

**NORTH JEFFERSON COUNTY**

**PUBLIC LIBRARY DISTRICT BY-LAWS**

**The Clancy Library and North End Services**

**3 North Main Street**

**Clancy, MT 59634-0169**

**406-933-5254**

**<http://clancylibrary.googlepages.com>**

**MISSION STATEMENT (under development)**

**VISION STATEMENT (under development)**

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## **BY-LAWS**

### Article I Name of the Organization

The name of this organization shall be the North Jefferson County Public Library District Board of Trustees.

### Article II Purpose of the Organization

The purpose of the Board of Trustees shall be to govern the affairs of the North Jefferson County Public Library District according to all applicable state and federal statutes and standards, and according to the Memorandum of Agreement between the District and Jefferson County, as well as applicable county policies, procedures, and collective bargaining agreements.

### Article III Board of Trustees

Section 1. Election. The Board of Trustees shall consist of five members, who shall be elected by the electors of the public library district, in conjunction with the annual school elections. A candidate for the office of trustee must be a resident of the district and must be nominated by petition signed by at least five electors of the district and filed with the Jefferson County Clerk and Recorder not earlier than 135 days or later than 75 days prior to the election. If the number of candidates is equal to or less than the number of positions to be elected, the Clerk and Recorder may cancel the election. If the election is not held, the county governing body shall declare elected by acclamation each candidate who filed a nomination petition for a position. If a nomination petition is not filed for office, the Jefferson County Commission shall appoint a member to fill the term. (MCA 22-1-706)

Section 2. Term of Office. The term of office of an elected board member begins on the date that board member is qualified following an election. The term of office of an elected board member is four (4) years, except that a simple majority of the members of the first elected board shall serve a term of two (2) years, with the minority of the board serving a term of four (4) years. (MCA 22-1-706) Upon election, the new trustee will promptly obtain from the clerk of the board a Trustee Handbook, Montana Library Laws, Rules, and Public Library Standards, and will participate in an orientation.

A vacancy in office of a member must be filled by appointment by the remaining members of the board. The term of the appointed member expires upon the election and qualification of an elected successor or upon the election of a member to fill the unexpired term of the vacant office. (MCA 22-1-706) When a member vacates office, they will return their handbook and all other trustee materials to the clerk of the board.

A trustee may be removed from office by a court of competent jurisdiction pursuant to state law governing the removal of elected officials (MCA 20-3-310). If charges are brought against a trustee and if good cause is shown, the governing body of Jefferson County may suspend the trustee until the charges can be heard in a court of competent jurisdiction. (MCA 22-1-706)

Section 3. General Duties. Board members should strive to be familiar with and understand the federal, state and county laws governing the library and board meetings.

Board members are responsible for understanding, supporting, and advocating for the current library system as well as listening to the needs and desires of the community that system serves. Board members participate in committees, attend library/community functions, and take part in trustee development opportunities. Board members keep themselves informed of library trends, standards and developments. The board plans and executes changes and improvements based on their knowledge of library services, the mission/vision/strategic planning, and community input.

The board prepares the district's annual budget, presents the budget to the county commissioners for action, and monitors financial affairs. The board sets policies in accordance with the collective bargaining agreement, county policy, and other pertinent laws and regulations. (MCA 22-1-708 and -716)

The board hires, terminates, and manages personnel in conjunction with the County Personnel Officer and authorizes county officials to execute all payroll records. The board shall appoint and set the compensation of the chief librarian who shall serve at the pleasure of the board. With the recommendation of the chief librarian, the board shall employ and discharge such other persons as may be necessary in the administration of the affairs of the library, fix and pay their salaries and compensation, and prescribe their duties. (MCA 22-1-310) The chief librarian will be a nonvoting ex-officio member of the board. All employees of the district will remain within the county pay and position description matrix and will be subject to the County Union Contract requirements and to the same hiring and firing principals that apply to all county employees.

Every year after the election, the entire board will participate in an orientation and planning session.

The board acts as a liaison working with the public and with local and state officials. The board enters into necessary contracts. The board exercises such other powers not inconsistent with law that are necessary for the effective use and management of the library. (MCA 22-1-707)

#### Article IV Officers

Section 1. Officers. The elected officers of the board shall be chairperson and vice-chairperson. The board may elect or appoint such other officers as may be deemed necessary.

Section 2. Election and Term of Office. Any member may be elected to any office annually at the first meeting held after the first day of July. (MCA 22-1-308(5))

Section 3. Removal of an Officer. Any officer elected or appointed by the board may be removed by a majority vote of the remaining four (4) board members.

Section 4. Vacancies. A vacancy in any office, for any reason, may be filled by election of a new officer to serve for the unexpired portion of the term.

Section 5. Chairperson. The chairperson shall preside at all meetings of the board. He/she may sign and execute any instrument expressly delegated by the board. In general, the chairperson shall perform all duties incident to the office of chairperson and such other duties as may be prescribed by the board.

