

Library Administrative Policy - 100	
Part 2: Governance	
100 - Section 2.1	Nevada Public Library Board Bylaws <ul style="list-style-type: none"> I. Organization II. Purpose III. Board of Trustees <ul style="list-style-type: none"> 3.1 Duties of the Board of Trustees 3.2 Number of Qualifications 3.3 Organizational Calendar 3.4 Term of Office 3.5 Resignation, Vacancies 3.6 Term Limits 3.7 Compensation 3.8 Public Officials 3.9 Attendance at Meetings 3.10 Board Censure IV. Officers <ul style="list-style-type: none"> 4.1 Officers 4.2 Election and Terms of Officers 4.3 Vacancy of Office 4.4 President, Duties of. 4.5 Vice-President, Duties of. 4.6 Secretary, Duties of. 4.7 Treasurer, Duties of. V. Meetings of the Board of Trustees <ul style="list-style-type: none"> 5.1 Regular Meetings VI. Library Director VII. Committees VIII. Indemnification IX. Professional Services X. Conflict of Interest XI. Nepotism XII. Amendments to the Bylaws
2.2	Major Board Decisions
2.3	Order of Board Business (agenda)
2.4	Quorum of the Board
2.5	Audience Participation, Board Meetings
2.6	Library Organization Chart
2.7	ALA Public Library Trustee Ethics
2.8	Missouri Library Standards Trustee/ Director Responsibilities
2.9	Missouri Open Meetings and Records Policy

100: 2.1 By-laws of Board of Trustees

Article I
Organization

The Nevada Public Library began its organizational process in 1898. Seventeen ladies met in the Mitchell Hotel and elected Mrs. Rose Kimball as the first President. Books were collected in a house-to-house canvass and donations from private collections also came in. The library was located in the Duck Block at the northeast corner of the intersection of Washington and Cherry. In 1908, the library was moved to the new courthouse but soon became too crowded and negotiations began with the Andrew Carnegie Foundation in 1912 for a building.

The Nevada Public Library was formally established in 1917. The new library building was erected with the aid of a grant from the Carnegie Foundation for \$17,500.00. The city provided the site at Austin and Ash and established a continuing tax allotment for its support.

Over time, the library outgrew the Carnegie building. The building at Ash and Walnut was given to the library by the Finis M. Moss Charitable Trust. Remodeling was paid for by private donations from individuals and businesses and a matching grant from the Moss Trust. The current library building opened on May 12, 1997, at 218 W Walnut St.

Article II
Purpose

The purpose of the Nevada Public Library is to provide library services to the residents of Nevada, Missouri, and to provide access to the library to residents in the surrounding area.

The Board of Trustees shall represent the Library both to the people and the governing officials. The primary responsibility of the Board is to establish Library policy. Members of the Board of Trustees shall represent the entire library district and have their responsibilities fixed by Chapter 182 of the Revised Statutes of the State of Missouri, and other applicable laws. Such statutes shall serve as a basis for establishing policies that reflect the needs of the Library District and provide efficient, effective and informative services.

Article III
Board of Trustees

Section 3.1 Duties of the Board of Trustees.

The Board of Trustees shall: (1) Determine the policy of the Library District and develop the highest possible degree of operating efficiency. (2) Select and appoint a competent Director. (3) Advise in the preparation of the budget, approve it, and make sure that adequate funds are provided to finance the approved budget. (4) Through the Director, supervise and maintain 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. (5) Study and support legislation that will bring about the greatest good to the greatest number of library users. (6) Cooperate with other public officials and boards and maintain vital public records. (7) Suggest to the appointive body a list of eligible individuals from the library district to fill vacancies on the Board.

Section 3.2 Number of Qualifications.

The Board of Trustees of the Library District shall be composed of nine (9) members. Two of whom may be residents of Vernon County, but not residents of the city of Nevada.

All appointees shall be residents of Vernon County.

Section 3.3 Organizational Calendar.

The fiscal year of the Library District shall be from July 1 to June 30 of each year.

The Board year shall be from July 1 to June 30 of each year.

Section 3.4 Term of Office.

A Full Term of Office shall be a period of three (3) years. Terms of Office shall be staggered such that no more than three (3) Terms of Office shall expire in any given year. When possible, Trustees shall be appointed for a Full Term of Office. Appointments for a vacancy in an unexpired term of Office shall be made only for the unexpired portion of that Term.

When possible all Full Term Appointments and Partial Term Appointments of Office shall coincide with the Board year such that new appointments will begin on July 1 of the Board Year. Expiring appointments shall end on June 30 of the Board Year.

Section 3.5 Resignations. Vacancies.

