

Bylaws For The Board of Trustees of the Elizabeth Jones Library Grenada, MS

Description:

“The ultimate responsibilities and liability for the governance of a public library system in Mississippi reside with the administrative library board of trustees. Trusteeship is usually regarded first in its legal context. Trusteeship, by definition, is the agency of a person or persons designated to act as protector over property belonging to another. Since a public library belongs to its entire community, library boards of trustees have been created to act as the citizen control or governing body of the library system.” – Mississippi Library Commission

The duties and responsibilities of the administrative board are prescribed in the Mississippi Code 1972 Annotated as follows...

§39-3-13 Contracts by counties or municipalities for library services

- (1) The governing body of any municipality may contract with the board of trustees of any established public library or public library system to receive the services of that established public library or public library system.
- (2) The board of supervisors of any county in the state may, with the consent of the board of trustees of an established public library system, contract for library service from any established public library system.
- (3) The board of trustees of any regional public library system may contract for such region to receive library service from any established public library system.
- (4) There shall be one (1) board of trustees in each public library system with the administrative powers and responsibilities prescribed in Section [39-3-17](#), Mississippi Code of 1972. Any other board of trustees within such library system shall serve in a purely advisory capacity to said administrative board. The administrative board shall be designated by contract among all such boards of trustees within the system. Advisory boards may contract with administrative boards to provide local services and policies as may be mutually agreed on. In the event an agreement cannot be reached among all such boards of trustees, the matter shall be submitted to a negotiating committee comprised of the following: two (2) persons selected by each of the boards of trustees involved in the matter plus two (2) persons selected by the Mississippi Library Commission.
- (5) Contracts for library services shall include, but not limited to: (a) name of library system; (b) definition of library service area; (c) name of all parties and responsibilities regarding participation in the library system, including but not limited to funding of the library system and maintenance of facilities; (d) appointment of board of trustees with the naming of the administrative board and the stated responsibilities of said boards; (e) eligibility and criteria for participation of new libraries in the library system; and (f) a stated contract review and renewal process. The contract shall provide for the dissolution of such library system including, but not limited to, the definition of assets and the procedure for the distribution of such assets.**SOURCES:** Codes, 1942, Sec. 6204; Laws, 1938, ch. 289; Laws 1944, ch. 200, Sec. 1; Laws 1962, ch. 335, Sec. 2; Laws 1988, ch. 589, Sec. 15, eff from and after July 1, 1988.

§39-3-15 Library Board of Trustees; qualifications, appointment, term of office and compensation of members

(1)

(a) The management and control of a county or municipal public library shall be vested in a board of five (5) trustees, who shall be appointed by the governing authorities of the county or municipality. The first appointments shall be for the terms of one (1), two (2), three (3), four (4) and five (5) years respectively, and thereafter, a trustee shall be appointed to serve five (5) years.

(b) Notwithstanding the provisions of paragraph (1)(a) of this section, the board of supervisors of any county that borders on the Gulf of Mexico, in which Interstate 10 intersects U.S. Highway 49 and that operates a county library system may appoint, in its discretion, six (6) trustees to the county public library board. If the board of supervisors of any such county elects to appoint six (6) members to the board of trustees, the first appointments shall be for the terms of one (1), two (2), three (3), four (4), five (5) and six (6) years respectively, and thereafter a trustee shall be appointed to serve six (6) years.

(2) When five (5) counties support a regional public library system, the management and control of the regional public library system shall be vested in a board of five (5) trustees. The trustees shall be appointed by the governing authorities of the counties that support the regional public library system.

(3) In a regional public library system supported by less than five (5) counties, the distribution of the membership on the board of trustees shall be determined by agreement among the counties that support the regional public library system.

(4) In a regional public library system of more than five (5) counties, one (1) member of the board of trustees shall be appointed by the governing authority of each county supporting the regional public library system. In the first appointments to the regional public library system board of trustees, five (5) members shall be appointed for terms of one (1), two (2), three (3), four (4) and five (5) years respectively, and any number of trustees above five (5) shall be appointed for terms of one (1) year. Thereafter, all trustees shall be appointed annually to serve five (5) years.

