

# **Bylaws of the CARBON COUNTY LIBRARY SYSTEM BOARD OF DIRECTORS**

## **ARTICLE I. CREATION AND LOCATION.**

The entity known as the CARBON COUNTY LIBRARY SYSTEM was established in 1925 under Wyoming Statute 18-7-101.

The Library System consists of the County Library in Rawlins and seven branch libraries, located in Baggs, Elk Mountain, Encampment, Hanna, Medicine Bow, Saratoga and Sinclair.

The mission of the Library System is to provide free and equal access to information by collecting, maintaining and preserving organized collections of books and materials representing the entire spectrum of knowledge to meet the informational, educational, cultural and recreational needs of the county's residents.

It is equally the Library System's mission to make its resources fully and equitably available to all the people the library serves, regardless of race, color, religion or belief, sex or gender, sexual orientation, gender identity or expression, national origin, disability, age, occupation, financial position or political affiliation.

Pursuant to Wyoming Statute 18-7-105, the services and resources of the Carbon County Library System are free to all residents of Carbon County on the condition that such persons comply with the rules and regulations prescribed by the Carbon County Board of Directors.

The Library System shall provide competent staff able to assist in the use of the collections and knowledgeable in current library technology. The CCLS shall collaborate with libraries in the Wyoming Libraries Database Network and libraries outside the WYLD Network to provide the best possible service to its users.

## **ARTICLE II. PURPOSE.**

It is the Library Board's purpose to ensure the CCLS carries out the library's mission by prescribing rules and regulations for the establishment, organization, operation and use of the library system

The Board is charged with the responsibility to protect the assets of the Library System and assure the availability of the library collection to all county residents by managing and disposing of the county library fund for the maintenance, operation and promotion of the library system in order to carry out the informational, educational, cultural and recreational role of the library.

## **ARTICLE III. GOVERNMENT.**

The Carbon County Library System is subject to Wyoming State Statutes, including but not limited to the "Uniform Municipal Fiscal Procedures Act" (W.S. 16-4-102 through 124) and the statutes pertaining to "Public Meetings" (W.S. 16-4-401 through 408).

The Library System shall be governed by a Board of Directors consisting of five members appointed by the Carbon County Commissioners for a term of three years each.

## **ARTICLE IV. MEETINGS.**

**Section 1. Regular Meetings.** Regular meetings of the Library Board shall be held each month at a designated time and location determined at the previous meeting. The Board shall abide by all requirements of Wyoming law regarding open meetings. The Library Director shall attend all board meetings and attend executive sessions by invitation. All meetings of the Board shall be open to the public except those deemed confidential by law pursuant to Wyoming Statute §16-4-405(a).

**Section 2. Parliamentary Authority.** All proceedings of the Board shall be governed by its bylaws.

**Section 3. Board Attendance.** Members who have unexcused absences for three regular meetings of the Board within a fiscal year without good cause may be asked to resign.

**Section 4. Special Meetings.** Special meetings may be held at any time when called by the Chairman or at the request of two members. All Library Board members and the public must be notified at least Eight (8) hours in advance of the time, place and specific business of the special meeting. Notice of special meetings shall be given in accordance with the requirements of the open meeting law in W. S. §16-4-404.

**Section 5. Emergency Meetings.** The Board may hold an emergency meeting on matters of serious immediate concern to take temporary action without notice. Reasonable efforts shall be made to offer public notice. All action taken at an emergency meeting is of a temporary nature and in order to become permanent must be reconsidered and acted upon at an open public meeting within forty-eight (48) business hours.

**Section 6. Executive Session.** The Board, at its discretion, may adjourn to an executive session to discuss matters deemed confidential or permitted by law pursuant to W.S. §16-4-405. The Board shall then return to a regular session to make any decisions or take any action. No action may be taken while in executive session.

**Section 7. Quorum.** Three members of the Board shall constitute a quorum for the purpose of transaction of business.

**Section 8. Teleconferencing.** Board members may participate in board meetings via a conference call or video call, in lieu of attending board meetings. Arrangements must be made before meetings. Teleconferenced board members will be considered present for roll call and will be allowed to cast a vote.