Any Resignation or Vacancy which occurs in the unexpired term of a Trustee shall be filled by appointment by the Mayor of the City of Nevada.

A Letter of Resignation shall be sent, by the resigning Trustee, to the President of the Board, with a copy to the Director of the Library. Upon receipt of a Letter of Resignation, the President or Secretary shall immediately cause the Mayor to be notified of the Vacancy and request that the Mayor appoint a Trustee to fill the unexpired portion of the Term. Notification of the Vacancy may be delegated to the Director of the Library.

Section 3.6 Term Limits.

No Trustee shall serve more than three (3) full Term appointments. Trustees shall be expected to resign from the Board at the completion of this Term Limit.

In the absence of an announced appointment by the Mayor, Trustees shall be expected to maintain the duties of their appointment until such time when a successor is appointed and qualified.

Section 3.7 Compensation.

Members of the Board of Trustees will be volunteers and serve without financial consideration from the Library District. All travel, meals, subsistence to attend Board meetings, shall be at the sole expense of the individual Members.

Section 3.8 Public Officials.

For the purpose of ensuring effective and responsible governance of the Library District, the members of the Board of Trustees shall be considered to be Public Officials, not employees. All Board discussions concerning any member of the Board of Trustees shall be conducted in compliance with Chapter 610 of the Revised Statutes of the State of Missouri (Sunshine Law), and other applicable laws governing public meetings.

Section 3.9 Attendance at Meetings.

Members of the Board of Trustees are expected to attend meetings of the Board. The Board of Trustees may request the resignation of any member who has been absent for three (3) consecutive

Board meetings or four (4) meetings during a twelve (12) month period. Board members are expected to inform the Library Director when they are unable to attend a meeting.

Section 3.10 Board Censure.

In the event of misconduct or neglect of duty by any member of the Board of Trustees, the Board may publicly reprimand a fellow Trustee through a vote of Censure.

A Motion of Censure may be brought to the Board of Trustees at any time and by any member of the Board of Trustees during a Regular or Special Meeting of the Board of Trustees. A Motion of Censure may only be passed by an affirmative vote of no less than two-thirds (2/3) of the Board of Trustees.

Upon approval of a Motion of Censure, the President or Secretary shall in a timely manner cause the appointing authority to be notified of the Board Censure. Said notification shall state the reason for the Censure and ask the appointing body to address the issue of misconduct or neglect of duty cited by the Board of Trustees.

Article IV
OFFICERS

Section 4.1 Officers.

The Officers of the Board shall be a President, a Vice-President, a Secretary and a Treasurer.

Section 4.2 Election and Terms of Officers.

The officers so designated shall be elected at the regular June meeting of the Board, or as soon thereafter as the Board shall otherwise provide, and upon being so duly elected shall hold office for a term of two (2) years or until their successor be elected. If any officer resigns, is not reappointed by the appointing authority, or becomes so incapacitated to be unable to serve and perform the duties of the office, the Board shall at its next regular meeting elect a successor from other members of the Board to serve for the unexpired term of office.

Section 4.3 Vacancy in Office.

Any vacancy occurring in any of the Offices of the Board of Trustees shall be filled by nomination and election at the next regular meeting of the Board. Any person elected to Office to fill such vacancy shall hold Office until the next regular Election of Officers.

Section 4.4 President. Duties of.

It shall be the duty of the President to preside at all meetings of the Board of Trustees and to appoint all Committees not otherwise provided for. The President shall perform all duties provided by law. The President shall be the chief executive of the Library Board and, in general, do all things customarily provided by said Office, and shall be an ex-officio member of all committees of the Board.

Section 4.5 Vice-President. Duties of.

In case of absence, inability or refusal to act, of the President, the duties of that Office, as above provided, shall devolve upon the Vice-President. In case a vacancy occurs in the Office of the President, then, in such an event, the Vice-President shall perform all functions of the President until a successor for the unexpired term is elected.

Section 4.6 Secretary. Duties of.

In case of absence, inability or refusal to act of the President or Vice-President, then, in such event, the duties of that office, as above provided, shall devolve upon the Secretary. The Secretary shall be responsible for all official correspondence of the Board of Trustees and shall cause a permanent record of the proceedings of the Board to be kept. The Secretary shall be responsible for the oversight of all policy of the Library governing public meetings and access to public records and to perform such other duties as, from time to time, the Board may direct.

The Board of Trustees may delegate such duties as may be desired, and as may be approved by the Board to a Recording Secretary. The Recording Secretary may or may not be an employee of

the Library, but in performing such duties shall be considered within the direct employ of the Board, and shall serve at its pleasure. Such delegation shall in no way, however, relieve the Secretary from responsibility for the performance of statutory duties.