(5) The management and control of a city-county public library system shall be vested in a board of trustees, the number of which shall be agreed upon by the board of trustees of the governing body of municipality, or municipalities, and with the consent of the board of supervisors which have contracted with each other or among themselves, to create, maintain and support a joint city-county library system. The term of each trustee shall be for a period of five (5) years. Initial appointments to the city-county board shall be made in a manner determined by the counties and municipalities involved so that terms expire on a staggered basis.

(6) Each trustee shall be a resident and qualified elector of the municipality, county or region represented by said trustee. Trustees shall be limited to two (2) consecutive terms of office in counties of over twenty thousand (20,000) population; however, there shall be no limit on the

number of terms served by a trustee. In counties of less than twenty thousand (20,000) population, there shall be no limit on the number of terms served by any trustee holding office on July 1, 1988; provided, that said limitation shall be applicable to new trustees appointed subsequent to July 1, 1988. Vacancies on the board of trustees of a county public library, municipal public library, regional public library system or city-county public library system shall be filled for unexpired terms in the same manner in which members of the board were first appointed. Any trustee who shall not attend four (4) consecutive meetings of the board shall be subject to removal by the governing authority. No trustee shall receive a salary or other compensation for his service; provided, however, that all trustees shall be reimbursed for their necessary traveling expenses and mileage incident to their attendance upon the business of the board, as provided in Section [25-3-41](#), Mississippi Code of 1972.

SOURCES: Codes, 1942, Sec. 6205; Laws, 1938, ch. 289; Laws 1952, ch. 207; Laws 1977, ch. 312; Laws 1986, ch. 514; Laws 1988, ch. 589, Sec. 16; Laws 1994, ch. 364, Sec. 1, eff from and after July 1, 1994

§39-3-17 Library Board of Trustees; organization; general powers and duties

(1) The trustees of the administrative board designated pursuant to Section [39-3-13](#) (4), immediately after their appointment or election, shall meet and organize by the election of such officers as they deem necessary. They shall (a) adopt such bylaws, rules and regulations for their own guidance and for the government of the library as they deem expedient; (b) meet at least once in each quarter; (c) have the supervision, care and custody of all property of the library, including the rooms or buildings constructed, leased or set apart therefore; (d) employ a library system director, prescribe his/her duties, fix his/her compensation, and remove him/her for cause; (e) employ, upon the recommendation of the library system director, such other staff as may be necessary and fix their compensation; (f) submit annually to the governing body a budget containing estimates for the ensuing year; (g) have exclusive control of the finances of the library system; (h) accept such gifts of money or property for library purposes as they deem expedient; (i) on recommendation of library system director purchase books, periodicals, maps, equipment, insurance and supplies for the library system; (j) dispose of equipment and discarded library materials as provided in Section [19-7-5](#), Mississippi Code of 1972; and (k) do all other acts necessary for the orderly and efficient management and control of the library system. But no expenditure made or contracted by the trustees shall be binding on any county or municipality so as to require any payment in excess of funds made available for library purposes under this article.

(2) There shall be one (1) library director for each library system. Said library system director shall have such educational qualifications as are prescribed by the Mississippi Library Commission. The library system director shall administer and establish procedures according to policies established by the administrative board of trustees. His or her duties shall include: (a) employment of staff with the approval of the board of trustees; (b) prescription of staff duties; (c) removal of staff for cause; (d) preparation of the budget; (e) financial and statistical management; (f) reporting to board of trustees; and (g) other acts necessary for the orderly and efficient administration of the library system.

(3) In the event that a determination is made by the library system director to remove a staff member for cause, written notice of such decision shall be given to such staff member. A staff member who has received such notice shall be entitled to:

(a) Written notice of the reasons for such action, together with a summary of the factual basis therefore, which notice shall be given at least five (5) days prior to any hearing;

(b) An opportunity for a hearing before the board of trustees at which to present matters relevant to the reasons given for the decision, including any reasons alleged by the employee to be the reason for such action;

(c) Receive a fair and impartial hearing before the board;

(d) Be represented by legal counsel, at his own expense.

If the staff member does not request a hearing, the decision of the director shall be final.

