

# Lewistown Public Library



Bylaws of the Lewistown Public Library

BOARD OF TRUSTEES

Revised and Adopted January, 2007

## ARTICLE I - NAME

Section 1. Lewistown Public Library Board of Trustees.

## ARTICLE II – PURPOSE

Section 1. The Board of Trustees is the governing body of the Lewistown Public Library.

Section 2. It exists by virtue of the provision of the Montana Code Annotated 22-1-301 through 22-1-331, the Administrative Rules of Montana, and the Charter of the City of Lewistown (Chapter 6).

Section 3. The Board of Trustees exercises the authority and assumes the responsibility delegated to it by said statutes.

## ARTICLE III – MISSION

Section 1. The Board of Trustees shall:

- a. understand and abide by the laws governing the Library
- b. select, appoint, and annually evaluate the Library Director
- c. have fiduciary oversight of the Library
- d. sign contracts for the good order of the Library
- e. set policy and goals for the Library
- f. plan for the future of the Library
- g. exercise such other powers, not inconsistent with law, necessary for the effective management of the Library and shall be an advocate of the Library in and for the community.

Section 2. In addition, according to MCA 22-1-301 through -331, the Board of Trustees shall:

- a. adopt bylaws for the transaction of its business and the governance of the Library
- b. have the power to contract, to pay and to receive funds for such contracts
- c. have the power to acquire and hold real and personal property in the name of the city or county, to sell or exchange same, and to insure the property of the Library through the City of Lewistown.
- d. have the power to pay the necessary expenses of the staff on business for the Library, Continuing Education Policy
- e. prepare an annual budget indicating those portions required from public funds for submission to City and County Commissions and to monitor expenditures
- f. have the power to receive gifts, grants or bequests and to hold or improve the same
- g. make an annual report to the Commissions on conditions, operations and budgets

## ARTICLE IV - BOARD OF TRUSTEES

Section 1. The Board is composed of five members appointed by the Commission of the City of Lewistown. Not more than one member of the City or County Commissions shall be, at any one time, a member of the Board. (MCA 22-1-308 –2)

Section 2. Trustees shall be appointed with the advice and consent through public recruitment and letters of intent filed with the City Manager. The Board of Trustees may make recommendations for appointment. Appointments are usually made in March of each year.

Section 3. Trustees shall hold office for five years from the date of appointment. Trustees shall not serve more than two full terms in succession.

Section 4. Trustees shall serve without compensation, but actual and necessary expenses of trustees on official duty may be paid from Library funds.

Section 5. The Friends of the Library may appoint an ex-officio liaison to the Board.

Section 6. A vacancy on the Board occurs if a Trustee becomes incapacitated. The Chairperson of the Board of Trustees will be notified and the position will be declared vacant.

Section 7. A vacancy on the Board occurs if a Trustee fails to attend three consecutive meetings of the Board without legitimate reason. The position will be declared vacant.

## **ARTICLE V – OFFICERS OF THE BOARD OF TRUSTEES**

Section 1. The Officers shall be a Chairperson and a Vice-Chairperson chosen from among the membership of the Board, usually in June.

Section 2. Officers shall serve terms of one year beginning at their election and serving until their successors are duly elected.

Section 3. The Chairperson shall:

- a. preside at all meetings of the Board
- b. authorize calls for special meetings
- c. appoint all committees and serve as ex-officio to same
- d. execute all documents authorized by the Board
- e. ensure that a true and accurate record is maintained of all meetings of the Board
- f. present with the Library Director the annual report to the City and County Commissions
- g. notify the City Manager of a vacancy on the board and the need of advertisement for an appointment and perform all other duties associated with the office.

Section 4. The Vice-Chairperson, in the absence of the Chairperson, shall assume and perform the duties and functions of the Chairperson.

