

# Library Board Meeting Agenda

## August 30, 2018

Highland City, Council Chambers  
5400 West Civic Center Drive, Highland UT 84003

**7:00 pm – Call to Order:** Roger Dixon, Board Chair

### 1. Public Comment:

### 2. Consent Agenda:

- a. Approval of Minutes from August 2, 2018 – postponed to September meeting
- b. Approval of Board Member Job Description – Roger Dixon

### 3. Reports:

- a. Directors Report – Erin Wells
  - i. New Director Search
  - ii. 10 Year Anniversary Plans
- b. Board Member's Reports
  - i. Outreach Activities – Claudia Stillman
  - ii. Friends of the Library – Wayne Tanaka

### 4. Action/Policy Items:

- a. New Bylaws – Roger Dixon
- b. Revise the Library Board Nomination Process – Roger Dixon

### 5. Discussion Items: (No action will be taken)

- a. Agenda for the Joint Meeting with the City Council – Roger Dixon
- b. LPHS Library Teen Board – Claudia Stillman
- c. How the Board Can Help Grow the Friends Membership – Wayne Tanaka

### 6. Future Agenda Items:

- a. Inter-Library Loan Fees – Kim B

### 7. Future Meetings:

- a. September 27

### 8. Adjournment:

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

#### ELECTRONIC PARTICIPATION

Members of the Library Board may participate electronically via telephone, Skype, or other electronic means during this meeting.

#### CERTIFICATE OF POSTING

I, Cindy Quick, the duly appointed City Recorder certify that the foregoing agenda was posted in three public places within Highland City limits. The agenda was also posted at the principal office of the public body, on the Utah State website (<http://pmn.utah.gov>) and on Highland City's website ([www.highlandcity.org](http://www.highlandcity.org)).

Please note the order of agenda items are subject to change in order to accommodate the needs of the Library Board, staff and public.

Posted and dated this 29th day of August, 2018

Cindy Quick, CMC  
City Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL LIBRARY BOARD MEETINGS

## **Item 2b**

# **Approval of Board Member Job Description**

# Highland City Library

## Job Description Library Board Members<sup>1</sup>

### In general, candidates for the Library Board should be familiar with:

- 1) The Bylaws of the Highland City Library Board,
- 2) The Bylaws of the Highland City Library Foundation,
- 3) The Highland City Library Strategic Ten-Year Plan, 2016-2025, and
- 4) The Memorandum of Agreement between the Highland City Library Board, Highland City Library Foundation, and the Friends of the Highland City Library.

### Candidates should understand that the Library seeks to achieve three broad goals.

- 1) Provide residents with access to information that educates, inspires, and entertains.
- 2) Provide residents with a gathering place that creates a sense of community and enhances the quality of life.
- 3) Work with other committees and groups to enhance the services all provide to the Highland community.

### To implement these goals the Library pursues four strategies:

- 1) Promote lifelong learning in the community;
- 2) Deliver personalized, consistent, high quality service to patrons and protect their privacy;
- 3) Maintain a well-managed community service; and
- 4) Seek to build and maintain a facility that will adequately house the Library and other community functions.

### Specific Responsibilities of Library Board Members:<sup>2</sup>

- 1) Attend all Board meetings; attend Library events as appropriate.
- 2) Review and approve all meeting minutes and reports.
- 3) Understand the bylaws.
- 4) Establish, review, and revise policies that govern the Library.
- 5) Annually review the Library long-range plan and reports from the Library Director.
- 6) Understand local and state laws affecting libraries and ensure Library services conform to Utah statutes.
- 7) Serve on the Library Foundation Board.
- 8) Hold office within the Library Board, the Foundation Board, or both.

### Attributes of candidates:

- 1) A lifelong learner.
- 2) Someone who values building the community of Highland.
- 3) Someone who supports the Library as a community asset.
- 4) An objective critical thinker.
- 5) Someone who will commit the time necessary to improve the Library as a community asset.

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<sup>1</sup> Note. We do not use the term trustee in our Bylaws. We could change that if we wish. In the meantime, we should stick to the term "member" to avoid confusion.

<sup>2</sup> Only the responsibilities listed in the Bylaws of the Library Board are listed here.

# **Item 4a**

## **New Bylaws**

(Second Draft with Comments from  
Erin Wells, Claude Jones and Claudia Stillman)

## Bylaws of the Highland City Public Library Board

Revised August 2018

These Bylaws are based on the statutes of the State of Utah and the Municipal Code of the City of Highland, Utah as they relate to the procedures of Public Library Boards.

The Highland City Public Library Board governs the Highland City Public Library and seeks to provide a versatile community space which evolves with changing technology and social trends to empower unique learning opportunities, literacy, and lifelong education.

### **A. Name of the Board**

The official name shall be the Highland City Public Library Board, hereafter referred to as the Board.

### **B. Library Board Membership**

1. The Board shall consist of 9 members; eight selected from the citizens of Highland and one member from of the City Council. (9-7-402(1)) (Standard #1, Basic Certification Standards)

Claude 1. The Board ###MAY### shall consist of 9 members; eight selected from the citizens of Highland and one member from of the City Council. (9-7-402(1)) (Standard #1, Basic Certification Standards)

####Could not be more opposed to having 9 members. The City and Library are not nearly large enough for 9. More importantly, I have never seen a board of 9 be efficient.. I have seen boards disintegrate into factions, spinning off on time-wasting tangents, forming delusional coalitions, and sometimes 9 permits a member or two to fade into the background. With 7, each of these is either harder or impossible.

The best argument of all is the the numbers 4 through 8 in this document. This is just way too many people ##

2. The term of each Board member shall be for three years. The terms shall be staggered, such that 3 appointments are made each year. (9-7-403(1))

3. Board members shall not serve more than two full terms in succession. (9-7-403(2))

Claude ###What would be the reason for this? That would be 6 years.###

4. The Library Director shall serve as an ex-officio Board member<sup>1</sup> and as Executive Officer of the Board.

5. A representative of the Friends of the Library may serve as an ex-officio member of the Board.

6. A representative of the Youth Council may serve as an ex-officio member of the Board.

1. The Board shall consist of 7 members; eight selected from the citizens of Highland and one member from of the City Council. (9-7-402(1)) (Standard #1, Basic Certification Standards)

<sup>1</sup> An ex-officio member of the Board may give reports, participate in discussion, etc., but may not vote on matters before the Board.

**Commented [EW1]:** I believe that 9 may be too large of a board to have effective discussions.

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2. The term of each Board member shall be for three years and run July 1 – June 30. The terms shall be staggered, such that in year 1, 2 appointments are made, in year 2, appointments are made in year 2, and 3 appointments are made in year 3. (9-7-403(1))

3. Board members shall not serve more than two terms in succession. (9-7-403(2))

4. The Library Director shall serve as an ex-officio Board member<sup>2</sup> and as Executive Officer of the Board.

5. A representative of the Friends of the Library may serve as an ex-officio member of the Board.

6. A representative of the Youth Council, Arts Council, Historical Society, or any other City committee may serve as an ex-officio member of the Board.

