

Trustee Bylaws

Preamble

The Library Board of Trustees of the Harvey-Mitchell Memorial Library governs the Library by the authority ascribed to it in RSA 202-A: 2 II. The Board, which is made up of publicly elected citizens, was created when the Town of Epping voted to accept the provision of the Library Act in 1892. The Board shall be governed by the laws of the State of New Hampshire, the local ordinances of the Town of Epping, and by the following bylaws.

Bylaws

Article 1 Organization Name

The name of this organization is the Board of Trustees of the Harvey-Mitchell Memorial Library.

Article 2 Duties

The general powers and duties of the Board are outlined in RSA 202-A:11. The Board shall exercise its powers and duties by:

- Adopting bylaws

- Preparing an annual budget

- Expending all monies raised and appropriated by the Town for the library

- Expending library income from all trust funds

- Accepting and expending gifts in accordance with RSA 202-A:4-d

- Appointing and annually reviewing the performance of the Library Director

- Developing practices related to hiring and compensation of employees, and employee responsibilities and practices

- Establishing basic library policies with respect to:

 - Establishing and maintaining library services and agencies

 - Acquiring, maintaining, insuring, using, and disposing of properties

 - Collecting, lending and disposing of library materials

Article 3 Organization

The Board shall consist of five members elected for terms of three years each on a staggered schedule. Newly elected members will take office at the first meeting following election and swearing an oath of office. Eligibility for office is limited to adults residing or owning property within the Town of Epping.

Each Trustee shall have one vote. A Trustee must be present at a meeting to have his/her vote counted.

All actions of the Board shall be of the Board as a unit. No Board member shall act on behalf of the Board on any matter without prior approval of the Board. No Board member shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.

Absence from three consecutive meetings shall constitute automatic dismissal from the Board unless the Board defers this dismissal by majority vote. The Chairperson shall inform the absent Board member in writing that he/she is no longer on the Board. If dismissal is deferred by Board action, the Chairperson shall inform the absent Board member in writing the conditions of this deferral.

Any Board vacancy shall be filled by appointment of the Epping Board of Selectmen for the remainder of the term of the former member (RSA 669:75). It shall be the practice of the Board to solicit viable candidates for the vacancy and present these candidates to the Epping Board of Selectmen for selection.

The Library Director shall serve on the Board in an ex-officio capacity as a non-voting member and attend all meetings, except in closed sessions at the direction of the Board.

The Board shall sanction no action that is contrary to law.

Article 4 Professional Memberships

All Board members shall be enrolled as members of the New Hampshire Library Trustees Association. Membership fees shall be paid from library funds.

Article 5 Fiscal Responsibilities

The fiscal year shall run from January 1st to December 31st.

The Board will prepare an annual budget for presentation to the Epping Board of Selectmen at the time requested. Generally the budget is prepared at the Board regular meeting in September.

The Board may alter line items of the budget during the fiscal year.

The Board shall approve all donations to the Library by vote at regular meetings.

Gifts under \$5,000 shall be accepted by vote at regular meetings.

Gifts over \$5,000 shall be presented at a special public hearing during a regular meeting for approval by Epping voters.

The Library staff shall endeavor to stay within the budget prepared by the Board.

The Library Director, at his/her discretion, may expend funds outside of the normal budget in amounts not to exceed \$200.00 in a given month. Non-budgeted items exceeding \$200.00 must be approved by the Board.

The Library shall utilize the payroll services of the Town of Epping, as arranged between the Library Board and the Board of Selectmen, to pay the salaries and benefits of library staff.

Contracts approved by the Board can be authorized by the signature of the Director.

The Director has independent authority to pursue grant monies for the Library.

Article 6 Officers and Committees

The officers shall be Chairperson, Vice Chair, Treasurer and Secretary. Officers shall serve for one year and elections occur annually at the meeting in the month following town elections. Officers may succeed themselves in office.

The Chairperson shall:

Set the agenda for each regular Board meeting with the cooperation of all members of the Board, and shall post the agenda for public review.

Call to order and preside over all Board meetings.

The Vice Chair shall preside over Board meetings in the absence of the Chairperson.

The Secretary shall:

Record and keep a true and accurate record of all meetings of the Board, placing them in a permanent file in the care of the Director within five business days after any meeting (RSA 91-A:2 II).

Issue public notice of all regular and special meetings and shall maintain the correspondence of the Board.

Assume the duties of the Vice Chair in his/her absence.

In the absence or inability of the Secretary to perform required duties, the duties shall be performed by another member as designated by the Board.

The Treasurer shall:

Approve all bills for payment. Any item that in his/her judgment cannot be approved will be presented to the Board.

Present a financial report at each regular meeting of the Board.

The Treasurer must be bonded by a surety company authorized to do business in New Hampshire (RSA 41:6).

In the absence or inability of the Treasurer to perform required duties, the duties shall be performed by another member as designated by the Board.

Committees, to consist of no more than two Board members, can be formed as needed at any regular meeting to explore topics and issues deemed necessary and appropriate by the Board.

