

# Newton Public Library

## Bylaws

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# **1. Membership & Governance**

## **1.01 Name**

This organization shall be called “The Board of Trustees of the Newton Public Library.”

## **1.02 Appointment**

In accordance with Kansas Statutes Annotated 12-1215 et seq., the Board of Trustees of the Newton Public Library shall consist of seven members, appointed by the Mayor of Newton, with approval of the governing body. This Board of Trustees is the only legal authority under which the Newton Public Library operates.

## **1.03 Residency**

Board members must be residents of the City of Newton.

## **1.04 Compensation**

Board members do not receive compensation for serving on the Board. The Library may pay fees for board members’ membership in professional library associations, library conference attendance, meals at library events, and mileage to out-of-town library events.

## **1.05 Ethical Standards**

Members of the Board and the Library Director must promote a high level of library service while observing ethical standards. Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the institution.

It is incumbent on any trustee to disqualify himself or herself immediately whenever the appearance of a conflict of interest exists.

Any member of the Board who applies for employment with Newton Public Library must resign prior to making application. A new Board member will be appointed in accordance with the process outlined in the Bylaws.

## **1.06 Nepotism**

No member of the Board of Directors of the Newton Public Library shall advocate or cause the employment, appointment, promotion, transfer, advancement or discipline of any relative of

the board member's family employed by the Newton Public Library. Categories of employees who are considered related include spouses, children, parents, grandparents, aunts, uncles, nieces, nephews, brothers, sisters, cousins and/or in-laws.

## **1.07 Executive Officer**

The Library Executive Director shall be considered the executive officer of the Board and shall have charge of the administration of the library under the direction and review of the Board. The Executive Director is not a board member and does not vote.

The Executive Director shall be held responsible for the care of the building and equipment, for the direction of the staff, for the efficiency of the library's service to the public, and for the operation of the Library under the financial conditions set forth in the annual budget. The Executive Director shall attend all Board meetings except those at which his/her appointment or salary is to be discussed or decided. The Assistant Library Director may attend board meetings in the Executive Director's absence.

## **1.08 Board Terms**

Original appointments to the Board for are staggered four-year terms beginning on May 1. After two full consecutive terms, a person is not eligible for reappointment until one year has elapsed.

A person appointed to serve an unexpired term remains eligible for two consecutive four-year terms upon completion of the unexpired term. (Attorney General Opinion 73-125)

Upon expiration of their terms, board members may continue to serve as de factor officials until such time as either their reappointment or the appointment of successors is approved. Any acts taken by them while in a de factor position are as binding on the public as if they were de jure members. (Attorney General Opinion 79-282)

## **1.09 Ordinances**

Local ordinances that affect library administration are:

- Charter Ordinance #19, exempts the requirement that the Mayor serve as ex officio member of the Board. (see Appendices: Ordinance #19)
- Charter Ordinance #22, adopted on December 3, 1980, states that the city may levy taxes as deemed necessary. (see Appendices: Ordinance #22)
- Ordinance #3506, adopted on October 1, 1980, regulates the return of material to the Newton Public Library and provides penalties for failure to return such material (see Appendices: Ordinance #3506).

## **2. Meetings**

### **2.01 Regular Meetings**

The regular meetings of the Board shall be held on the second Monday of each month at 5:15 p.m. at the Library, unless otherwise ordered by the Board.

### **2.02 Annual Meeting**

The annual meeting at which officers are elected shall be held in April of each year. Officers will begin their duties at the following May meeting.

### **2.03 Special Meetings**

Special meetings may be called by the President or by the request of a majority of the members. Written notice stating the time and place of any special meeting and the purpose for which called shall, unless waived, be given to each member at least two days in advance of such meeting. Written notice may be printed and hand-delivered or mailed; or emailed to the board member's email on file.

No business other than that stated in the notice shall be transacted at such meeting.

### **2.04 Open to the Public**

All meetings of the Board shall be subject to and in conformity with the Kansas Open Meeting Act (K.S.A. 75-4317 et seq.)

### **2.05 Order of Business**

The order of business at regular meetings shall be:

- Call to order
- Consent Agenda (Approval of Minutes, Treasurer's Report, Executive Director's Report)
- Report of Committees (if applicable)
- Citizen's Forum
- Old Business
- New Business
- Adjournment

## **2.06 Quorum**

A quorum for the transaction of business shall consist of four of the appointed members.

## **3. Officers & Committees**

### **3.01 Election**

The officers elected at the annual meeting for a term of one year shall be President, Vice President, and Treasurer. The Library Director shall serve as Secretary. The South Central Kansas Library System Board Representative and the Newton Public Library Foundation Board Representative shall also be elected at this meeting. The SCKLS Board Representative role may also be delegated to the Executive Director.

### **3.02 Duties of Officers**

**President:** The President shall preside at all meetings, appoint committees, and generally perform the duties of a presiding officer. The President shall, together with the Treasurer, certify all bills approved by the Board. The President shall also serve as a Florence Bessmer Foundation Trustee, shall attend Florence Bessmer Foundation Board meetings and make a report thereof to the Library Board.

**Vice-President:** The Vice-President shall exercise all duties of the President if they are absent.

**Treasurer:** The Treasurer shall serve as consultant to the Library Director in financial matters, together with the President and the Secretary certify all bills approved by the Board, and see that financial reports of the Library's accounts are reported accurately and completely to the Board each month, or as often as the Board shall require.

**Secretary:** The Secretary shall keep a true and accurate account of all proceedings of the Board meetings; shall prepare and submit any and all reports required by law or requested by the Board; shall issue notices of all special meetings; shall have custody of the minutes and other records of the Board on permanent file at the Library; and shall notify the City Clerk of Newton of any vacancies on the Board.

**South Central Kansas Library System Representative:** The Newton Public Library South Central Kansas Library System Board representative shall attend the annual and other special meetings of the SCKLS System Board and make a report thereof to the Library Board.

Newton Public Library Foundation Representative: The Foundation Board representative shall attend NPLF meetings and make a report thereof to the Library Board.

### **3.03 Committees**

The President shall appoint all special committees, made up of board and non-board members, as needed.

## **4. Amendment to the Bylaws**

### **4.01 Amendment**

These bylaws may be amended at any regular meeting of the Board by the approval of the majority of the appointed members, provided notice of the proposed amendment has been given at the preceding regular meeting or has been sent at least 15 days prior to the meeting at which the amendment is to be voted upon.