7. A representative of the Arts Council may serve as an ex-officio member of the Board.

8. A representative of each of the communities of Alpine and Cedar Hills may also serve as ex-officio members of the Board.

9. Board members are not to be compensated but will be reimbursed for necessary and related expenses incurred on assignment by the Board. (9-7-402(3))

10. Board members are not exempt from late fees, fines, or other Library user fees.

### **C. Process for Naming Board Members**

1. When the need arises to nominate new members of the Board, in the case of expired member terms this shall be done by July 1 of any given year, a notice, asking for volunteers, is placed in the Library section of the City Newsletter asking for volunteers. In the case of expired member terms this shall be done in March and April of any given year. (9-7-403)

1. When the need arises to nominate new members of the Board in the case of expired terms, a notice, asking for volunteers, is placed in the Library section of the City Newsletter. This shall be done in March and April of any given year. (9-7-403)

2. Any volunteers, plus nominees from Board members, or other sources are asked to fill out a City Volunteer Statement of Interest. All statements shall be compiled and distributed to the Board. Applicants who previously filled out Statements of Interest can also be included if they still have an interest in serving on the Board. The Board may submit feedback to the Mayor on applicants. In the case of expired terms, this shall be done at the May meeting of any given year.

The Mayor reviews the applicants and the appropriate number of names are submitted to the City Council for approval. In the case of expired terms, this shall be done in a June City Council meeting.

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<sup>2</sup> An ex-officio member of the Board may give reports, participate in discussion, etc., but may not vote on matters before the Board.

**Commented [EW2]:** Are these board members really any different than the public? (Reports, discussion, but no voting). If they really are partial board members, we should give direction as to how they are selected and what their terms limits are

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6. Unexpired terms on the Board shall be filled in the same manner as the original appointments except that such appointments shall be only for the unexpired term of the departing Board member and shall be done as expeditiously as possible. (9-7-403(5))

7. Nothing in this section alters the Mayor's powers outlined in 4.12.010 Boards, Commissions, and Committees Authorized of the Highland City Municipal Code.

2. Any volunteers plus nominees from Board members and others are discussed in a regular Board meeting and the names of candidates are approved by majority vote. There should be more candidates than openings on the Board. In the case of expired terms this shall be done at the May meeting of any given year.

3. The names of the candidates approved by the Board are contacted by the Board and asked to fill out the City's volunteer forms and submit them to the office of the Mayor. (9-7-403)

4. The candidates are interviewed by the Mayor and the appropriate number of names are submitted to the City Council for approval. In the case of expired terms this shall be done in the first City Council meeting in July.

5. The new Board members are then accepted into the Board at its next meeting. In the case of expired terms this shall be done at the July meeting of the Board.

6. Unexpired terms on the Board shall be filled in the same manner as the original appointments except that such appointments shall be only for the unexpired term of the departing Board member. (9-7-403(5))

**D. Process for Board Member Removal**

1. Board members may be removed for misconduct or neglect of duty by a majority vote of members present at a regular Board meeting. ~~(9-7-403)~~(Current Board Bylaws)

1. With the consent of the Mayor Board members may be removed for misconduct or neglect of duty by a majority vote of members present at a regular Board meeting. (9-7-403)

2. Board members may be removed for misconduct or neglect of duty by the Highland City Council. (9-7-403)

**E. Quorum**

A quorum at any Board meeting shall consist of 5 (5 of 9) Board members. (Appendix C Sample Board Bylaws from the State)

A quorum at any Board meeting shall consist of a majority of the Board members. (Appendix C Sample Board Bylaws from the State) For any Board action to pass, a majority of Board members present must for vote for the action.

Claudia A quorum at any Board meeting ###MAY### shall consist of ##4 (4 of 7)## Board members. (Appendix C Sample Board Bylaws from the State #Could care less what the Stae says)###

#### **F. Library Board Responsibilities**

1. The Board is responsible for the governance of the Library and shall establish policies, rules, and regulations for the Library's operations. (9-7-404(2))

Claudia I noticed that these by-laws do not use the phrase from 9-7-404 #2a underlined below, that "the board shall maintain and care for the library" but also that the city governing body is described in the State Library Code as having the responsibility to "maintain and care for the library", so maybe that is a good move to leave the city with that charge. Maybe it will help the city to feel a greater responsibility to maintain and care for it well?

##### **a. Library Fund. (9-7-404)**

i. All tax money received for the Library shall be deposited in the city treasury to the credit of the Library Fund and may not be used for any purpose except that of the Library. These funds shall be drawn upon by the authorized officers of the city upon presentation of the properly authenticated vouchers of the Library Board. All money collected by the Library shall be deposited to the credit of the Library Fund. (State Code 9-7-404(3))

ii. Within the limits of the amount of Library Fund as provided through the dedicated property tax, the Library Board and the Library Director shall develop a proposed budget and submit it to the City Council for their approval. (9-7-404(1)(a))

iii. Once the Library budget has been determined by the City Council, the Board shall oversee the expenditure of the Library Fund through the Library Director. (9-7-404(1)(a))

i. All tax money received for the Library shall be deposited in the city treasury to the credit of the Library Fund and may not be used for any purpose except that of the Library. These funds shall be drawn upon by the authorized officers of the city. All money collected by the Library shall be deposited to the credit of the Library Fund. (State Code 9-7-404(3))

ii. The Library Director, in consultation with the Library Board shall develop a proposed budget and submit it to the City Council for their approval. (9-7-404(1)(a))

iii. The Library Director shall give regular reports to the Board on the status of the Library budget. (9-7-404(1)(a))

I believe this implies every time the Library Director needs to pay an invoice, it has to go to the Board first.

Claudia 9-7-404. Board powers and duties -- Library fund deposits and disbursements. (1) The library board of directors may, with the approval of the city governing body: (a) have control of the expenditure of the library fund, of construction, lease, or sale of library buildings and land, and of the operation and care of the library; and (b) purchase, lease, or sell land, and purchase, lease, erect, or sell buildings for the benefit of the library. (2) The board shall: (a) maintain and care for the library; (b) establish policies for its operation; and (c) in general, carry out the spirit and intent of the provisions of this part



b. **Library Operations.** (9-7-404, 405)

i. The Board shall establish policies for the operation and use of the Library. (9-7-405)  
(9-7-404(2)(b))

i. The Board shall establish policies for the operation and use of the Library in consultation with the Library Director and City Administration. (9-7-405)

(9-7-404(2)(b))

i.a. If deemed necessary by the Library Director and City Administration, policies will go to the City Council for final approval.

ii. The Library shall be free to the use of the inhabitants of Highland City the city where located, subject to the rules adopted by the Board. (9-7-405(2))

iii. The Board may exclude from the use of the Library any person who willfully violates these rules. (9-7-405(2))

iv. The Board with City Council approval may extend the privileges and use of the Library to persons residing outside of Highland upon terms and conditions it may prescribe by rule. (9-7-405(2))

Commented [EW3]: I have no idea what this means.

