

# **Cass County Public Library Board of Trustees Bylaws**

## **Article I. NAME**

*Sec. 1* The organization shall be called the Board of Trustees of the Cass County Public Library.

*Sec. 2* The object of the Board of Trustees of Cass County Public Library is to provide free library service to all citizens of Cass County. Whenever possible, the Board should act as advocates for the public library in the community, encouraging the use of the library for informational, educational and recreational purposes.

## **Article II. MEMBERSHIP**

*Sec. 1* The Board is to be composed of five members, none of whom shall be elected county officials, appointed by the County Commission before the first day of July for terms of four years. Two members shall be appointed in 1990, 1994, etc. and one member each of the next three years (RSMo, Chapter 182.050).

*Sec. 2* Vacancies in the Board occasioned by removals, resignations or otherwise will be filled in like manner as original appointments; except if the vacancy is in an unexpired term, the appointment shall be made for only the unexpired portion of that term (RSMo, Chapter 182.050).

*Sec. 3* The Library Director, as a non-voting member shall attend all meetings of the Board except at those times when his/her employment status or salary is to be a matter of business, in which case the Board may ask him/her to leave the room. In this case the Board shall take necessary steps to immediately notify the Library Director of the action taken by the Board.

## **Article III. MEETINGS**

*Sec. 1* Regular meetings shall be held each month on the third Wednesday at a regular time. The Library Director shall distribute to each Board Member the tentative agenda of the meeting five days in advance of each meeting and place appropriate releases with the media in advance.

*Sec. 2* Closed meetings shall be held on an as needed basis. The Board of Trustees may close its meetings, records, and votes when they relate to topics listed in RSMo, Chapters 610.021 and 610.022 including:

- Legal actions, causes of action, or litigation involving Cass County Public Library or the Board and any confidential or privileged communications between the Board or its representatives and its attorneys

- Leasing, purchase, or sale of real estate where public knowledge might adversely affect the amount paid in the transaction
- Hiring, firing, disciplining or promoting a particular employee when personal information about the employee is discussed or recorded
- Software codes for electronic data procession
- Individually identifiable personnel records
- Records that are protected from disclosure by other laws

Sec. 3 Special meetings may be called by the President of the Board, or upon request of any two members, for the transaction of business stated in the call for meeting. The Library Director shall be requested to issue all calls for special meetings.

Sec.4 One or more Board member may participate in a meeting of Cass County Public Library by means of a phone or video or similar communications equipment. When Board members participate remotely, accommodations must be made to allow the public to observe or participate in the meeting. All members participating by means of phone or video or similar communications equipment shall be deemed present at the meeting. Members participating in a regular meeting by video may vote when their camera is turned on. When an emergency meeting is necessary, members may vote in person, via video, or via telephone call.

Sec.5 Regular meeting attendance is considered a hallmark of the conscientious Board member. Attendance means being there on time, being prepared, not leaving early, and honoring the schedule for each meeting.

A Board attendance problem occurs if any of the following conditions exist in regard to a Board member's attendance to Board meetings:

1. The member has two un-notified absences in a row ("un-notified" means the member did not call ahead to a reasonable contact in the organization before the upcoming meeting to indicate they would be gone from the upcoming meeting).
2. The member has three notified absences in a row.
3. The member misses one third of the total number of Board meetings in a twelve-month period.

For the purposes of this Sec. 5, Definition of meetings includes: regularly scheduled meetings, work sessions, special meetings, committee meetings, etc.

If the attendance problem continues despite communication from the Board President, an official notification will be sent to the member requesting that the member resign from the Board of Trustees immediately. The County Commission will be notified. In addition, a recommendation from the Board will be sent to the Commission that the member not be reappointed to future terms on the Board of

Trustees.

#### **Article IV. OFFICERS**

*Sec. 1* Officers of the Board of Trustees shall be elected at the first regular meeting after July 1st, and officers shall assume office immediately. Officers shall serve until the first regular meeting in July of the following year, unless an officer's term on the board ends prior. Such officers shall be: President, Vice-President, and Treasurer.

*Sec. 2* The Board's President shall preside at all meetings, appoint special committees as needed, authorize calls for any special meetings, and co-sign approved warrants.

*Sec. 3* The Vice-President shall assume the duties of the President in the latter's absence.

*Sec. 4* In the absence of both the President and Vice-President, the members present shall select a Chairman pro tem.

*Sec. 5* Replacement officers may be elected whenever there is a vacancy.

*Sec. 6* The Treasurer supervises the accountability and maintenance of all receipts and disbursements, and co-signs approved warrants and transfers of appropriate funds.

