



# BYLAWS NORTH LAKE COUNTY PUBLIC LIBRARY DISTRICT BOARD OF TRUSTEES

## **ARTICLE I. GENERAL**

### **Section 1. Scope of the Organization**

- A. The name of this organization shall be the North Lake County Public Library District Board of Trustees.
- B. The Board of Trustees is established and operates under Montana Code Annotated (MCA) 22-1-701 through 22-1-716 pursuant to action by the registered voters of Polson High School District #23 on July 27, 2010 (MCA 22-1-702). **(Public Library Standard)**

*(History: A group of local women decided to form a library association and met in the home of Mae McIntire to form a plan in November 1912. The Women's Civic League took over the Library as a project in the fall of 1913. Polson City Library was established under MCA 22-1-301 through 22-1-331 pursuant to action by the City of Polson through Ordinance 136 on May 26, 1919.)*

## **ARTICLE II. BOARD OF TRUSTEES**

### **Section 1. Eligibility**

- A. A candidate for the office of trustee of the public library district must be a resident of Polson High School District #23 and must follow Lake County election guidelines.

### **Section 2. Election**

- A. The election of trustees must be held in accordance with MCA 13-1-5 and 22-1-706. Elections will be conducted in odd years on the regular school election day, the first Tuesday after the first Monday in May, in accordance with MCA 20-20-105(1).

### **Section 3. Number**

- A. The Board shall consist of five (5) trustees each of whom is eligible to vote.

### **Section 4. Tenure**

- A. The term of office of an elected board member begins on the date that the board member is elected and lasts for a period of 4 years.

### **Section 5. Vacancy**

- A. A vacancy in the office of a member must be filled by appointment by the remaining members of the board within 60 days. If no qualified applicants are found, the recruitment period will be extended. The term of the appointed member expires upon the election of a successor or upon the election of a member to fill the unexpired term of the vacant office. The election must be held in accordance with MCA 13-1-5.

- B. A vacancy on the Board of Trustees shall be publicized through the media a minimum of two consecutive weeks, including all area newspapers, the Library website, and posters displayed in the Library.
- C. Prospective trustees will be invited to complete a written application, which shall be returned to the Library Director. The Board of Trustees shall study each application and candidates will be invited to attend a regular monthly board meeting or a special board meeting.

**Section 6. Removal of a Trustee**

- A. A trustee may be removed from office by a court of competent jurisdiction pursuant to state law governing the removal of elected officials. If charges are brought against a trustee and if good cause is shown, the governing body of the county that conducted the election pursuant to 13-1-505 may suspend the trustee until the charges can be heard in a court of competent jurisdiction. See MCA 22-1-706(8). Replacement of a trustee removed under this section shall be conducted in accordance with Section 5 of this Article.

**Section 7. Powers and Duties**

- A. The board of trustees of the public library district shall exercise all powers and duties, not inconsistent with the law, for the operation and management of the district as outlined MCA 22-1-707.

**Section 8. Conflict of Interest**

- A. Any Board member who is aware of a potential conflict of interest with any matter coming before the Board shall disclose the conflict of interest and shall abstain from voting in connection with the matter.

**Section 9. Compensation**

- A. Members of the board of trustees serve without compensation. Reasonable expenses incurred may be reimbursed upon prior notice to and approval of the Board.

**Section 10. Education (Public Library Standard)**

- A. Board members learn about the services the library provides to users, the role of the board in providing administrative and financial oversight, and the role of the board in planning for new services for users.
- B. The Board receives at least three hours of continuing education each year.

**Section 11. Community Outreach (Public Library Standard)**

- A. The Director and Library Board routinely present the library to the community and local government in a manner to maintain and increase the library's ability to meet their community's needs.
- B. The Board and Director identify in writing what they want to accomplish in the next three to five years, and that plan is focused on meeting community needs. The Board and Director annually review their plan and progress made.

## **ARTICLE III. EXECUTIVE OFFICERS**

### **Section 1. Officers**

- A. The elected officers of the Board shall be Chair, Vice-Chair, and Tamarack Representative.