Commented [EW4]: What rules?

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c. **Record Keeping and Reporting.** (9-7-406)

i. The Library Director shall keep the records as required by the State Library Board in its request for an annual report from the public libraries.

ii. The Library Director shall prepare an annual report on the condition and operation of the Library, including a financial statement and submit it to the Board for review and approval.

iii. After its review, the Board shall forward the report make ato the City Council.

iv. The Library Director shall submit the annual report to the State Library Board.

v. A copy of the annual report is to be kept on file in the Library.

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iii. After its review, the Board shall forward the report to the City Council.

iv. The Library Director shall submit the annual report to the State Library Board.

v. A copy of the annual report is to be kept on file in the Library.

Commented [EW5]: Given that this is a Library Director's responsibility, do we need it in the Board bylaws?

d. **Personnel.** (Appendix C Sample Board Bylaws from the State)

i. The Board shall, in coordination with the City Administrator, appoint a Library Director to have immediate charge of the Library with those duties and compensation for services that it determines. (Current Bylaws, May 2010)

ii. The Board shall appoint, upon the recommendation of the Library Director and in coordination with the City Administrator, other Library personnel as needed.

iii. The Board shall be consulted by the City Administrator prior to the completion of the annual evaluations of the Library Director and Library staff, The Board may also complete a separate annual performance evaluation for those positions-

i. The Board shall, in coordination with the City Administration, Mayor, and City Council, appoint a Library Director to have immediate charge of the Library.. (Current Bylaws, May 2010)

ii. The Board shall approve of the addition of any new Library positions subject to the recommendation of the Library Director and in coordination with the City Administration.

iii. The Board shall be consulted by the City Administrator prior to the completion the annual evaluations of the Library Director.

**Commented [EW6]:** I do not believe that the Board will have enough interaction with other Library staff to be able to perform performance evaluations.

Claude i. The Board ####MAY### shall , in coordination with the City Administrator, appoint ####APPROVE###a Library Director to have immediate charge of the Library with those duties and compensation for services that it determines. (Current Bylaws, May 2010)

ii. The Board ####MAY### shall ####APPROVE###, upon the recommendation of the Library Director and in coordination with the City Administrator, other Library personnel as needed.

**e. Outreach.**

i. The Board shall conduct outreach activities in conjunction with the Library Director.

Claude i. The Board ####MAY### shall conduct outreach activities in conjunction with the Library Director.

ii. The purpose shall be to extend the reach of library services within the community of Highland and to the communities of Alpine and Cedar Hills.

iii. Monitor the Library's progress in meeting the Certification Renewal Process. (Standards for Utah's Public Libraries)

**e. Certification**

i. The Board shall monitor the Library's progress in meeting the Certification Renewal Process. (Standards for Utah's Public Libraries)

This is one of our standing committees. As we don't define those, I don't think this should be defined as we want each of them to be able to be flexible.

**f. Long-range Planning.** (Standard #3, Basic Certification Standards)

The Board shall develop and maintain a long-range strategic plan and present the updated plan to the City Council each year.

2. Changes to Library policies or any other procedural document may be proposed at any regular meeting of the Board and become effective if duly approved by the Quorum present.

2. Is deleted.

3. Work with the Library Director to ensure that all aspects of the Basic Certification Standards are being met.

4. Each Board member shall attend a minimum of one Library System (or other Library related) workshop, seminar, or meeting during each calendar year or to hold training sessions as a part of regular Board meetings on a quarterly basis. (Standard #5, Basic Certification Standards)

4. Each Board member shall attend a minimum of one Library System (or other Library related) workshop, seminar, or meeting during each calendar year. This requirement may be fulfilled as a part of regular Board meetings. (Standard #5, Basic Certification Standards)

~~5. Members of the Highland City Library Board shall also serve as the Board of the Highland City Library Foundation.~~

**G. Regular Board Meetings.** (Standard #2, Basic Certification Standards, Open Meetings Laws)

1. Regular meetings shall be open to the public and noticed 24 hours in advance.

2. The secretary of the Board works with the City Recorder to:

- a. Ensure that the schedule of regular Board meetings of the Board on the City website.
- b. Post the schedule of regular meetings in the Library.
- c. Ensure that both notices shall have the dates, times, and places of such meetings.

3. The regular meeting of the Board shall be on the fourth Thursday of each month at the Highland City Building at a time selected by the Board. (Appendix C Sample Board Bylaws from the State)

2. The secretary of the Board works with the City Recorder to ensure the Library Board is following all Open Meetings Law Requirements including proper posting of annual meeting schedules, agendas, minutes, audio recordings, etc.

3. The regular meeting of the Board shall be on the fourth Thursday of each month at the Highland City Building at a time selected by the Board. Deviations may occur as a result of holidays or other events. An annual meeting calendar shall be approved at the end of the preceding year to be published on the City website and in any other locations required by Open Meetings Laws. (Appendix C Sample Board Bylaws from the State)

4. The Secretary of the Board shall assemble an agenda for each Board meeting and coordinate the agenda with the Chair and the Library Director.

5. Any Board member wishing to have an item placed on the agenda must contact the Secretary in enough time preceding the meeting to have the item placed.

6. The agenda, relevant notes, and minutes of the previous meeting and /or information packet for the meetings will be distributed electronically to the Board by the Secretary Library Director 48 hours prior to regular meetings.

6. The agenda and information packet for the meetings will be distributed electronically to the Board by the Secretary or appointee at least 48 hours prior to regular meetings.

7. A Board member who is unable to attend a meeting shall notify the Library Director to indicate that he or she will be absent. Since a quorum is required for each meeting, this notice should be placed as far in advance as possible.

#### **H. Special Meetings**

1. Special Board meetings may be held at any time when called by the Chair or Vice Chair, if representing the Chair, or by any three Board members, provided that notice with the agenda of the special meeting is posted on the City website and notice given to Board members given at least 24 hours in advance except in the case of a bona fide emergency.

1. Special Board meetings may be held at any time when called by the Chair or Vice Chair, if representing the Chair, or by any three Board members, provided that notice with the agenda of the special meeting is properly posted and notice given to Board members given at least 24 hours in advance except in the case of a bona fide emergency.

2. No business except that stated in the notice and agenda shall be transacted.

3. Special Board meetings are open to the public.

#### **I. Annual Meeting**

An annual Board meeting shall be held at the time of the ~~in~~-regular April Board meeting to hear the annual reports of the Library Director librarian and Board committees.

Erin asks why April?