(4) On at least a bi-monthly basis, the board of supervisors of each county and the governing authority of each municipality supporting a public library system shall transmit its warrant or warrants constituting one-sixth (1/6) of the annual appropriation for the support and maintenance thereof to the library director of such system. All such warrants shall be deposited in one or more public depositories previously selected by the board of trustees of the library system. The said board of trustees shall, by appropriate order spread upon its minutes, authorize the library director to expend such funds for lawful purposes only and in accordance with its annual budget previously adopted. All such funds shall be placed in the depository or depositories selected by the administrative library board of trustees in the same manner as provided in Section [27-105-305](#) for the selection of county depositories, provided that the selection shall be effective on July 1 of each year. Such depository shall place on deposit with the library director the same securities as required in Section [27-105-315](#).

SOURCES: Codes, 1942, Sec. 6206; Laws, 1938, ch. 289; Laws 1988, ch. 589, Sec. 17, eff from and after July 1, 1988.

§39-3-19 Library Board of Trustees; annual reports

At the close of each year the administrative board of trustees of every public library system shall make a report to the governing body in the county or counties or municipality or municipalities wherein the board serves, showing the condition of the trust during the year, the sums of money received for the library fund from taxes and other sources, the sums of money expended and the purposes of the expenditures, the number of books and periodicals on hand, the number added during the year, the number withdrawn, the number loaned out, and such other statistics and information and such suggestions as the administrative board of trustees deems of public interest. A copy of this report shall be filed in the State Library Commission.

SOURCES: Codes, 1942, Sec. 6207; Laws, 1938, ch. 289; Laws 1988, ch. 589, Sec. 18, eff from and after July 1, 1988.

§39-3-20 Sabbatical Leave for professional library staff

(1) Professional library staff members of a public library shall be eligible for sabbatical leave for the purpose of professional improvement, for not more than one (1) year immediately following any six (6) or more consecutive years of active service in the libraries of this state. Absence on sick leave shall not be deemed to interrupt the active service herein provided for. Sabbatical leave for professional library staff members shall only be granted with the approval of the administrative board of trustees.

(2) Applications for sabbatical leave may be made to the administrative board of trustees of such library system, with the approval of the library director of such system. Any person who is granted a sabbatical leave and who fails to comply with the provisions of such leave may have his/her leave terminated by the administrative board of trustees. No person on sabbatical leave can be denied any regular increment of increase in salary because of absence on sabbatical leave. Service on sabbatical leave shall count as active service for the purpose of retirement and contributions to the retirement fund shall be continued.

(3) In no instance shall leave be granted unless there is a contract providing for continued service, after expiration of the leave, in the library system where the person is employed.

(4) Each person granted sabbatical leave may receive and be paid compensation up to the rate of fifty percent (50%) of such person's annual salary. Compensation payable to persons on sabbatical leave shall be paid at the same time and in the same manner salaries of the other members of the library system are paid.

SOURCES: Laws, 1988, ch. 389, Sec. 19, eff from and after July 1, 1988.

§39-3-21 Free use of libraries; reimbursements for services

Every public library or public library system established or maintained under this article shall be free for the use of the residents of the territory included within the library service area, subject to such reasonable rules and regulations as the administrative board of trustees finds necessary. Reasonable reimbursements may be collected for special library services, provided these are determined in advance and in writing by the administrative board of trustees.

SOURCES: Codes, 1942, Sec. 6208; Laws, 1938, ch. 289; Laws 1988, ch. 589, Sec. 20, eff from and after July 1, 1988.

§39-3-23 Construction of Article

This article shall not be construed to abrogate the force of charter provisions or any local act governing existing public libraries. This article shall be construed as additional and supplemental to subsection (j) of section [19-5-93](#), Mississippi Code of 1972.

SOURCES: Codes, 1942, Sec. 6209; Laws, 1938, ch. 289.

Additional duties, responsibilities, and explanations of the Administrative Board of Trustees are prescribed below...

