



## **CONSTITUTION AND BY-LAWS**

### **AVERY COUNTY MORRISON PUBLIC LIBRARY**

#### **Board of Trustees (As Amended)**

#### **CONSTITUTION**

##### **ARTICLE I Name**

The name of this organization shall be the Avery County Morrison Public Library Board of Trustees.

##### **ARTICLE II Membership**

This Board of Trustees shall consist of six (6) members who will be appointed in open session by the Avery County Board of Commissioners to serve a term of three (3) years to begin on 1 July of the appointment year. Members may be reappointed Local Library Board members are eligible for appointment to the Regional Library Board. . (Procedure: (based on policy developed by the Avery County Board of Commissioners) When a vacancy occurs the Chair of the Board will submit to the Avery County Commissioners, in writing, recommendations of qualified applicants to fill the existing vacancy not later than two weeks from the time the vacancy occurred. If qualified applicants cannot be recruited with that two-week time frame vacancies shall be publicly advertised by the County Manager as appropriate, (i.e., newspaper, radio, etc.)

##### **ARTICLE III Purpose**

The purpose of the Avery County Morrison Public Library Board of Trustees shall be to establish and maintain the Avery County Morrison Public Library, an institution legally organized according to the Library laws of the State of North Carolina, offering education,

information, and recreation advantages to all citizens within the county, with headquarters for service located in Newland, North Carolina.

## **BY-LAWS**

### **ARTICLE I Officers**

#### Section 1. Election and Tenure

The officers and Executive Committee shall be a Chair, a Vice-Chair and a Secretary who shall be elected by ballot at the annual meeting of the Board of Trustees and continue in office for three (3) years. In the case of vacancy, the Board shall, at the next regular meeting, select a member to fill the unexpired term. Vacancies in office may be filled by the remaining members of the Board of Trustees voting thereon by ballot or by voice at the discretion of the Board.

#### Section 2. Duties

The Chair of the Board shall preside at all Board meetings; appoint all Committees; including committees for the study and investigation of special problems; serve as a representative to the Regional Library Board; and perform such other duties as generally pertain to the office.

The Vice-Chair of the Board shall perform the duties of the Chair in the latter's absence.

The Secretary shall keep a true and accurate account of all proceedings of the Board meetings; shall issue notices of all regular meetings; shall have custody of the minutes and other records of the Board, except those records earlier than the current year which may be deposited for safekeeping in the Avery-Mitchell-Yancey Regional Library Office; shall notify the appointing governmental agency of any vacancy on the Board; and shall perform such other duties as may properly belong to the office or be delegated by the Board.

### **ARTICLE II Removal**

Section 1. The absence of any member of the Board from two (2) consecutive quarterly Board meetings shall be presumed to constitute a vacancy which shall be filled pursuant to Article V, of these By-Laws.

Section 2. Upon the recommendation of the Board, any member may be removed by the governing body appointing that member for incapacity, misconduct or neglect of duty.

**ARTICLE III**  
**Meetings**

- Section 1. The Board shall hold three regular meetings each year in January, May, and September.
- Section 2. The annual meeting shall be held at the September meeting.
- Section 3. Special meetings shall be called by the Chair, or upon the written request of any three (3) members, for the transaction of business only as stated in the call for the meeting.
- Section 4. Three (3) members shall constitute a quorum.
- Section 5. Robert's Rules of Order shall decide points of procedure.

**ARTICLE IV**  
**Order of Business**

The Order of Business at regular meetings shall be as follows:

- Call to Order
- Roll Call
- Approval of Minutes
- Financial Report
- Report of Main Librarian
- Committee Reports
- Unfinished Business
- New Business
- Adjournment

**ARTICLE V**  
**Committees**

At the annual meeting the Chair shall appoint a Personnel Committee.

The Personnel Committee shall:

1. in consultation with the Regional Library Director, review and select applicants for employment in the Avery County Morrison Public Library; and
2. submit the names of no more than five (5) and no less than three (3) individuals from which the Avery County Board of Commissioners may fill vacancies on the Avery County Morrison Public Library Board.

**ARTICLE VI**  
**Regional Library Membership**

Pursuant to an Agreement dated July 1961, and an amendment thereto dated June 1993, the Avery County Morrison Public Library has contracted for library services as authorized under North Carolina General Statute 160A, Article 20, and as regulated pursuant to 7.02E.0200 et seq of the North Carolina Administrative Code, which statutes and regulations shall determine any procedure not specified in the above By-Laws.

**ARTICLE VII**  
**Proxy**

Voting by proxy may be exercised at any called Library Board Meeting and can only be delegated from one official Library Board Member to another. Proxies shall be valid only for the particular meeting designated thereon and must be filed by the voting member with the Secretary twenty-four (24) hours before the appointed time of the meeting by submitting an authorized proxy form.

**ARTICLE VIII**  
**Amendments**

The Constitution and By-Laws may be amended by three-fourths (3/4) of the members present at any regular Board meeting that has a quorum present, provided that the amendment was stated in the call for the meeting, which was mailed to the members at least ten (10) days before the meeting.

**Adopted:**  
**Avery County Morrison Public Library**

**Signed:**

**Anne Hampton, Chair**  
**October 2006**

**PROXY**

I designate \_\_\_\_\_ to vote my proxy on any matter requiring a vote at the \_\_\_\_\_ to be held on \_\_\_\_\_.

**Signed:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Adopted:**  
**Avery County Morrison Public Library**

**Signed:**  
**Anne Hampton, Chair**  
**2 October 2006**

**Recommended Criteria for Selection of Local Library Board Members**

1. Full-time resident of the county or town.
2. Regular library patron.
3. Library contributor (either financial, property or volunteer work).
4. Educator, social worker or other service provider involved with children, disabled or older adults.
5. Business person from the private sector.
6. Willingness and ability to serve (attend quarterly, special and workshop meetings).

**Recommended Criteria for Selection of Regional Board Members**

1. Chair of local library board.
2. Seniority (experience) as local library board member.
3. Ability to serve (attend 2 regular Board meetings quarterly, special Board meetings and workshops).