#### **J. Officers and Elections**

1. The officers of the Board shall be a Chair, a Vice-Chair, and a Secretary.

- a. These officers shall be elected by a ballot vote for one-year terms at the regular meeting in the month of July. (9-7-403(3))
- b. In the event of a resignation of an officer, an election to fill the unexpired term of that officer will be conducted by a ballot vote at the next regular Board meeting.

2. Chair. The Chair shall:

- a. Preside at all Board meetings and appoint all standing and special committees with the approval of the Board,
- b. Serve as ex-officio member of all committees and perform all other such duties as may be assigned by the Board.
- c. The Chair shall be the only spokesperson for the Board in all official communications of the Board, including disciplinary actions directed at the Library staff. (Appendix C Sample Board Bylaws from the State)

3. Vice Chair. The Vice-Chair, in the absence of the Chair, shall assume all duties of the Chair.

4. Secretary. The Secretary shall:

- a. Prepare the agenda for each meeting in coordination with the Chair and the Library Director.
- b. Take notes at the meetings and send these notes along with the audio recording for the meeting to the City Recorder.

c. Send electronic copies of the agenda, relevant notes, and minutes of the previous meeting to Board members 48 hours prior to any regular meeting of the Board.

c. Send electronic copies of the agenda and information packet, to Board members 48 hours prior to any regular meeting of the Board

**K. Standing Committees** (Appendix C Sample Board Bylaws from the State)

1. The Board shall have six standing committees: Outreach, Long-range Plan, Library Fund, Operations, Records and Reports, and Personnel.

1. The Board may have six standing committees as needed: Outreach, Long-range Plan, Library Fund, Operations, Records and Reports, and Personnel.

2. Each committee should have at least 2 Board members. The primary responsibilities of the committees consist in consulting with the Library Director, supporting the Library Director in carrying out the assigned responsibilities of the committee, and informing the Board of progress and problems in the relevant area of the committee.

3. The members of each committee shall be established by the Board at a regular meeting.

3. The members of each committee shall be established by the Board upon recommendation of the Chair at a regular meeting.

4. The term of office of each committee member shall be one year.

5. Members may be reappointed to the same committee only once in succession.

6. Vacancies shall be filled in the same manner as the original appointment and only for the remainder of the unexpired term.

7. Library staff members may be assigned to the Standing Committees by the Library Director.

7. Library staff members may be assigned to the Standing Committees by the Library Director and will be paid for their service on those committees.

**L. Ad Hoc Committees.**

Ad hoc committees may be appointed by the Chair, with the approval of the Board at a regular meeting, to present reports or recommendations to the Board and shall serve until the completion of the work for which they were appointed. (Appendix C Sample Board Bylaws from the State)

**M. Order of Business**

The following Order of Business shall be followed at regular meetings: • Call to order • Public comments • Introductions • Consent Agenda, including approval of minutes of previous meeting • Reports, as necessary • Action/Policy Items • Discussion Items • Future Agenda Items • Future Agenda Items • Adjournment (Appendix C Sample Board Bylaws from the State)

**N. Parliamentary Procedure**

Robert's Rules of Order, Revised shall govern the parliamentary procedure of the Board. (Appendix C Sample Board Bylaws from the State)

Robert's Rules of Order - Simplified shall govern the parliamentary procedure of the Board. (Appendix C Sample Board Bylaws from the State).

**O. Amendments to the Bylaws**

Amendments to these Bylaws will become effective if and as adopted by a majority those members present in a regular meeting providing they constitute a quorum and are approved by the City Council. (Appendix C Sample Board Bylaws from the State)

Amendments to these Bylaws will become effective if adopted by a majority of those members present in a regular meeting and are subsequently approved by the City Council. (Appendix C Sample Board Bylaws from the State).

**P. Donations**

The Highland City Public Library will have a foundation that allows the Library to accept donations in the Library's name.<sup>3</sup>

Erin would eliminate P. Donations

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<sup>3</sup> The Treasurer of the Highland City Library Foundation shall keep accurate record of donations and other funds of the Foundation and the Friends of the Library.

**Item 4a**  
**New Bylaws**

(Second Draft with Comments from Ed Dennis)

## **Bylaws of the Highland City Public Library Board**

Revised August 2018

These Bylaws are based on the statutes of the State of Utah and the Municipal Code of the City of Highland, Utah as they relate to the procedures of Public Library Boards.

The Highland City Public Library Board governs the Highland City Public Library and seeks to provide a versatile community space which evolves with changing technology and social trends to empower unique learning opportunities, literacy, and lifelong education.

### **A. Name of the Board**

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### **B. Library Board Membership**

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3. Board members shall not serve more than two full terms in succession. (9-7-403(2))

4. The Library Director shall serve as an ex-officio Board member<sup>1</sup> and as the Executive Officer of the Board.

5. A representative of the Friends of the Library may serve as an ex-officio member of the Board.

6. A representative of the Youth Council may serve as an ex-officio member of the Board.

7. A representative of the Arts Council may serve as an ex-officio member of the Board.

8. A representative of each of the communities of Alpine and Cedar Hills may also serve as ex-officio members of the Board.

9. Board members are not to be compensated but will be reimbursed for necessary and related expenses incurred on assignment by the Board. (9-7-402(3))

10. Board members are not exempt from late fees, fines, or other Library user fees.

### **C. Process for Naming Board Members**

1. When the need arises to nominate new members of the Board, the following procedures will be followed:

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<sup>1</sup> An ex-officio member of the Board may give reports, participate in discussion, etc., but may not vote on matters before the Board.



a. ~~in the case of~~Expired member terms - this shall be done within 3 months of the Board vacancy or by no later than July 1 of any given year.

b. New members of the Board – this shall be done by April of any given year (9-7-403) but no later than July 1 of any given year.

c. ~~For any vacancy,~~ a notice, asking for volunteers, will be ~~is~~ placed in the Library section of the City Newsletter asking for volunteers. ~~In the case of expired member terms this shall be done in March and April of any given year. (9-7-403)~~

2. Any volunteer applications, ~~plus~~ nominees from current Board members and others will be ~~are~~ discussed in a regular Board meeting and the names of candidates will be ~~are~~ approved by majority vote. There should be at least two more candidates ~~than for each~~ openings on the Board. ~~In the case of expired terms this shall be done at the May meeting of any given year.~~

3. The names of the candidate(s) ~~approved-nominated~~ by the Board will be ~~are~~ contacted by the Board Chair and asked to ~~fill out~~ complete the City's volunteer application forms and submit them ~~an~~ application(s) to the Board Chair for submission with all other applications approved by the Board to the office of the Mayor. (9-7-403)

4. The candidates are interviewed by the Mayor and the appropriate number of names are submitted to the City Council for approval. ~~In the case of expired terms this shall be done in the first City Council meeting in July.~~

5. The new Board members are then ~~accepted into~~ introduced to the Board at its next meeting. ~~In the case of expired terms this shall be done at the July meeting of the Board.~~