### **Section 2. Election and Term of Office**

- A. Officers of the Board shall be elected by the Board at its regular meeting held each year in the month of July, or as soon after as feasible. The term of office for the chair and vice-chair shall be one (1) year. A person may not serve as chair or vice-chair for more than three (3) consecutive years.

### **Section 3. Removal of an Officer**

- A. Any officers elected or appointed by the Board may be removed by the Board whenever, in its judgment, the best interests of the Library would thus be served. Such removal of any officer will be effectuated by a unanimous vote of the other four (4) members of the Board.

### **Section 4. Vacancies**

- A. A vacancy in any elected office may be filled by the Board for the unexpired portion of the term.

### **Section 5. Secretary**

- A. The Library Director shall serve as the Secretary of the Board.

### **Section 6. Duties of the Chair**

- A. The Chair shall preside at all meetings, shall appoint all standing and special committees and shall perform all duties incident to the office of Chair and such other duties as prescribed by the Board from time to time. The Chair shall be an ex-officio member of all committees.

### **Section 7. Duties of Vice-Chair**

- A. In the absence of the Chair or in the event of his/her inability or refusal to act, the Vice-Chair shall perform all duties of the Chair, and, when so acting, shall have the powers of and be subject to all restrictions upon the Chair. In the absence of both the Chair and

Vice-Chair, a Board member designated by the Board shall exercise the Chair's functions.

### **Section 8. Tamarack Representative**

- A. In accordance with membership in the Tamarack Federation, one (1) member of the Board of Trustees will be elected to represent North Lake County Public Library District. Election of this representative for a term of two (2) years will occur with the election of officers at the regularly scheduled meeting in July.
- B. The representative will present an oral or written report of any Federation meeting to the Board at its next regularly scheduled meeting. A written report shall constitute an official part of the minutes and be attached to the minutes.

### **Section 9. Duties of the Secretary**

- A. The Secretary shall keep a true and accurate account of all proceedings of the Board meetings, shall issue notices of all regular and special meetings, and shall have custody of the minutes and other records of the Board.
- B. A designee other than the Secretary may be appointed to take meeting minutes.

### **Section 10. Foundation Representative**

- A. A designee shall serve as representative to the North Lake County Library Foundation Board of Directors.

## **ARTICLE IV. MEETINGS**

### **Section 1. Regular**

- A. The Board shall hold monthly meetings January through November at a time and place agreed upon by the members. No meeting is held in December. **(Public Library Standard (minimum six meetings per year))**

### **Section 2. Special**

- A. Special meetings of the Board may be called by the Secretary upon the discretion of the Chair or upon written request of three (3) members of the Board.

### **Section 3. Place of the Meeting**

- A. All meetings shall be held at the North Lake County Public Library or at such other places as designated by the Board.

### **Section 4. Notice of the Meetings**

- A. The Board will abide by Montana Open Meeting Laws. Notice of the meetings will be made available to all Trustees. Scheduled meetings will be posted in the Library for the public, posted on the library website calendar, and other places as needed.

## **Section 5. Quorum**

- A. The presence of a majority of the Board (3 members) will constitute a quorum for the transaction of business.

## **Section 6. Manner of Acting**

- A. A vote of the majority of the Trustees present shall be necessary for the adoption of any matter unless a greater proportion is required by law or by these Bylaws.

## **Section 7. Parliamentary Rules**

- A. Robert's Rules of Order (*Newly Revised in brief, 2<sup>nd</sup> Edition*) shall govern the parliamentary procedure of the Board of Trustees.

## **Section 8. Attendance**

- A. Board members and officers are expected to attend all regularly scheduled Board meetings. Any Board member or officer who is unable to attend a regularly scheduled meeting shall notify the Board Secretary prior to the meeting.
- B. Absenteeism is considered good cause for removal of a Trustee under Article II of these Bylaws. If a Board member misses more than three (3) meetings within a one (1) year period without giving prior notification to the Secretary, or misses more than six (6) meetings within a one (1) year period, the remaining Board members may, by unanimous vote, remove that trustee from the Board.