**Section 9. Fiscal Year Reorganization Meeting.** At the first meeting in the month of July, the Board shall meet to elect new officers, secure a bond for the treasurer and get financial paperwork in order.

**Section 10. Voting.** A majority vote of the members present at any Board meeting where a quorum is present shall be required to determine the action or decision of the Board, except when a different vote is required by law. No motion made by a Library Board Member may be debated or voted upon without being seconded.

The motion and second and the identity of the respective board members shall be announced by the Chair and recorded in the minutes. Following a vote, the Chair shall acknowledge and state the names of those voting “aye,” those voting “nay,” and those abstaining which the Secretary shall record in the minutes of the meeting.

Board Members must distinguish clearly between actions and statements as a member of the board and their own personal philosophies and attitudes. After the vote is taken, all must speak in a unified voice and not undermine the Board’s decision, even if one or more disagrees personally

**Section 11. Unanimous Written Consent.** Action required or permitted by Article IV to be taken at a Board of Director’s meeting may be taken without a meeting if the action is taken by all of the directors. The action must be evidenced by one or more written consents describing the action taken, signed by each director and included in the minutes of meeting following right after reflecting the action taken.

**Section 12. Record of Proceedings.** The Secretary of the Board, or a designee, shall record minutes of each regular, special, and emergency meetings of the Board, shall transcribe and distribute draft minutes to members of the Board to be approved in a subsequent meeting. Minutes may be distributed to the public upon request or posted on the library website or as otherwise determined by the Library Board.

**Section 13. Public Attendance.** All meetings of the Board shall be open to the public except those deemed confidential by law pursuant to Wyoming Statute §16-4-405(a). Regular meetings shall include an opportunity for public comment on items on the agenda or for items not included.

Members of the Library Board are not expected or required to respond to public comment and should not do so without leave of the Chair. Library Board members are not to direct questions to members of the public during meetings except with leave of the Chair. The Chair should preserve order and endeavor to ensure that persons wishing to address the Library Board during public comment periods speak in accordance with the CCLS Public Comment Protocols Policy.

## **ARTICLE V. OFFICERS.**

**Section 1. Term of Office.** Individual Board members may be appointed for two consecutive terms and shall not be eligible for reappointment until two years after expiration of the second term (W.S. 18-7-103). Board members serve without compensation.

No member of the board is personally liable for any action or procedure of the board (W.S. 18-7-105(c)).

The Carbon County Commissioners may remove any member of the Library Board of Directors for misconduct or neglect of duty.

**Section 2. Vacancies.** Vacancies on the board shall be filled by the County Commissioners for the balance of the unexpired term created by the vacancy (W.S. 18-7-103).

**Section 3 Officers.** Officers of the Library Board shall be Chairman, Vice-Chairman, Secretary and Treasurer. Officers shall be elected by the Board for the term of one year beginning upon election by a majority vote at the annual reorganizational meeting held in July. Should a vacancy occur in the office of Chairman, the Vice-Chairman shall assume that office. Other vacancies shall be filled by vote at the next monthly meeting.

**A. Chair.** The Chair shall be the principal executive officer of the Library Board and shall in general, supervise the business and affairs of the Board, and when present, preside over all meetings. He/she may sign with the secretary or treasurer, or any other properly authorized individual, any contracts, instruments or documents, which the Board has authorized to be executed in a public meeting. He or she shall perform all duties as may be prescribed by a majority vote of the Board, from time to time.

**B. Vice-Chair.** The Vice Chair shall perform the functions of the Chair in his/her absence and shall also perform such other duties as may be assigned by the Board or Chair.

**C. Treasurer.** The Treasurer shall oversee the financial records of the Library System and shall oversee all monies received and disbursed, and payment of bills presented by the Executive Director (W.S. 18-7-106). The Board Treasurer must secure a bond in an amount decided by the County Commissioners.

**D. Secretary.** The Secretary shall oversee the record of Board proceedings at the County Library (W.S. 18-7-106). The Secretary shall be responsible for ensuring there is a true and accurate record of all meetings and business undertaken by the Library Board including but not limited to meeting minutes, resolutions, and other documentation of action taken by the Library Board. The Secretary shall prepare, or have prepared utilizing a designee, the required minutes of meetings of the Library Board including all executive sessions.