6. Unexpired terms on the Board shall be filled in the same manner as the original appointments except that such appointments shall be only for the unexpired term of the departing Board member. (9-7-403(5))

**D. Process for Board Member Removal**

1. Board members may be removed for misconduct or neglect of duty by a majority vote of members present at a regular Board meeting. (9-7-403)

2. Board members may be removed for misconduct or neglect of duty by the Highland City Council if recommended by a majority vote of the Board. (9-7-403)

**E. Quorum**

A quorum at any Board meeting shall consist of at least 5 (5 of 9) Board members. (Appendix C Sample Board Bylaws from the State)

**F. Library Board Responsibilities**

1. The Board is responsible for the governance of the Library and shall establish policies, rules, and regulations for the Library's operations. (9-7-404(2))

a. **Library Fund.** (9-7-404)

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i. All tax money received for or money collected by the Library shall be deposited in the city treasury to the credit of the Library Fund and may not be used for any purpose except that of the Library. These funds shall be drawn upon by the authorized officers of the city upon presentation of the properly authenticated vouchers of the Library Board. ~~All money collected by the Library shall be deposited to the credit of the Library Fund.~~ (State Code 9-7-404(3))

ii. Within the limits of the amount of the Library Fund as provided through the dedicated property tax and money collected, the Library Board and the Library Director shall develop a proposed budget and submit it to the City Council for their approval no later than April 30<sup>th</sup> of each fiscal year. (9-7-404(1)(a))

iii. Once the Library budget has been ~~determined~~ approved by the City Council, the Board shall oversee the expenditure of the Library Fund ~~through the Library Director.~~ (9-7-404(1)(a))

b. **Library Operations.** (9-7-404, 405)

i. The Board shall establish policies for the operation and use of the Library. (9-7-405) (9-7-404(2)(b))

ii. The Library shall be free ~~to the use of the inhabitants for the residents~~ of Highland City ~~the city where located~~, subject to the rules adopted by the Board. (9-7-405(2))

iii. The Board may exclude from the ~~use of the~~ Library any person who willfully violates ~~these~~ Library rules. (9-7-405(2))

iv. The Board may extend the privileges ~~and to use of~~ the Library to persons residing outside of Highland upon terms and conditions it may prescribe by rule. (9-7-405(2))

c. **Record Keeping and Reporting.** (9-7-406)

i. The Library Director shall keep the records as required by the State Library Board ~~in its request for and complete~~ an annual report ~~from the public libraries for submission to the State.~~

~~ii. The Library Director shall prepare an annual report on the condition and operation of the Library, including a financial statement and submit it to the Board for review and approval.~~

iii. ~~After its review,~~ The Board shall review and approve the annual report prior to its submission to the State and forward a copy the report make ato the City Council.

~~iv. The Library Director shall submit the annual report to the State Library Board.~~

~~iii.~~ A copy of the annual report ~~is to will~~ be kept on file in the Library.

d. **Personnel.** (Appendix C Sample Board Bylaws from the State)

i. The Board shall, in coordination with the City Administrator, appoint a Library Director to have immediate charge of the Library with those duties and compensation for services that it determines. (Current Bylaws, May 2010)

ii. The Board shall appoint, upon the recommendation of the Library Director and in coordination with the City Administrator, other Library personnel as needed.

iii. The Board shall be consulted by the City Administrator prior to ~~the completion of~~ the annual evaluations of the Library Director ~~and or any member of the~~ Library staff. The Board may also complete a separate annual performance evaluation for ~~these positions, the Library Director and coordinate the report with the City Administrator prior to completing the~~ evaluation.

e. **Outreach.**

i. The Board shall conduct outreach activities in conjunction with the Library Director.

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ii. The purpose shall be to extend the reach of library services within ~~the community of Highland City~~ and to the communities of Alpine and Cedar Hills.

iii. ~~The Board shall~~ monitor and ensure the Library's progress in meeting the Certification Renewal Process. (Standards for Utah's Public Libraries)

f. **Long-range Strategic Planning.** (Standard #3, Basic Certification Standards)

The Board shall develop and maintain a ~~Long-range Strategic Plan and Changes to the Long-range Plan shall be~~ presented ~~the updated plan~~ to the City Council ~~each year for approval.~~

2. Changes to Library policies or any other procedural document may be proposed at any regular meeting of the Board and become effective if duly approved by the majority of the Quorum present.

~~3. Work with the Library Director to ensure that all aspects of the Basic Certification Standards are being met.~~

4. Each Board member shall attend a minimum of one Library System (or other Library related) workshop, seminar, ~~or meeting, or internal training session during~~ each calendar year, ~~or to hold training sessions as a part of regular Board meetings on a quarterly basis.~~ (Standard #5, Basic Certification Standards)

5. Members of the Highland City Library Board shall also serve as ~~the members of the Board for~~ of the Highland City Library Foundation.

**G. Regular Board Meetings.** (Standard #2, Basic Certification Standards, Open Meetings Laws)

1. Regular meetings shall be open to the public and noticed at least 24 hours in advance.

2. The ~~s~~Secretary of the Board works with the City Recorder to:

a. Ensure that the schedule of regular Board meetings of the Board are posted on the City website.

~~b. Post the schedule of regular meetings in the Library.~~

be. Ensure that both each public notices shall have the dates, times, and places of each such meetings.

3. The regular meeting of the Board shall be on the fourth Thursday of each month at the Highland City Building at a time selected by the Board. (Appendix C Sample Board Bylaws from the State)

4. The Secretary of the Board shall assemble an agenda for each Board meeting and coordinate the agenda with the Chair and the Library Director.

5. Any Board member wishing to have an item placed on the agenda must contact the Secretary ~~in~~ enough time at least 5 days prior to preceding the meeting ~~to have the item placed.~~

6. The agenda, relevant notes and information, and minutes of the previous meeting ~~and/or information packet for the meetings will shall~~ be distributed electronically to the Board by the Secretary ~~of the Board Library Director 48 hours~~ 3 days prior to ~~the regular~~ meetings.

7. A Board member who is unable to attend a meeting shall notify the ~~Board Chair Library Director~~ to indicate that he or she will be absent as early as possible so the Chair can determine if ~~Since a~~

quorum ~~is required for each meeting, this notice should be placed as far in advance as possible will be present for the meeting.~~

#### H. **Special Meetings**

1. Special Board meetings may be held at any time when called by the Chair or Vice Chair, if representing the Chair, or by any three Board members, ~~provided that notice with the agenda of the special meeting is posted on the City website and notice given to Board members given at least 24 hours in advance if properly noticed~~ except in the case of a bona fide emergency.

2. ~~Only No~~ business ~~properly except that stated in the notice~~ and agenda shall be ~~transacted actionable~~.

