

BY-LAWS
OF
BOARD OF TRUSTEES OF THE MARSHALL PUBLIC LIBRARY

SECTION 1: ESTABLISHMENT

The above named board was established by Ordinance no. 0-69-30 of the City Commission of Marshall, Texas on December 11, 1969 for the purpose of assisting the city staff and promoting usage and development of the Marshall Public Library.

SECTION 2: RESPONSIBILITIES

The board is directed to serve without pay and the board shall serve as an advisory oversight committee to the city staff in establishing plans or policies concerning the following areas of operation:

- a. The board will review policies on usage, hours of operation and suitability of future programs. The board will work with the Library Director to maintain current written policies that library users will abide by. Any proposed policies to be established must be forwarded to the City Commission for approval.
- b. The library rental policy includes the Gold Auditorium. The board will work with the Library Director to maintain current written policies on any rental. Rates should be reviewed on an annual basis to establish just user fees. Rate changes must be forwarded to the City Commission for approval.
- c. The board will maintain a written plan, with the Library Director, including specific goals and objectives, for developing and promoting usage of the library and its facilities.
- d. In consultation with the Library Director, the board will make recommendations regarding the content of the collections of the library.
- e. The board shall confer with the Library Director and make recommendations concerning the annual budget request.
- f. The board shall develop with the Library Director a written Long Term Plan for services by the Marshall Public Library with specific goals and objectives for the staff, library facilities, and library services, and will review and revise the plan annually.

- g. The board shall, when appropriate, seek grants and gifts to improve the library's assets by working with the Library Director, and interested corporations and individuals.

SECTION 3: BOARD OPERATIONS

The board shall operate in full compliance with requirements of all state and local laws, including open meetings, conflict of interest and open records; willful failure to comply with such laws will result in immediate dismissal from the board and automatic disqualification for any future city board appointment. The board shall operate strictly as an advisory committee to the city staff, in regard to items outlined in Section 2 of these By-laws, and will cooperate with the City Manager and all staff employees of the city with regard to all activities before the board.

SECTION 4: MEETINGS OF BOARD

- a. The board shall hold monthly meetings at the library at a time designated by the Chair and agreed upon by a simple majority of the board.
- b. Special Meetings may be called by the Chair upon agreement of a simple majority of the board.
- c. During the regular meeting of the board in November, recommendations shall be made to fill regular vacancies on the board. These recommendations shall be presented to the City Commission, during its regular meeting in December, by the Library Director or the Library Director's designee. Recommendations for vacancies due to unexpired terms may be made anytime throughout the year.
- d. The regular meeting in January of each year shall serve as the annual meeting of the board, at which time elections of officers for the current year shall be held and new officers will immediately take their positions.
- e. Board members are expected to attend all meetings of the board. Failure by a board member to attend three (3) consecutive meetings or fifty percent (50%) of the board meetings on an annual basis, without justifiable reason (s), as approved by a quorum vote of the board, will result in automatic recommendation to the City Commission for dismissal from the board. A member dismissed for

attendance reasons will not be eligible for any future city board appointments.

- f. A quorum, consisting of a majority of the sitting board, shall be required to transact business of the board. No votes shall be held by the board without a quorum of the board members present. Phone votes or votes by proxy will not be allowed.
- g. Roberts Rules of Order shall govern all meetings of the board, unless specifically addressed otherwise within these by-laws.
- h. Notice for all meetings of the board shall be required in accordance with all local and state laws as they pertain to open meetings.
- i. Meetings of the board shall be conducted in strict accordance with state open meetings law.
- j. True and accurate minutes of each meeting shall be kept in accordance with open meetings law and open records.

SECTION 5:

BOARD MEMBERS

- a. The board shall consist of seven (7) members, of which a minimum of five (5) must be full-time residents of the city of Marshall. The City Commission will attempt, in its appointments to the board, to provide broad representation throughout the community while selecting appointees who are dedicated to excellent public library service.
- b. Members shall be appointed by the City Commission for two (2) year staggered terms. No member shall serve more than two (2) consecutive terms of office although members will be allowed to serve an additional two (2) or four (4) years, after a one (1) year absence from the board.
- c. Vacancies on the board shall be filled by the City Commission for an unexpired term of a member, in the same manner and for the same terms of membership of the original appointment.
- d. Members may be removed from the board, at any time, by majority vote of the City Commission. The board may recommend removal from office of a member upon a two-thirds (2/3) vote of the full seven (7) member board.

- e. The City Manager and the Library Director, or their designated representative, shall serve as ex-officio members of the board and may participate in all discussions. The appointed Northeast Texas Library System (NETLS) lay representative and the President of the Friends of a Public Library shall be invited to all regular meetings of the board. Ex-officio members and invited members do not hold voting rights on the board.

SECTION 6: OFFICERS

- a. Officers of the board shall consist of a Chair, Vice-Chair, and Secretary.
- b. Terms of the officers shall begin immediately upon vote of a quorum of the Board during its first regular meeting in January. Terms of elected officers shall be one (1) year.
- c. No officer shall serve more than two (2) consecutive one (1) year terms in the same appointed position, although officers will be allowed to serve an additional one (1) year term after a one (1) year absence as an officer.
- d. The Chair shall preside over meetings of the board and shall serve as an Ex-officio member of all committees designated by the board. The Chair shall serve as chief spokesperson for the board in all matters of the board outside its meetings.
- e. The Vice-Chair shall perform duties as delegated by the Chair and shall exercise the powers of the Chair in the event of absence or inability of the Chair to serve or preside over meetings of the board.
- f. The Secretary shall keep a certified copy of minutes of all actions during meeting of the board. A copy of all minutes of the board shall be forwarded monthly to the City Manager and Library Director. The Secretary shall be responsible for posting all required notices of meetings of the board as prescribed by local and state law and shall keep an accurate copy of all such notices. Notices of meetings must also be given to all board members and Ex-officio officers no less than seventy-two (72) hours prior to all meetings; notice of such must also be posted in accordance with local and state laws.

SECTION 7:**FUND RAISING**

The board is encouraged to seek funds through grants from clubs, agencies, individuals, etc. and fund raising events. All funds received shall be forwarded to the city for depositing and accounting control. Special projects of over \$5,000 for the library will be reviewed and approved by the City Manager or his designee and if appropriate the City Commission.

SECTION 8:**COMMITTEES**

The Chair may appoint standing committees as it deems necessary to report to the board in those areas of responsibility of the board. The Chair shall serve as an Ex-Officio member of all committees. The board should specifically look outside its membership and into the local community for committee members. It shall require a quorum vote of the board to approve a committee and designate a Committee Chair.

SECTION 9:**ADOPTION**

These by-laws may be amended from time to time or repealed by the action of a two-thirds (2/3) vote of the full seven (7) member board, provided that any and all amendments to these by-laws will not become official until they have been approved by a majority vote of the City Commission.

SECTION 10:**DISSOLUTION**

In the event the Board of Trustees of the Marshall Public Library ceases to function or ceases to function effectively in accordance with these by-laws, in the opinion of the City Commission, the City Commission may by majority vote dissolve this or any board it had previously created.

SECTION 11:**ADOPTION**

These revised by-laws were adopted by the City Commission of the City of Marshall, Texas on June 12, 2003 and became effective immediately. The by-laws were previously revised and adopted by the City Commission on March 24, 1994.