**Section 4. Bonds.** A position bond shall be obtained covering the Board members and any other individuals with signatory capacity.

**ARTICLE VI. DUTIES.** The Library Board's duties and responsibilities include but are not limited to:

- A. **Library funds.** The Carbon County Library System is supported primarily by county taxation (W.S. 18-7-102). Pursuant to Wyoming Statute 18-7-103 The Library Board is entrusted with the control, use and disposition of the county library fund. The Board is responsible for receiving and being responsible for real estate, money or other property to aid the establishment, maintenance or operation of the library system.
- B. **Payment of Accounts.** Acknowledgement of expenditures and checks of the library will require signatures by two board members or one authorized Board member and the Library System's accountant or bookkeeper. Signatures for the checking account shall include the Board Chairman, Board Treasurer and the Library System accountant or bookkeeper, and one other member as voted upon by a quorum of the Board.
- C. **Library Budget.** The Board of Directors shall each year submit to the County Commissioners a proposed operating budget for the forthcoming fiscal year for approval. Before becoming effective, the budget must be adopted by the County Commissioners as a part of its regular budget adoption process. The fiscal year of the CCLS and its Board of Directors shall begin on the first day of July of each year and shall end on the thirtieth day of June of the following year.
- D. **Audit.** The Board shall cooperate fully with an annual audit, as required by the Carbon County Board of Commissioners.
- E. **Library Director and Library Staff.** The Library Board's responsibilities include selection, appointment, supervision and any necessary personnel action taken with the Library Director. The Board is responsible to ensure equitable personnel management practices within the System and for all legal and ethical aspects of the library system's operation.
- F. **Policies.** As required by Wyoming Statute 18-7-105, The Library Board shall develop, approve and regularly review policies for the establishment, organization, operation and use of the county library system which will be uniformly applied throughout the library system. Current policies shall be kept on file at each branch and available to the public. Policies shall be reviewed and updated as needed.
- G. **Media.** The board will select one member annually as the Media Contact to stay in contact with the media on behalf of the Library Board. The Library Board shall promote and advocate for the library.

**ARTICLE VII. LIBRARY FOUNDATION.**

The board member selected by the Board and appointed by the chair will serve as ex-officio member to the Carbon County Library Foundation.

**ARTICLE VIII. AMENDMENTS.**

These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the Board of Directors voting after the proposed bylaw amendments have been posted at all library branches for at least 30 days prior to any amendments, and after being presented to the Board at two board meetings, with at least one calendar month before the amendments are adopted.

**ARTICLE IX. CONFLICT OF INTEREST.**

Any Library Board member who has a pecuniary interest in a matter pending before the Board, or who is likely to derive direct and tangible personal or professional benefit from a particular resolution of the matter, shall declare a conflict of interest and shall not vote on any issue connected with the matter, and the presence of the Board member at the meeting shall be disregarded for the purposes of obtaining a quorum for voting. The Board member that declares a conflict shall remove themselves from the meeting room in order not to influence the vote with their presence.

A Library Board member must resign from the Library Board when they apply for employment or for a contract with the Library Board or with the Library System.

**ARTICLE X. INTELLECTUAL FREEDOM.**

Public libraries protect the freedoms of expression, speech, and the press without restraint or censorship as guaranteed under the First Amendment to the United States Constitution.

The United Nations upholds intellectual freedom as a basic human right through Article 19 of the Universal Declaration of Human Rights.

The Carbon County Library System holds censorship to be a purely individual matter. The selection of library materials is predicated on the patron's right of free and equal access to information, and freedom from censorship as stated on the Collection Development and Maintenance Policy.

The Carbon County Library System affirms the American Library Association's Library Bill of Rights and Freedom to Read Statement.

**ARTICLE XI. SAVINGS CLAUSE.**

If any article in these bylaws or any portion thereof shall be invalidated on any ground by any court of competent jurisdiction, then the Direction shall nevertheless have the right to act to the full extent permitted by any applicable portion of such Article that shall have been invalidated and act to the full extent permitted by Wyoming law.

Adopted 6/85; amended 4/88; revised 12/90, 11/00, 8/03, 8/04, amended 7/24/06, re-written 5/19/08; revised 6/17, amended 9/17, amended 10/17, amended 10/18, 06/19/24.