3. Special Board meetings are open to the public.

#### I. **Annual Meeting**

An ~~Annual~~ Board meeting shall be held ~~at the time of the in regular April during the November~~ Board meeting to ~~hear review and approve~~ the annual reports of the ~~Library prepared by the~~ Library Director ~~librarian and Board committees~~.

#### J. **Officers and Elections**

1. The officers of the Board shall ~~be include~~ a Chair, ~~a~~ Vice-Chair, and ~~a~~ Secretary.

a. These officers shall be elected ~~by a ballot vote for a~~ one-year terms at the regular meeting in ~~the month of~~ July. (9-7-403(3))

b. In the event of a resignation of an officer, ~~an election to fill the unexpired term of that officer will be conducted by a ballot vote the Board will elect a new applicable officer~~ at the next regular Board meeting.

2. ~~Chair~~-The Chair shall:

a. Preside at all Board meetings and appoint all standing and special committees with the approval of the Board,

b. Serve as ex-officio member of all committees and perform all other such duties as may be ~~assigned established~~ by the Board.

c. The Chair shall ~~represent the position of the majority of the Board as be the only~~ spokesperson for the Board in all official communications of the Board, including disciplinary actions directed at the Library staff. (Appendix C Sample Board Bylaws from the State)

3. ~~Vice Chair~~. The Vice-Chair, in the absence of the Chair, shall assume all duties of the Chair.

4. ~~Secretary~~-The Secretary shall:

a. Prepare the agenda for each meeting in coordination with the Chair and the Library Director.

b. Take notes at the meetings and send these notes along with the audio recording for the meeting to the City Recorder.

c. Send electronic copies of the agenda, relevant notes ~~and information~~, and minutes of the previous meeting to ~~the~~ Board members ~~at least 3 days 48 hours~~ prior to any regular meeting of the Board.

#### K. **Standing Committees** (Appendix C Sample Board Bylaws from the State)

1. The Board shall have six standing committees, including: Outreach, Long-range Strategic Plan, Library Fund, Operations, Records and Reports, and Personnel.

2. Each committee ~~should will~~ have at least 2 Board members. The primary responsibilities of the committees ~~consist in include~~ consulting with and supporting the Library Director, supporting the Library Director in carrying out the assigned responsibilities of the committee, and informing reporting to the Board ~~of~~ progress and problems ~~in the relevant area of associated with~~ the committee's purpose.

3. The members of each committee shall be ~~established determined~~ by the Board during at a regular meeting.

4. The term of office ~~of for~~ each committee member shall be one year.

5. Members may be reappointed to the same committee, ~~only once in succession~~.

6. Vacancies shall be filled in the same manner as the original appointment, ~~and only for the remainder of the unexpired term~~.

7. Library staff members may be assigned to the Standing Committees as recommended by the Library Director ~~and approved by the Board~~.

#### **L. Ad Hoc Committees.**

Ad hoc committees may be ~~appointed created~~ by the Chair, with the approval of the Board at it's next a regular meeting, to present reports or recommendations to the Board and shall serve until the completion of the work for which they were appointed. (Appendix C Sample Board Bylaws from the State)

#### **M. Order of Business**

The following Order of Business shall be followed at regular meetings: • Call to order • Public comments • Introductions • Consent Items, including approval of minutes of previous meeting • Reports, as necessary • Unfinished business • Action Items • New business • Future Business • Announcements • Adjournment (Appendix C Sample Board Bylaws from the State)

#### **N. Parliamentary Procedure**

Robert's Rules of Order, Revised, shall govern the parliamentary procedures of the Board. (Appendix C Sample Board Bylaws from the State)

#### **O. Amendments to the Bylaws**

Amendments to these Bylaws ~~will shall~~ become effective after being if and as adopted by a majority ~~those members present vote of the Board during in~~ a regular Board meeting providing they constitute a quorum and are approved by the City Council. (Appendix C Sample Board Bylaws from the State)

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**P. Donations**

The Highland City Public Library will have a foundation that allows the Library to accept donations in the Library's name of the Highland City Library Foundation.<sup>2</sup> The Treasurer of the Highland City Library Foundation shall keep accurate records of all donations and expenditures of the Foundation.

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<sup>2</sup> The Treasurer of the Highland City Library Foundation shall keep accurate record of donations and other funds of the Foundation and the Friends of the Library.

# **Item 4a**

## **New Bylaws**

(Sample Library Board Bylaws from the State)

## APPENDIX C – SAMPLE LIBRARY BOARD BYLAWS

Bylaws of the XYZ Public Library These rules are supplementary to the provisions of the statutes of the State of \_\_\_\_ as they relate to the procedures of Boards of Library Trustees.

**Regular Meetings.** The regular meeting of the Board of Library Trustees of the XYZ Public Library shall be on the \_\_\_\_ (insert text such as first Monday) of each month. The meeting shall be at the library at \_\_\_\_ o'clock. The meetings shall be open to the public and noticed in advance. At the beginning of each fiscal year, the board shall, by ordinance, specify regular meeting dates and times. The secretary of the board shall then (1) provide for the local newspaper the schedule of regular meetings of the board for the ensuing fiscal year, and (2) post the schedule of meetings in the library. Both notices shall have the dates, times, and places of such meetings.

**Special Meetings.** Special meetings shall be held at any time when called by the president or secretary or by any three trustees of the board, provided that notice with the agenda of the special meeting is given at least 48 hours in advance, except in the case of a bona fide emergency, to board members and to any new medium which has filed an annual request for notice under the Open Meetings Act; no business except that stated in the notice and agenda shall be transacted. Notice and agenda shall be posted 48 hours in advance on the front door of the library except in the case of a bona fide emergency.

**Annual Meeting.** An annual meeting shall be held in \_\_\_\_ (insert month) for the purpose of hearing the annual reports of the librarian and committees. The report should include a summary of the year's work with detailed account of the receipts and expenditures, a budget for the following year, and other information according to statute. A copy of this report shall be forwarded to the Illinois State Library in accordance with the law. A copy should also be on file in the library.

**Quorum.** A quorum at any meeting shall consist of \_\_\_\_ (insert number) Board members.

**Board of Library Trustees.** The Board of Library Trustees of the XYZ Public Library is charged with the responsibility of the governance of the library. The Board will hire a skilled Library Director who will be responsible for the day-to-day operations of the library. The Board will meet at least once per month. These meetings will be open to the public, and noticed in advance.

The agenda and/or information packet for the meetings will be distributed to the Board by the Library Director one week prior to meetings. Any Board member wishing to have an item placed on the agenda will call the Library Director in sufficient time preceding the meeting to have the item placed. Any Board member who is unable to attend a meeting will call the library to indicate that he or she will be absent. Due to the fact that a quorum is required for each meeting, this phone call should be placed as far in advance as possible.

