approved and accept an officer role will reserve the role until the end of their term, officers will be reaffirmed yearly at the July board meeting and at that time a member may request to step down from the officer position. It is expected that officers miss no more than one meeting per year. If an Officer vacancy occurs, another member can be elected to the position at the next scheduled meeting. A formal motion by any Board member to have another Board member removed from an Officer position must be presented to the Chairman at least 30 days prior to the next Board meeting. All nominations for Officer positions should be presented/introduced to the Nominating committee prior to a meeting where a vote is expected to take place.

Section 7. The Habersham County Library Board of Trustees shall appoint up to 4 of its members to represent it as a member of the Northeast Georgia Regional Library System. They shall be entrusted with representing and interpreting the interests of the Habersham County Library Board to the Regional Board.

Section 8. Committees. Members appointed to committees are expected to serve in that role until their term expires, resignation/removal from the Board, or a request to step down from the committee is made to the Board. A vote is required to remove anyone from a committee. A formal motion by any Board member to have another Board member removed from a committee must be presented to the Chairman at least 30 days prior to the next Board meeting. Appointments to committees can take place at any Board meeting where a quorum is present to ensure committees are adequately represented. Standing committees are as follows: Nominating, Building and Grounds, By-laws, Personnel, and Finance. The Chairman reserves the right to appoint additional committees and committee persons as needed. 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.

ARTICLE V. QUORUM

Quorum shall be defined as a majority of the members of the Board of Trustees.

ARTICLE VI. 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.

BY-LAWS FOR THE HABERSHAM COUNTY LIBRARY PROGRAM

Section 1. Duties of the Board

1. It shall be the duty of the Board of Trustees to hire the Affiliate Library Manager. This activity has been delegated by the Regional Board.
2. To approve budgets and assume responsibility for the presentation of the library's fiscal needs to the supporting agencies, as delegated by the regional board.
3. To attend board meetings.
4. To establish local policies and practices when there is no Regional Library System policy governing that area of service.
5. To set policy for the administration of gifts of money and property, as delegated by the regional board.
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.
8. In April of each year, the Board of Trustees shall review the support from the contributing agencies, the number of appointments to the Board held by each, and the members whose terms are expiring, and determine which agencies should make that year's appointments, in order that equitable representation shall be maintained.

9. It shall be the responsibility of the Board to select members for the Northeast Georgia Regional Library Board of Trustees, as such appointments become necessary. These members must be chosen from the membership of the Habersham County Board, by appointment.

Section 2. Duties of the Officers of the Board. The Chairman of the Board of Trustees shall preside at all meetings, appoint all committees, authorize calls for any special meetings, and generally perform the duties of the presiding officer.

The Vice-Chairman shall preside in the absence of the Chairman, and act for the Chairman in the event the Chairman is indisposed, out of town or otherwise unable to perform the duties of his office.

The Secretary shall keep a true and accurate account of the proceedings of the Board of Trustees including a roll of members, present or absent. Official copies of all minutes and correspondence with the Board shall be kept on file in the library at all times.

A Board-appointed treasurer will provide financial oversight to the Affiliate Library Managers. The Affiliate Library Managers shall serve as treasurer and be bonded by the Region, shall pay all bills, and submit in writing to the Board of Trustees an itemized quarterly statement of funds. Official copies of all financial reports and the books of accounts shall be kept at the library at all times. The Secretary or Treasurer may delegate secretarial and/or financial duties to the Affiliate Library Manager. A record of all receipts, deposits and expenditures shall be forwarded to the regional board for its review, approval and recording at the next meeting. An audit or AUP (Agreed Upon Procedures) shall be conducted each year at the expense of the Habersham County Library Board. A copy will be filed with the Director of the Northeast Georgia Regional Library.

Section 3. Meetings. The regular meeting of the Board of Trustees shall be held on the Fourth Monday in the months of January, April, July and October at 5:30 P.M., or an advertised change of date, at a time specified by the Board of Trustees, at the Habersham County Library, or such place as designated.

Special meetings may be called by the chairman, or upon the written request of three (3) members, for the transaction of business stated in the call for the meeting.

Section 4. Order of Business.

Call to Order and Invocation
Public Comment
Approval of Minutes
Approval of Treasurer's Report
Report of the Affiliate Library Manager
Report of the Committees
Report of the Director
Communications
Unfinished Business
New Business
Adjournment

The Chairman may add to the Agenda.

Section 5. Affiliate Library Manager. The Affiliate Library Manager as the appointed administrative head of the library shall have sole charge of administration of the library under the direction and review of the Board and the Regional Director. The Affiliate Library Manager shall be held responsible for the care of the building, for the recommendation of the employment of the staff and the direction thereof, for the efficiency of the library's service to the public, and for the operation of the library under the conditions set forth in the annual budget. The Affiliate Library Manager shall perform the following:

- a) Bank statements will be reconciled within the libraries by the 10th of each month.
- b) The reconciliation report as well as a pdf copy of the bank statement will be emailed to the Board Treasurer or another designated board member on the 10th of each month.
- c) The Board Treasurer or the designated board member will review the reconciliation report and the monthly bank statement and will reach out with any questions to the corresponding Affiliate Library Manager.

These activities have been delegated by the Regional Board. The Affiliate Library Manager and the Regional Director or his representative shall attend all meetings of the Board.

Section 6. Library Staff. Library staff shall include assistants, both professional and clerical, as needed to provide an effective program of library service. These assistants shall be employed or dismissed by the Board upon the recommendation of the Affiliate Library Manager. This activity has been delegated by the Regional Board.

Section 7. Public Comment. The Habersham County Library Board (HCLB) 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 HCLB Chairman no later than the close of business the Friday before the regularly scheduled Monday meeting. Persons wishing to speak must notify the HCLB Chairman verbally or in writing and include the subject matter;
3. If necessary, speakers will be able to sign up with the HCLB Chairman 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 Habersham County Library Board Whom the Chairman shall delegate. If necessary, action on the matter for consideration of the Habersham County 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 Habersham County Library Board as a body and addressed through the Chair. Remarks shall not be made to a particular Board member.
7. Questions from the Habersham County 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 Habersham County Library Board, without permission of the Chair.
8. No person shall be allowed to make impertinent, derogatory, offensive, or slanderous remarks directed at an individual or group while addressing the Habersham County Library Board.
 - a. A person may be barred from further speaking before the Habersham County 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 Habersham

- County Library Board in that meeting unless a majority vote of the Habersham County 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 Habersham County Library Board meetings for up to two consecutive future meetings for improper conduct;
 - e. A person barred by the Habersham County 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 Habersham County Library Board. A majority vote of the Board shall be required to overturn the previous decision of the Chair to bar the person(s).

Section 8. Amendments. The Constitution and By-laws may be amended at any regular meeting of the Board of Trustees by a two-thirds vote of the Trustees present provided that notice is made in writing at least two weeks prior to the meeting, and provided that a quorum is present.