

**By-Laws
of the
Pender County Public Library Advisory Board**

The Advisory Board of the Pender County Public Library exists by virtue of the provision of North Carolina General Statute 153A-265 through 153A-266 and exercises the powers, authority, and responsibilities delegated to it by the Pender County Board of County Commissioners. This board performs the duties of an advisory board as outlined herein and has no legal responsibilities other than those granted by the County Commissioners. In general, an advisory board acts as a liaison between the library, local government, and the community.

Composition, Appointment, Term, Removal

The advisory board shall be composed of appointees, one from each commissioner's district. The Board of Commissioners of Pender County shall appoint and reappoint members as vacancies occur. Term length and reappointment policy will be set by the commissioners. The board of commissioners may remove an advisory board member at any time for incapacity, unfitness, misconduct or neglect of duty (GS 153A-265).

Board Powers and Duties

The county board of commissioners reserves the responsibilities of the supervision and care of library facilities, appointments of employees, and budget development for itself as delegated through the county manager.

The Advisory Board duties are:

- 1) To serve as a liaison to library management and the county commissioners on behalf of the community in support of the development and improvement of library services.
- 2) To formulate and adopt policies for the library. If a desired policy is in conflict with Pender County policy, they shall carry a recommendation to the commissioners on behalf of the library for such an exception.
- 3) To make recommendations to the governing body concerning the construction and improvements of library buildings.
- 4) To serve as the final authority in re-determination of the availability of library materials (i.e. censorship requests).
- 5) To establish, a schedule of fines and charges for the late return, failure to return, damage to, or loss of library materials; to take other measures to protect and regulate the use of such materials.
- 6) To participate in the long range planning of the library.
- 7) To review and advise regarding the annual budget preparation of the library, and to advocate to the county commissioners, and/or legislature, for ample funding.
- 8) To otherwise advise the board of commissioners on library matters.

Library Director

The library director shall be appointed under the authority of the county manager and responsible for the supervision and management of all units of the library system under his/her direction or designee. The library director shall be responsible for the employment and direction of the staff, formulation of programs, library services to the public, and for the operation of the libraries within the financial conditions set forth in the annual budget. The trustees operate in an advisory capacity, and empower the director to manage the day-to-day operation of the library.

Officers

Officers of the advisory board chosen for a one year term at the first meeting each year shall be the chairman and vice-chairman. The chairman of the board shall preside at all meetings, appoint all committees, authorize calls for special meetings and generally perform the duties of a presiding officer. In the absence of the chairman, the vice-chairman shall serve, or the members may select a temporary chairman for the meeting.

The secretary of the board shall be the library director (but without voting privileges), or a staff designee, who shall prepare meeting agendas, shall keep a true and accurate account of all proceedings of board meetings; shall issue notices of all regular meetings and, on the authorization of the chairman, issue the call for special meetings; The secretary shall maintain in the library director's office the minutes and other records of the board; and shall notify the county manager's office of any vacancies on the board .

Meetings

General: The board shall schedule regular quarterly meetings, at a regular time and date agreeable to members of the board. Special meetings may be called by the chairman, or on the written request of two members, for the transaction of business stated in the call for the meeting. A quorum of the board shall consist of a simple majority of the board. Proceedings of all members shall be governed by Robert's Rules of Order. All meetings of the board will be governed by the North Carolina Open Meetings Law (NCGS 143-318.9 to 143-318.18).

Placing an Item on the Agenda: Any party may submit a written request through the library director to place a matter on the agenda of the advisory board. This written request must include the topic, purpose, and necessary background information to understand the issue and what action they wish the library advisory board to take, if any. This written request must be received by the library director no later than fourteen (14) calendar days before the next regularly scheduled library board meeting in order for it to be placed on the meeting agenda.

Appeals: Appeals of decisions or interpretations from the library of policies established by the advisory board will follow the following process: After submitting a written complaint about a policy formulated by the advisory board to the library director, followed by a written reply from the library director, a party may appeal the decision of the library director to the library advisory board following the procedures outline above.

Library staff may not appeal decisions of the library director to the board of trustees, but must follow the Pender County Personnel grievance policies and procedures detailed in the Pender County Personnel Policy.

Absences: The attendance of board members shall be recorded in the minutes. If a board member is absent for more than two consecutive meetings, a recommendation for replacement may be forwarded to the county manager for replacement upon a vote of the majority of board members present in a meeting.

Amendments

Subject to approval by the board of commissioners, by-laws may be amended at any regular meeting of the library board with a quorum present by a majority vote of the members present provided the amendment was stated in the call for the meeting.

Adopted by the Pender County Board of County Commissioners
February 5, 2007