Board members are not to be compensated pursuant to statute, but will be reimbursed for necessary and related expenses as trustees. To be effective, Board members must attend most meetings, read materials presented for review, and attend an occasional Library System (or other



library related) workshop, seminar, or meeting. The Library Director will make the dates of these workshops known to the Board in a timely manner.

It is the goal of the Board of Library Trustees to have each member attend a minimum of one Library System (or other library related) workshop, seminar, or meeting during each calendar year. Board members using their own vehicle will be reimbursed at the rate allowed by the IRS for travel to and from any Library System (or other library related) workshop, seminar, or meeting. Board members are not exempt from late fees, fines, or other user fees.

Officers and Elections. The officers of the Board shall be a president, a vice-president, a secretary, and a treasurer. Those officers shall be elected by a ballot vote for \_\_\_\_ (insert number) year terms at the regular meeting in the month of \_\_\_\_\_. The president shall not serve more than two consecutive terms unless by unanimous board consent. In the event of a resignation from an office, an election to fill the unexpired term of that office will be conducted by a ballot vote at the next regular meeting.

President. The president shall preside at all board meetings, appoint all standing and special committees, serve as ex-officio member of all committees, and perform all other such duties as may be assigned by the board. The president shall be the only spokesperson for the Board of Library Trustees in all advisory or disciplinary action directed to the staff.

Vice President. The vice-president, in the absence of the president, shall assume all duties of the president.

Secretary. The secretary shall keep minutes of all board meetings, record attendance, record a roll call on all votes (except when a ballot vote is taken). The secretary shall perform all other such clerical duties as may be assigned by the board.

Treasurer. The treasurer is authorized by the Board to sign checks, shall serve on the finance committee, and shall draw up checks. The treasurer shall keep all financial records of the Board. The normal depository of all financial records shall be the library. The treasurer shall have charge of the library funds and income, sign all the checks on the authorization of the board, and report at each meeting the state of the funds. In the absence of the treasurer or when he or she is unable to serve, the president or vice-president may perform the duties of the treasurer. The treasurer shall be bonded in the amount to be approved by the board and according to statute requirement. The treasurer is authorized to pay salaries and insurance bills as they come due.

Standing and Special Committees. The standing committees shall be appointed annually in the month of \_\_\_\_\_ and shall consist of three members including the Library Director. The standing committees at their first meeting shall elect a chairperson. Special committees may be appointed by the president to present reports or recommendations to the Board and shall serve until the completion of the work for which they were appointed. The standing committees shall be the finance committee, the personnel committee, the policy committee, and the building and grounds committee. The library shall be the depository of all committee reports.

Finance Committee. The Finance Committee shall be comprised of two members of the Library Board of Library Trustees including the Treasurer and the Library Director. The Finance Committee's responsibilities include, but are not limited to, drafting a preliminary Budget or Budget and Appropriations Ordinance for full board approval, drafting a Levy for full board approval, drafting a working budget for full board approval, monitoring library investments, and implementing the library's investment policy.

Personnel Committee. The Personnel Committee shall be comprised of two members of the Library Board of Library Trustees including the President and the Library Director. The Personnel Committee's responsibilities include, but are not limited to, preparation of the annual review of the Library Director for discussion among the full board prior to the formal review, assisting the Library Director in the preparation of his or her annual statement of goals and objectives for the coming year, and assuming a leadership role in the resolution of any personnel conflict which cannot be resolved by the Library Director. The Library Director is responsible for the annual review of all other library employees.

Policy Committee. The Policy Committee shall be comprised of two members of the Library Board of Library Trustees and the Library Director. The primary responsibility of the Policy Committee is to develop the Library Policy.

The committee shall determine the library regulations governing the use of the Library and review sections of existing policy in a systematic fashion to insure that all policy is reviewed at an interval not to exceed three years. As a result of such policy reviews, the Policy Committee will make recommendations regarding additions or changes to existing policy as well as deleting policies which are no longer appropriate or of value. The entire library Policy must be approved by Board vote and made readily available to the public.

Building and Grounds Committee. The Building and Grounds Committee shall be comprised of two members of the Library Board of Library Trustees and the Library Director. The Building and Grounds Committee's responsibilities include, but are not limited to, conducting an annual inspection of the library's physical facility to identify areas which are in need of repair, and making recommendations to the full board regarding any and all repairs which are deemed necessary either as a result of the annual inspection or throughout the year as the need arises.

Librarian Search Committee. When the position of librarian falls vacant, the Board shall immediately select an acting librarian for the interim and establish a Librarian Search Committee, which shall consist of the President and two members elected from the Board. Applications for the position of librarian shall be filed at the library and available to all Board members. The Search Committee shall report the results of applications and interviews to the Board. Five votes shall be required for the Board to hire a Librarian, after which the Search Committee is dissolved.

Order of Business. The following Order of Business shall be followed at regular meetings: • Call to order • Roll call and introductions • Approval of minutes of previous meeting • Reports: These will vary throughout the year. • Unfinished business • Action Items • New business • Announcements • Adjournment

Parliamentary Procedure. Robert's Rules of Order, Revised shall govern the parliamentary procedure of the Board, unless otherwise specified in the Bylaws.

Amendments. Amendments to these Bylaws, the Library Policy, or any other policy or procedural document may be proposed at any regular meeting of the Board and will become effective if and as adopted by a majority of those members present providing they represent a quorum.

**Item 4a**  
**New Bylaws**

(State Library Code)

## Part 4 City Libraries

### ***Superseded 1/1/2019***

#### **9-7-401 Tax for establishment and maintenance of public library -- City library fund.**

- (1) A city governing body may establish and maintain a public library.
- (2) For this purpose, cities may levy annually a tax not to exceed .001 of taxable value of taxable property in the city. The tax is in addition to all taxes levied by cities and is not limited by the levy limitation imposed on cities by law. However, if bonds are issued for purchasing a site, or constructing or furnishing a building, then taxes sufficient for the payment of the bonds and any interest may be levied.
- (3) The taxes described in Subsection (2) shall:
  - (a) be levied and collected in the same manner as other general taxes of the city; and
  - (b) constitute a fund to be known as the city library fund.
- (4) The city library fund shall receive a portion of:
  - (a) the uniform fee imposed by Section 59-2-404 in accordance with the procedures established in Section 59-2-404;
  - (b) the statewide uniform fee imposed by Section 59-2-405 in accordance with the procedures established in Section 59-2-405;
  - (c) the statewide uniform fee imposed by Section 59-2-405.1 in accordance with the procedures established in Section 59-2-405.1;
  - (d) the uniform statewide fee imposed by Section 59-2-405.2 in accordance with the procedures established in Section 59-2-405.2; and
  - (e) the uniform statewide fee imposed by Section 59-2-405.3 in accordance with the procedures established in Section 59-2-405.3.