Section 4.7 Treasurer. Duties of.

In case of absence, inability or refusal to act of the President, Vice-President or Secretary, then, in such event, the duties of that office, as above provided, shall devolve upon the Treasurer. The Treasurer shall be responsible for the oversight of all financial policy pertaining to the Library District. In addition, the Treasurer shall ensure that positions on the Board or with the administration of the Library that deal with funds shall be sufficiently bonded, at the cost of the Library to protect the Library's financial interests.

The Treasurer shall delegate normal supervision of financial duties to the Director of the Library District, who shall present to the Board, at its regular meetings, a complete financial report.

Article V
Meetings of the Board of Trustees

Section 5.1 Regular Meetings.

The regular meetings of the Board of Trustees shall be held at the library at 218 W. Walnut on the fourth Thursday of each month at 5:15 p.m. unless otherwise scheduled.

Section 5.2 Notice of Meetings.

Notice of regular meetings shall be emailed or delivered, to every member of the Board of Trustees at least three (3) days before the date of said meeting. Meeting notices shall also be publicly posted, in accordance with the Revised Statutes of the State of Missouri, in District buildings in which direct services are provided to the public.

Section 5.3 Special Meetings.

The President of the Board may, or at the request of three (3) members of the Board of Trustees, call a special meeting of said Board, stating the object of said meeting. Trustees shall be given a minimum of twenty-four (24) hours prior notice of any such special meeting unless good cause justifies a departure from this requisite, in which case such good cause shall be stated in the minutes of the meeting. No business shall be transacted at said special meeting except as stated in the call thereof, without the unanimous consent of all members of the Board of Trustees.

All special meetings must be held with a minimum of twenty-four (24) hours public notice and at a place reasonably accessible to the public, unless good cause justifies departure for these requisites, in which case such good cause shall be stated in the minutes of the meeting.

Section 5.4 Executive Session/Meeting.

Executive Session/Meeting may be called by the President or at the request of three (3) members of the Board of Trustees. Only those items as defined by Chapter 610 of the Revised Statutes of the State of Missouri (Sunshine Law), and other applicable laws governing public meetings may be discussed during an Executive Session/Meeting.

Section 5.5 Quorum.

A simple majority of the current appointed Board shall constitute a quorum for the transaction of business at all meetings of the Board of Trustees. In the event that a quorum shall not be present, a majority of those present may adjourn said meeting, once the time and place of the next meeting is established. No other notices of such adjournment shall be required.

Section 5.6 Public Records.

All minutes of the Nevada Public Library Board shall be considered open records except those protected under applicable Statutes of the State of Missouri. Minutes shall be made available to the public upon approval by the Board of Trustees.

Section 5.7 Parliamentary Law.

In all matters of procedures not specifically covered herein, the Board shall be guided by the rule of reason. The Trustees, through a simple majority, may require that meetings be conducted according to Robert's Rule of Order.

Article VI
Library Director

Section 6.1 Director and Library Staff. Employment and Compensation.

The Board of Trustees shall retain powers of hiring, evaluating, remunerating and disciplining the Director of the Library District under general personnel policies as established by the Board (references to the supervisor or Director in these policies shall be constructed as meaning the Board as a whole). Annual evaluations of the Director shall be conducted by the Board of Trustees.

Section 6.2 Director and Library Staff. Duties of:

The Director shall be the Executive Officer of the Board and Administrative Officer of the Library and shall serve at the pleasure of the Board of Trustees.

The Director shall be held responsible to the Municipal Library District for the care of the buildings and the equipment, for interviewing and hiring of new personnel, for the direction of staff members, for dismissal of staff when necessary, for the efficiency of the Library's service, and for the operation of the Library under the financial conditions set forth in the annual budget.

The Director shall attend all Board meetings except those at which his or her appointment or salary is to be discussed or decided. The Director will make an annual report to the Board of Trustees stating the condition of the Library and its services. As a Public Record, the report shall be

submitted to the Mayor of the City of Nevada and to the Missouri State Library by the Board of Trustees of the Library District.

Article VII
Committees

Section 7.1 Committees.

The following standing committees shall be appointed by the President:

Budget and Finance Committee

Materials Committee

Building and Grounds Committee

Each committee shall consist of a Chairman and at least two other members of the Library Board. The President of the Board and the Director of the Library shall be ex-officio members of all standing committees.

Special committees may be appointed by the President upon instruction of the Board or as indicated by special needs. Such committees shall serve until the completion of the work for which they were created, or until they are terminated by action of the Board.