1. The Elizabeth Jones Library shall be organized under the laws of the State of Mississippi (as detailed above from the Mississippi Code – Library Laws Annotated 2007 Edition Sections 39-3-1 thru 39-3-23)
2. The management and control of the Elizabeth Jones Library shall be in the hands of a legally appointed Board of Trustees, who shall be appointed for terms of five years each (after initial board appointments) on a staggered basis as stated in above MS Code 39-3-15.
3. The specific duties and responsibilities of the Library Board of Trustees shall be coincident with those ascribed in above MS Code 39-3-17. They Shall include the responsibility to:
 - i. Determine the Policies of the Elizabeth Jones Library
 - ii. Select and appoint a competent Library Director
 - iii. Prepare and approve the annual budget of the library, and work towards obtaining the necessary funds.
 - iv. Supervise the care and custody of all property of the Library.
 - v. Study and support measures which will promote library service in accordance with the general welfare and best interest of the people.
 - vi. Cooperate with other groups and individuals to maintain vital public support for the library.
 - vii. Know local and state laws and actively support library legislature in the state and nation.
 - viii. Have exclusive control of the finances of the library
4. It shall be the aim of the Board of Trustees of the Elizabeth Jones Library, Grenada, MS that the standards and operation of this library shall come as near reaching standards for good library service as funds or resources will permit.
5. The purpose of the Library is to provide educational opportunities and library services, as well as, serving informational, cultural, and recreational interest through books and other materials for the residents of the area served by The Elizabeth Jones Library.
6. The goal of the Elizabeth Jones Library is to maximize use of its collection and services by the greatest number of people.
7. The mission of the Elizabeth Jones Library is to provide a local site that holds the power of information and the discovery of ideas inside its walls; hence challenging each new reader, as well as nurturing any established readers, with our services and resources so that each may achieve their intellectual, spiritual, emotional, social, and physical potential through the joy of reading.
8. The fiscal year of the Library shall coincide with the fiscal year of the counties, October 1 – September 30.
9. An audit report of the year ending and a budget of estimated expenditures for the upcoming year shall be submitted annually by the Library Board to the appropriate organizations, so long as those organizations provide the monetary support.
10. Regular meetings of the Board shall be held monthly on a date and time agreed to at the first Board meeting of the fiscal year. These dates and times may be changed by the Board Chairman with the consent of a majority of Board members. The meetings shall take place at a location convenient to Board members.

11. Special meetings may be held at any time, at the call of the Board Chairman, or at the call of any two board members.
12. A quorum at any meeting shall consist of three or more Board members. No official action shall be taken by the Board except when a quorum is present. In the absence of a quorum, absent Board members may be polled by telephone, fax, or email for their vote(s) either during or soon after the meeting. Actions put into effect by such votes should be recorded in the prior minutes and passed at the next Board meeting with a quorum in attendance.
13. The officers of the Board shall be a Chairman, a Vice-Chairman / Treasurer, and a Corresponding Secretary. The term of the office shall be for one year, coinciding with the fiscal year. Officers shall be elected at the first meeting of each fiscal year and shall remain in office until their successors are elected and qualified.
14. The duties of all officers shall be such as by custom and law and the rules of the Board usually devolve upon such officers.
15. The Board shall keep minutes of each meeting, in a binder in the Directors office, for permanent records, and said minutes shall be signed by a Board member at the subsequent meeting. Also, these minutes will be made available to Auditor upon request.
16. Assignment of special duties for the promotion of the Library shall be made by the Chairman, with the approval of the Board.
17. The order of business at all regular meetings of the Board shall be as follows:
 - i. Roll call
 - ii. Disposition of minutes of previous meeting
 - iii. Report of any Special / New Business
 - iv. Report of any Unfinished Business
 - v. Financial Reports
18. Robert's Rules of Order shall govern parliamentary procedures of the Board.
19. The Director shall submit to the Board monthly and annual reports and recommendations to the Board of such policies and procedures as in her/his opinion will promote the efficiency of the library in its service to the people of the county. Additional duties may include but not be limited to:
 - i. Employment of staff with the approval of the board
 - ii. Prescription of staff duties
 - iii. Removal of staff for cause
 - iv. Preparation of the budget
 - v. Financial and statistical management
 - vi. Other acts necessary for the orderly and efficient administration of the library system
 - vii. Reporting to the Library Board of Trustees
20. The Library Board of Trustees has the legal power and authority to enter into contract with municipalities and other libraries for library services.
21. Amendments to these bylaws may be proposed at any regular meeting, but may become effective only after a favorable vote at a following meeting. Any of the forgoing rules may be temporarily suspended by a unanimous vote of all the Board members present at any meeting and the vote on suspensions shall be taken as yeas and nays and entered in the minutes of the meeting.