Article 7 Library Director

The Board shall appoint a Library Director who shall be the executive officer. The Library Director shall be responsible for the administration of the Library under the direction and review of the Board.

The Director shall be responsible for the operation of the Library under the financial conditions contained in the annual budget.

The Director shall render and submit to the Board reports and recommendations for Library policies and procedures.

The Director shall maintain a file of all Board policies for appropriate consultation and distribution as directed by the Board and required by law.

The Director shall submit a monthly report of Library activities, donations and staff attendance.

The Director shall prepare and submit an annual report to the New Hampshire State Library.

Article 8 Meetings

Regular meetings are held on the third Monday of the month from 7:15 p.m. to 8:45 p.m. in the Library or such other place or time as the Board may determine. The media and public shall be given twenty-four hours notice, excluding Sundays and legal holidays, of any meeting in two appropriate places (RSA 91-A:2 II). The announcement shall include a tentative agenda.

The organizational meeting shall be held in the month following town elections each year. During the organizational meeting, installation of new Board members will take place immediately following the call to order, with election of officers to follow. New Board members shall assume their positions immediately. New officers shall assume their positions following the adjournment of the organizational meeting. All new Board members must be sworn in by the Epping Town Clerk prior to the organizational meeting.

Special meetings may be held at any time at the call of the Chairperson or the Director, or at the call of any two members of the Board. With the exception of emergency meetings, public announcement of these meetings will follow regular meeting guidelines. No business may be transacted at such special meetings except the stated business.

A simple majority of the existing Board shall constitute a quorum. If a quorum is not present at a regular meeting, the attending members may set a date for another meeting to be held within one week. The presiding officer shall notify all Board members of this specially called meeting.

Board meetings are held in accordance with open meeting laws. Order of business for regular meetings shall include, but not be limited to, the following:

Call to order

Public hearing

Secretary's report

Treasurer's report

Director's report

Old business

New business

Adjournment of open session

Closed session (if required)

Members of the public who wish to address the Board should request a place on the agenda not later than thirty-six hours before the time established for the meeting. The request must be made to the Chairperson or Director.

Remarks by public participants are limited to three minutes in length, excluding questions from the Board.

All visitors are expected to conduct themselves in a manner consistent with the orderly completion of the meeting.

Persons not on the agenda may be heard during the public hearing portion of a regular Board meeting at the discretion of the Chairperson.

Board members shall receive, no later than the Friday before a regular meeting, the previous month's minutes from the Secretary, a monthly financial report from the Treasurer, a monthly Library report from the Director, and an agenda for the upcoming meeting from the Chairperson.

Current minutes and monthly reports shall be available on the library web site. Older records are maintained by the Director. They are available to the public upon request.

Article 9 Parliamentary Procedure

Board meetings will follow parliamentary procedure as outlined in Roberts Rules of Order (current edition), when not inconsistent with these bylaws or with New Hampshire revised statutes.

Article 10 Amendments

These bylaws supersede all previous bylaws adopted by this Board.

Amendments to these bylaws may be proposed at any regular meeting and shall be voted upon at the next meeting. Written notice of the proposed amendment(s) shall be sent to any absent members prior to the voting session.

Any rule or resolution of the Board, whether contained in these bylaws or elsewhere, may be suspended temporarily in connection with business at hand. Such suspension may be taken only when the majority of the Board is in agreement.

Article 11 Ethics

The Board subscribes to the Statement of Ethics endorsed by the Board of Directors of the American Library Trustee Association and the Public Library Association, July 1985.

Trustees must promote the highest 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 upon any Trustee to disqualify himself/herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution.

Trustees must respect the confidential nature of library business while being aware of and in compliance with the New Hampshire freedom of information act.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept appointments to a Library Board are expected to perform the duties and responsibilities of a Library Trustee.

Article 12 Errors and Omissions

Trustees are insured against errors and omissions by insurance policies acquired through the Town of Epping. This coverage includes their liability resulting from either institutional or individual lawsuits.

The Library shall indemnify any Trustee who has been made party to a proceeding, if that Trustee acted in good faith, reasonably believing that his/her actions were in the best interest of the Library and had no cause to believe the conduct was unlawful.

AMENDED Article 8 Meetings

Regular meetings are held on the third Tuesday of the month at 7:00 p.m. at Town Hall or such other place or time as the Board may determine, providing the meeting can be recorded or televised on ETV.

April 16, 2013

AMENDED Article 2 - Duties #6 - Evaluating the Library Director

The Board of Trustees shall evaluate the Library Director yearly.

During this process the Board shall:

(a) Prepare an initial review based on the position description with input from all members of the Board using the New Hampshire Library Trustees Association (NHLTA) template as a guide.

Preliminary evaluation will be due at the December Trustees' meeting. The evaluation will be finalized at the January Trustees' meeting.

(b) The Trustees will meet with the Library Director during a non-public session following the February Trustees' meeting.

(c) The Trustees will submit a report detailing the review and discussion.

The Library Director may appeal to the Board of Trustees.

September 23, 2014