## **ARTICLE V. FINANCES**

### **Section 1. Library Budget**

- A. The Library Director shall prepare an annual budget for the ensuing fiscal year with the Board's input. After the certified taxable value is set, the Lake County Clerk and Recorder will be apprised in writing of the number of mills that will be required for the operation of the Library District. The number of mills may not exceed 11.14 unless a higher amount is approved by registered voters.
- B. The Board understands the revenue sources that fund the library, the budgeting process, and adopts a budget for the library (**Public Library Standard**).
- C. The library budget shows year-to-year growth reflecting community needs (**Public Library Standard**).
- D. The Board adopts a sufficient budget for continuing education (**Public Library Standard**).

### **Section 2. Private Monies**

- A. The Board of Trustees has the responsibility to manage private monies. Private monies can be defined as monies that come to the Library through bequests, memorials, contributions, grants, etc. Investment of these monies relies solely with the Board.

### **Section 3. Audit Requirements**

- A. The Library will be required to have an audit conducted if revenues total \$750,000 or more in a fiscal year. If the revenue amounts reported by the library on the annual report form indicate an audit is required for the fiscal year that is being reported, the Montana Department of Administration will contact the library with information regarding the audit process, the required audit contract form, and options available as to the choice of auditors.

## **ARTICLE VI. REPORTING**

### **Section I. Annual Reports**

- A. The Director or designee submits the Montana Public Library Annual Statistical Report to the Montana State Library. The Board and Director annually review public library statistics (**Public Library Standard**).
- B. The most current Public Library Standards Road Map maintained by the Montana State Library will be reviewed annually by the Board of Trustees and the completed form signed by the Director and Board Chair (**Public Library Standard**).
- C. The Montana Single Audit Act (MCA 2-7-Part 5) establishes annual financial report requirements for Montana local governments. The Act requires all local governments, regardless of type, to file an annual financial report with the Montana Department of Administration within six months of the end of the local governments' fiscal year. The library's annual financial report must be filed by December 31<sup>st</sup> of each year.

## **ARTICLE VII. LIBRARY POLICIES**

### **Section I. Establishment of Library Policies**

- A. The Library Board of Trustees shall be the policy-making body.
- B. The Director writes and the Board adopts and regularly reviews policies that reflect the mission and goals of the library. The policies govern use of the library, its materials, and services. No single policy goes more than four years without review (**Public Library Standard**).
- C. The Board shall adopt an emergency response plan that ensures the safety of the public and staff as the primary priority (**Public Library Standard**).

## **ARTICLE VIII. LIBRARY DIRECTOR**

### **Section I. Appointment**

- A. The Board shall appoint, set compensation for, and provide annual written evaluations of the Library Director, who shall serve at the pleasure of the Board.

## **Section 2. Duties of the Library Director**

- A. The Library Director's duties shall include but are not limited to:
- Serving as Secretary to the Board
  - Executing and administering Library policy
  - Achieves and maintains certification through the Montana State Library within the required timeframe mandated by the certification program (**Public Library Standard**).
  - Being responsible for the direction and supervision of Library staff and for the day-to-day operations of the Library itself
  - Reporting to the Board on the condition of the Library
  - Making recommendations to the Board of such policies and procedures as will promote the efficiency of the Library
  - Keeping the Board apprised as to the employment and discharge of persons necessary in the administration of the Library
  - Preparing the budget and presenting it to the board for review and revisions
  - Submitting the Montana Public Library Annual Statistical Report to the Montana State Library.
  - Completing the Montana Public Library Standards form on time in order to secure State provided funding.

## **ARTICLE IX. AMENDMENTS**

### **Section I. Procedure**

- A. The bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a majority of the Trustees present at any regular meeting or at any special meeting if at least thirty (30) days written notice is given to each Trustee of the intention to alter, amend, or repeal, or to adopt new Bylaws at such meeting.

**IN WITNESS WHEREOF**, We the Undersigned Trustees, have enacted the foregoing Bylaws and do hereby authenticate the same by our respective signatures at a meeting of the Board of Trustees held on **October 26, 2021**.

Chair            Clint Hoxie  
Vice Chair     Allen Bone  
Trustee        Maggie Newman  
Trustee        Brooke Wegner  
Trustee        Holly Wurl