Amended by Chapter 217, 2005 General Session

Amended by Chapter 244, 2005 General Session

### ***Effective 1/1/2019***

#### **9-7-401 Tax for establishment and maintenance of public library -- City library fund.**

- (1) A city governing body may establish and maintain a public library.
- (2) For this purpose, cities may levy annually a tax not to exceed .001 of taxable value of taxable property in the city. The tax is in addition to all taxes levied by cities and is not limited by the levy limitation imposed on cities by law. However, if bonds are issued for purchasing a site, or constructing or furnishing a building, then taxes sufficient for the payment of the bonds and any interest may be levied.
- (3) The taxes described in Subsection (2) shall:
  - (a) be levied and collected in the same manner as other general taxes of the city; and
  - (b) constitute a fund to be known as the city library fund.
- (4) The city library fund shall receive a portion of:
  - (a) the statewide uniform fee imposed by Section 59-2-405 in accordance with the procedures established in Section 59-2-405;
  - (b) the statewide uniform fee imposed by Section 59-2-405.1 in accordance with the procedures established in Section 59-2-405.1;
  - (c) the uniform statewide fee imposed by Section 59-2-405.2 in accordance with the procedures established in Section 59-2-405.2;

- (d) the uniform statewide fee imposed by Section 59-2-405.3 in accordance with the procedures established in Section 59-2-405.3; and
- (e) the uniform fee imposed by Section 72-10-110.5 in accordance with the procedures established in Section 72-10-110.5.

Amended by Chapter 436, 2018 General Session

**9-7-402 Library board of directors -- Expenses.**

- (1) When the city governing body decides to establish and maintain a city public library under the provisions of this part, it shall appoint a library board of directors of not less than five members and not more than nine members, chosen from the citizens of the city and based upon their fitness for the office.
- (2) Only one member of the city governing body may be, at any one time, a member of the board.
- (3) Each director shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds.

Renumbered and Amended by Chapter 241, 1992 General Session

**9-7-403 Library board terms -- Officers -- Removal -- Vacancies.**

- (1) Each director shall be appointed for a three-year term, or until the successor to that director is appointed. Initially, appointments shall be made for one-, two-, and three-year terms. Annually thereafter, the city governing body shall, before the first day of July of each year, appoint for a three-year term directors to take the place of the retiring directors.
- (2) Directors shall serve not more than two consecutive full terms.
- (3) The directors shall annually select a chairman and other officers.
- (4) The city governing body may remove any director for misconduct or neglect of duty.
- (5) Vacancies in the board of directors shall be filled for the unexpired term in the same manner as original appointments.

Amended by Chapter 10, 1997 General Session

**9-7-404 Board powers and duties -- Library fund deposits and disbursements.**

- (1) The library board of directors may, with the approval of the city governing body:
  - (a) have control of the expenditure of the library fund, of construction, lease, or sale of library buildings and land, and of the operation and care of the library; and
  - (b) purchase, lease, or sell land, and purchase, lease, erect, or sell buildings for the benefit of the library.
- (2) The board shall:
  - (a) maintain and care for the library;
  - (b) establish policies for its operation; and
  - (c) in general, carry out the spirit and intent of the provisions of this part.
- (3) All tax money received for the library shall be deposited in the city treasury to the credit of the library fund, and may not be used for any purpose except that of the city library. These funds shall be drawn upon by the authorized officers of the city upon presentation of the properly authenticated vouchers of the library board. All money collected by the library shall be deposited to the credit of the library fund.

Renumbered and Amended by Chapter 241, 1992 General Session

**9-7-405 Rules -- Use of library.**

- (1) The library board of directors shall make, amend, and repeal rules, not inconsistent with law, for the governing of the library.
- (2) Each library established under this part shall be free to the use of the inhabitants of the city where located, subject to the rules adopted by the board. The board may exclude from the use of the library any person who willfully violates these rules. The board may extend the privileges and use of the library to persons residing outside of the city upon terms and conditions it may prescribe by rule.

Amended by Chapter 48, 2005 General Session

**9-7-406 Reports to governing body and State Library Board.**

The library board of directors shall:

- (1) make an annual report to the city governing body on the condition and operation of the library, including a financial statement; and
- (2) provide for the keeping of records required by the State Library Board in its request for an annual report from the public libraries, and submit that annual report to the State Library Board.

Renumbered and Amended by Chapter 241, 1992 General Session

**9-7-407 Librarian and other personnel.**

- (1) The library board of directors shall appoint a competent person as librarian to have immediate charge of the library with those duties and compensation for services that it determines. The librarian shall act as the executive officer for the library board.
- (2) The board shall appoint, upon the recommendation of the librarian, other personnel as needed.

Renumbered and Amended by Chapter 241, 1992 General Session

**9-7-408 Donations of money or property.**

Any person desiring to make donations of money, personal property, or real estate for the benefit of any library shall have the right to vest the title to the money, personal property, or real estate in the board of directors. The donation shall be held and controlled by the board, when accepted, according to the terms of the deed, gift, devise, or bequest of the property, and the board shall be held and considered to be trustees of the property.

Renumbered and Amended by Chapter 241, 1992 General Session

**9-7-409 Entities may cooperate, merge, or consolidate in providing library services.**

Boards of directors of city libraries, boards of directors of county libraries, boards of education, governing boards of other educational institutions, library agencies, and local political subdivisions may cooperate, merge, or consolidate in providing library services.

Renumbered and Amended by Chapter 241, 1992 General Session

**9-7-410 Consolidation with county library.**

- (1) If a city library consolidates with a county library, the city library board of directors shall convey all assets and, except as provided in Subsection (2), trust funds to the county library board of directors, and the city library shall cease operation.
- (2) If a conveyance of trust funds under Subsection (1) would constitute a violation of the trust agreement governing the trust funds, conveyance of those funds is not required, and those funds may continue to be used in accordance with the trust agreement for any library facility specified in the trust agreement, even after the facility becomes a county library facility because of consolidation.

Amended by Chapter 46, 2005 General Session



**Item 4a**  
**New Bylaws**

(Municipal Code)

#### **4.12.060 Library Board**

1. A library board is created, pursuant to Utah Code Annotated Sections 9-7-401 through 9-7-410, consisting from five to nine citizens, one of whom shall be a Council Member. The size of the board may fluctuate based on the needs of the library. The size of the board shall be determined by the City Council after receiving a recommendation from the library board.
2. The library board shall make recommendations concerning use of the library, the amount of fines and fees, and the operation and care of the library. The board may make rules and regulations concerning day to day use of the library and materials to be made available, which do not need specific council approval, but are consistent with the policies made by the council.
3. The term of each board member shall be for three years, which terms are staggered, such that two or three appointments are available each year. Board members shall not serve more than two full terms in succession.
4. Any vacancy occurring for a seat in which the term has not expired on the board shall be for the unexpired term of the departing board member.

HMC (Ord. No. 2011-07, § 1, 2-15-2011)

#### HISTORY

*Amended by Ord. [O-2018-11](#) on 8/7/2018*