*Sec. 7* In the absence of the Treasurer, the President or Vice-President is authorized to sign financial documents.

*Sec. 8* The Library Director or the Board's designee shall keep a true account of all Board meeting proceedings, which shall be kept on file at library headquarters, co-sign transfers of appropriate funds, and keep one of two keys to the library's safe-deposit box. The other key is to be given to a Board Member who the Board appoints.

#### **Article V. QUORUM**

*Sec. 1* A quorum for the transaction of Board business shall consist of a simple majority of the Board, in person or electronically.

#### **Article VI. COMMITTEES**

*Sec. 1* Any special committee as may be appointed from time to time shall make monthly reports at regular board meetings and serve until a final report is made by the committee to the Board, at which time the committee passes out of existence.

Sec. 2 The Friends of the Library and the Cass County Public Library Foundation are encouraged and supported by the Board of Trustees. However, so as to guarantee citizen involvement and direction in the Friends and the Foundation, Board members are not to be office holders in the Friends of the Library or the Cass County Public Library Foundation.

## **Article VII. POLICIES**

Sec. 1 The Board has the responsibility of making and directing the policy of the Library, in accordance at all times with the Statutes of the State of Missouri. Its responsibilities include promotion of library interests, securing of adequate funds to carry on library services, and the administration and approval of library funds and property.

## **Article VIII. LIBRARY DIRECTOR**

Sec. 1 The Board shall select a Library Director who shall be the administrative officer under the direction and review of the Board. The Library Director shall be directly responsible for the employment of staff as outlined in Library policy, operation of the Library within the outlines of the budget, daily operation of the Library and duties as assigned by the Library Board.

## **Article IX. ORDER OF BUSINESS**

Sec. 1 The Library Director shall be held responsible for preparing a tentative Agenda of Business for each meeting of the Board and presenting a copy of it to each Board member present at the beginning of each meeting. In preparing the agenda the Library Director shall have the consultation of the Board President.

Sec. 2 The Agenda of Business shall include:

- Pledge of Allegiance
- Consent Agenda including Approval of Minutes and Approval of Financial Report
- Public Comments
- Unfinished Business
- New Business
- Director's report
- Branch reports
- Trustees' report
- Adjournment

Sec. 3 Proceedings of all meetings shall be governed by *Roberts' Rules of Order*.

## **Article X. BUDGETS AND REPORTS**

*Sec. 1* The Board shall adopt and approve for public hearing the property tax rates for the ensuing year. This is in compliance with RSMo, Chapter 67.110. The public hearing shall be duly advertised in a newspaper of general circulation within the County or publicly displayed in all branches. The public hearing is to take place before August 31 or alternate date set by the Cass County Clerk so as to enable the Library Director to return tax rate forms to the Clerk's office by September 1 or alternate date set by the County Clerk.

### *Sec. 2* Annual Budget

The Board shall adopt and approve by November 30<sup>th</sup> an annual budget for the ensuing fiscal year covering all items of expenditure and anticipated revenue. Said budget is to be prepared and presented by the Library Director for Board approval. Upon approval, the Library Director shall submit the budget to the County Clerk, the County Commissioners, and the State Auditor.

*Sec. 3* The Board shall require the Library Director to prepare and present at the end of each month and of each fiscal year the following reports: A financial report showing expenditures to date, budget and cash balances, and statistical reports covering all pertinent information on the operation of the library.

*Sec. 4* The Board shall require the Library Director to maintain business records and to conduct the business of the library in accordance with audit regulations.

*Sec. 5* The Library Director shall make a report to the Board, on or before the second Monday in March of each year, stating the condition of the Library and its services as of the thirty-first day of December of the preceding fiscal year. On or before the thirtieth day of April, the reports shall be submitted to the County Commission and to the Missouri State Library.

## **Article XI. BONDING**

*Sec. 1* The following positions are to be bonded at the expense of the library: Board Treasurer, Library Director, and Business Manager.

## **Article XII. AMENDMENT OF BY-LAWS**

*Sec. 1* These by-laws may be amended by a unanimous vote at any regular meeting of the library board when a quorum is present provided the Board has been presented a written copy of the proposed by-laws at a previous Board meeting. In the absence of a unanimous vote, such amendments shall be considered passed and in force by a majority vote at the next regular Board meeting.

Pursuant to the authority invested in the Board via RSMo, Chapter 182.060, The Board

of Trustees of the Cass County Public Library does adopt these by-laws.

(approved 12-11-1979, amended 5-9-1984, 9-17-1997, 4-21-1999, 4-21-2004, 7-30-2008, 11-18-2020, 3-16-2022, 5-25-2022, 11-16-2022,12-20-2023)