Section 6. Vice-chairperson. In the absence of the chairperson, or in the event of his/her inability or refusal to act, the vice-chairperson shall perform the duties of the chairperson and when so acting shall have all the powers of, and be subject to all the restrictions upon, the chairperson. The vice-chairperson shall perform such other duties as may be assigned by the chairperson or the board. In the absence of both chair and vice-chair, a board member designated by the board shall exercise the chair's functions.

Section 7. Duties of the Clerk. The clerk shall keep true and accurate account of all proceedings of the board and shall preserve all board records. The clerk, in conjunction with the chair, shall issue notices and agendas. (MCA 2-3-101 through -114 and -201 through -221, 2-6-101 through -112; Jefferson County Resolutions 04-2004, 05-2004) The clerk shall perform all duties incident to the office of clerk and as assigned to them by the board.

#### Article V Meetings

Section 1. Regular Meetings. A regular meeting of the board requires a quorum to be present and shall be held on a regular day each month as determined annually at the August meeting.

Section 2. Special Meetings. A special meeting may be called by the clerk upon the written request of the chair or three members of the board.

Section 3. Place of Meetings. All meetings shall be held at The Clancy Library meeting room or at such other place as may be designated by the board.

Section 4. Notice of Meetings. The board shall abide by Montana Open Meeting Laws (MCA 2-3-201 through -221). Notice (including place, date, time and agenda/purpose) and all pertinent meeting materials shall be delivered to all board members by the clerk at least one (1) week before the meeting and earlier whenever possible. No later than four (4) days prior to the meeting, and preferably up to two (2) weeks prior to the meeting, notice shall be posted in the Montana City Store, the Jefferson County Courthouse, the Clancy Library and its website, the Clancy Post Office, and the Jefferson City Post Office. Notice also shall be submitted to the *Jefferson County Courier*, *Boulder Monitor*, and *Independent Record* in sufficient time for the agenda to be published prior to the meeting; publishing the agenda is at the discretion of the publication. (Jefferson County Resolutions 04-2004, 05-2004)

Section 5. Quorum. The presence of a majority of the board (three members) shall constitute a quorum for the transaction of any board business.

Section 6. Manner of Acting. The act of a majority of the quorum present at a meeting shall be an act of the board unless a greater portion is required by law or these by-laws.

Section 7. Board Member Attendance. Board members 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 clerk prior to the meeting. If any member is absent for three consecutive meetings, the board will discuss the duties of board members with that member.

Section 8. Public Participation. All meetings, votes, records, and deliberations of the board shall be open to the public unless otherwise provided for by law. (MCA 2-3-101 through -114 and -201 through -221) Public comment may be submitted prior to a scheduled meeting in writing, mailed to the clerk or the library (including electronically to the clerk or to the library), and will be distributed to the board members at the meeting.

Orderly public comment is welcome at any point during the meeting when recognized by the chairperson. Prior to taking final action on any matter of interest to the public, the chairperson will provide reasonable time for any person present to comment. The agenda will include an item allowing public comment on any public matter not on the agenda that is within the jurisdiction of the board. However, unless the matter is specifically noticed on the agenda, the board may not discuss or take any action on that matter. Public comment will be incorporated into the minutes. (MCA 2-3-103 and -301; Jefferson County Resolutions 05-2004)

#### Articles VI Committees

The board may create such committees as it deems necessary. The chair of each committee shall be a member of the board appointed by the chairperson. If the committee has public members, the board shall advertise for and then appoint these members. Each committee may adopt rules for its own governance not inconsistent with law, these by-laws, or policies adopted by the board.

#### Articles VII Policies

The board shall be the policy-making body having control over the district library fund, construction or lease of library building(s), and the operations and care of the library system. In consultation with and from recommendations made by the chief librarian, county and state officials, and others, the board shall establish policies as may be necessary for the effective use and management of the system.

Policies may be altered, amended, repealed, or adopted by a majority of the quorum present at any regular meeting with at least thirty days written notice of the intention to alter, amend, repeal, or adopt policies.

#### Article VIII Parliamentary Authority

Except as otherwise specifically provided in these by-laws, all questions of order or procedure with respect to any meeting or action or any committee appointed hereunder shall be determined in accordance with Robert's Rules of Order.

Article IX Amendment of By-laws

By-laws may be altered, amended, repealed, or adopted by a majority of the quorum present at any regular meeting with at least sixty days written notice of the intention to alter, amend, repeal, or adopt by-laws.

In witness whereof, we the undersigned trustees have enacted these by-laws and do hereby authenticate the same by our respective signatures at the meeting of the board of trustees held on the 8th day of September 2010.

Chairperson Jane Lee Hamman  
Vice-Chairperson Karen Sedivy  
Trustee Bob Benson  
Trustee Alma Kaplow  
Trustee Beth Chamberlain