Article VIII
Indemnification

The Nevada Public Library will defend, indemnify and hold harmless any one or all of the Trustees of the Library for any mistake of judgment or other action taken in good faith by the Trustees in performance of their statutory duties, unless resulting from willful negligence or bad faith. The foregoing right of indemnification shall be in addition to, and not exclusive of, all other rights to which such Trustee may be entitled.

The Board of Trustees, at its discretion, may authorize the purchase of a policy or policies of insurance against liability, by the Board, and its employees to indemnify any person pursuant to this By-law, which shall contain such terms and conditions as the Board may deem appropriate to the extent and in the manner permitted by law.

Article IX
Professional Services

The Board may, at its discretion, authorize a qualified attorney-at-law to represent the Board of Trustees in legal matters.

An audit of all accounts of the Library District shall be made at least every five years. An annual financial review will be prepared by a certified public accounting firm appointed by the Board of Trustees and shall be a public document. The Board may vote to have an audit of financial records performed annually (in June) if desired.

Article X
Conflict of Interest

The Board of Trustees shall adopt and annually review a Conflict of Interest Policy. The purpose of the policy shall be to protect the Library District's interest when it contemplates entering into a transaction or arrangement that might benefit the private interest of a member of the Board of Trustees, or Director of the Library, or might result in a possible excess benefit transaction.

Article XI
Nepotism

No person shall be employed by the Board of Library Trustees or by the Director who is related within the third degree by blood or marriage to any Trustee of the Board.

Article XII
Amendments of By-laws

These By-laws may be amended at any regular meeting of the Library Board by unanimous vote of the Board. In the absence of a unanimous vote, such amendments shall be considered passed and in force if carried by a two-thirds majority at the next regular meeting of the Board, providing a quorum is present, and all Board members are advised in writing of the action to be taken at least two weeks prior to the next meeting.

100: 2.2 Major Board Decisions

The Board of Trustees may declare agenda items to be Major Board Decisions. Major Board decisions shall require **a minimum twenty-day** study period before enactment. Any changes to

Goals, Expansion and Physical Plant, By-laws of the Board, Collections Management Policy, are considered to be Major Board Decisions.

The Budget Document shall be developed over a period of months beginning no later than April of the calendar year preceding the fiscal year. Major public policy decisions related to the budget shall be presented to the Board and the resulting decisions incorporated into a document to be presented for final passage.

The Director or Board President may recommend that other policies, agreements or actions of the Library by their nature constitute a Major Board Decision.

Other decisions may be tabled as per Robert's Rules of Order upon a majority vote of those present.

100: 2.3 Order of Business

The Order of Business of the Nevada Public Library Board shall be:

- Call to Order
- Roll Call
- Public Comments
- Minutes
- Reports
 - o Financial
 - o Director's
 - o Committee's
 - o Special Projects
- Activities at the Library
- Old Business
- New Business
- Adjournment

100: 2.4 Quorum of the Board

The Quorum of the Board of Trustees shall consist of five members. If a quorum is not present, reports may be given but no agenda business shall be undertaken.

100: 2.5 Audience Participation, Board Meetings

It is the policy of the Trustees of the Nevada Public Library to elicit input from customers and citizens of the Library District.

A period of up to fifteen minutes for general comments from customers and citizens shall be scheduled at the beginning of each Board Meeting. Each speaker will complete a comment form which will include the speaker's name, address, telephone number, e-mail address, group affiliation (if any), and a brief description of the topic the speaker wishes to address. If no customer or citizen forms are submitted at the beginning of the meeting, this period will be forfeited.

Upon conclusion of the Public Comment portion of the agenda, unless requested by one of the Trustees present at the Board meeting, comments on specific agenda items will not be accepted from the audience.

Any written correspondence to the Board should be made to the Director's attention at least twelve (12) days in advance of the next regularly scheduled Board meeting. Such correspondence shall be included in the reports and correspondence portion of the agenda. As a general rule, the Board will not respond to public comments at the time they are made. The Board may comment, take action or not take action with respect to a public comment at a future Board meeting, as it deems appropriate.

This policy does not pertain to employee grievances or citizen requests for reconsideration of library materials, both of which are addressed by other policies.

100: 2.6 Library Organizational Chart (see attached)

100. 2.

100: 2.10 ALA PUBLIC LIBRARY TRUSTEE ETHICS STATEMENT

Official Statement from United for Libraries

Public library Trustees are accountable for the resources of the library as well as to see that the

library provides the best possible service to its community.

Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules and regulations that apply to them and to their Library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.
- Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws.
- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.
- A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict of interest exists.
- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.
- Trustees shall not interfere with the management responsibilities of the director or the supervision of library staff.
- Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.

100: 2.8 Missouri Library Standards Trustee/ Director Responsibilities (see attached)

100: 2.9 **Missouri Open Meetings and Records Policy** (see attached)