Section 5. The Secretary to the Board of Trustees shall be the Library Director. The Secretary shall:

- a. keep a true and accurate record of all proceedings of the Board meetings
- b. present all bills and financial statements to the Board
- c. perform such other duties as the Board may direct.

Section 6. A Recording-Secretary may assist the Secretary and be enlisted by the Board to record the minutes of meetings and submit same to the Secretary for approval.

Section 7. Vacancies occurring in any office shall be filled at the next regular meeting of the Board.

## **ARTICLE VI – COMMITTEES**

Section 1. Special committees for the study and investigation of specific projects may be appointed by the Chairperson with the approval of the Board. Such committees shall serve until the completion of the work to which they were appointed.

Section 2. The Director of the Library may be an ex-officio member of such committees.

## **ARTICLE VII – BOARD OF TRUSTEES MEETINGS**

Section 1. Regular meetings shall be held monthly – the date, hour and location to be set by the Board.

Section 2. Three Trustees constitute a quorum.

Section 3. Meetings of the Board shall be held at the Lewistown Public Library. The Board may permit any Trustee to participate in a regular or special meeting, or to conduct the meeting, through the use of any means of communication by which all Trustees participating may

simultaneously hear each other during the meeting. Arrangements must be made a minimum of four hours before the meeting with a maximum of two Trustees attending electronically at a time. A Trustee participating in a meeting by this means is considered to be present in-person at the meeting and must be present for the entire meeting.

Section 4. All meetings of the Board will be guided by Montana State “open meeting and public participation” requirements.

Section 5. The order of business for regular meetings of the Board shall include, but not be limited to, the following suggested agenda:

Call to order

Revision of agenda

Comments for the good of the Library

Disposition of previous meeting minutes

Financial reports and actions

Committee reports

Director's report

Communications (i.e., Friends of the Library)

Unfinished business

New business

Public discussion

Adjournment

## **ARTICLE VIII – LIBRARY DIRECTOR**

Section 1. The Board shall select and appoint a competent and qualified Library Director who shall serve at the pleasure of the Board.

Section 2. The Library Director shall:

a. manage library operations

supervise and evaluate staff performance regularly

be responsible for the care of buildings, equipment and library materials

make recommendations to the Board regarding:

the employment and discharge of staff

the efficiency of library service to the public

the operation of the library within the annual budget provided by City and County Commissions

such policies and procedures to promote efficiency in the Library in its service to patrons

Section 3. The Library Director shall also:

execute and administer the policies adopted by the Board

submit monthly reports to the Board on the conditions of the Library

c. be responsible for other such duties as written in the Library Director job description

Section 4. The Library Director shall annually undergo a performance evaluation by the Board of Trustees, usually in October.

## **ARTICLE IX – POLICIES**

Section 1. The Board of Trustees shall be guided by the policies and procedures adopted by the City of Lewistown, including union contracts and other applicable agreements entered into by the Library.

Section 2. The Board of Trustees shall also be governed by the policies, guidelines and laws of the State of Montana and the Montana State Library.

Section 3. In case of unresolved conflict between entities, the Montana State Librarian and/or a mutually agreed upon arbitrator may render a binding judgment.

Section 4. In cases involving patron disputes, the Board of Trustees is the final arbitrator per policy.

## **ARTICLE X – AMENDMENTS**

Section 1. These bylaws may be amended at a regular meeting of the Board of Trustees with 4/5 majority of the Board.

Section 2. Proposed amendments shall have been presented for action at the previous meeting and stated in the agenda of the current meeting.

ARTICLE XI – PARLIAMENTARY AUTHORITY

Section 1. Robert's Rules of Order shall have parliamentary authority in matters not covered in the bylaws of the Lewistown Public Library Board of Trustees.

IN WITNESS WHEREOF, we the undersigned Trustees of the Lewistown Public Library have enacted the above and foregoing Bylaws and do hereby authenticate the same by our respective signatures at a meeting of the Board of Trustees held on the 13<sup>th</sup> day of June in the year 2019.

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