

**SAN JUAN COUNTY UTAH
RESOLUTION NO 2023- ____**

A RESOLUTION UPDATING THE SAN JUAN COUNTY LIBRARY SYSTEM BOARD OF DIRECTOR BYLAWS

WHEREAS, on August 11, 2003, the Board of San Juan County Commissioners adopted Ordinance 2003-01 Establishing the San Juan County Library Board of Directors which ordinance grants certain responsibilities to the San Juan County Library Board of Directors and established certain policies and procedures; and

WHEREAS, with periodic changes in Utah Code and the changes to include requirements for Board of Directors and representative areas needed to be adjusted and included in an update; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of San Juan County Commissioners **PASSED, ADOPTED, AND APPROVED** this Resolution adopting the bylaws as follows:

ARTICLE I

Name

The name of this organization shall be referred to as the San Juan County Library Board of Directors (“Board”). Authorized by Utah Code Annotated § 9-7-502 allowing Counties to exercise the powers and authority and assuming the responsibilities delegated to it under said Statute to establish a Library Board of Directors. Whereas, the Board of Directors exists also by virtue of the provisions of County Ordinance 2003-01 adopted on August 11, 2003 by the Board of San Juan County Commissioners which ordinance grants certain responsibilities to the San Juan County Library Board of Directors and established certain policies and procedures for the exercise thereof.

ARTICLE II

Library Board of Directors

The Board shall consist of not less than five (5) and not more than nine (9) voting members (“Directors”) chosen from residents of San Juan County and based upon their fitness for the office.

- At least one (1) representative from Monticello
- At least one (1) representative from Blanding,
- One (1) representative from the Board of County Commissioners (“County Executive
- Up to six (6) representatives shall be from any community within San Juan County.

All Board Members shall be registered voters of Utah and can be appointed/removed for misconduct or neglect of duty, by the County Executive with the advice and consent of the Board of County Commissioners. No employee of the Library is eligible to serve as a Board of

Director. Neglect of duty shall also include lack of attendance at Board Meetings and being absent for three consecutive meetings a year.

ARTICLE III **Term of Service**

Board Members shall be appointed to serve for four (4) year terms (beginning on the date of appointment) or until their successors are appointed and shall not serve more than two (2) consecutive full terms. Terms of the Board of Directors shall be staggered so that approximately one-quarter of the Board is appointed each year. Vacancies created by resignation, death, removal, or otherwise shall be filled for the duration of the unexpired term in the same manner as the original appointment. Each Director may serve without compensation, but the actual and necessary expenses incurred in the performance of the Board of Directors official duties may be paid from library funds.

ARTICLE IV **Officers**

The Board shall elect a Chair, Vice-Chair, and Secretary annually in January from among the appointed voting Board of Directors after nominations are made by voting members.

The County Treasurer shall have legal custody of all library fees/fines and other funds collected or received by the library and taxes and fees collected by the County and shall act as Treasurer of such funds but shall not be a member of the Board.

Officers shall serve a term of one (1) year from the meeting at which they were elected. There are no limits to the number of times a member may serve in a particular office. The Chair shall preside at all meetings of the Board, authorize calls and issue notice for any special meetings (giving 24 hours prior notice to public/Board Members), appoint all committees - serve as an ex-officio voting member of all committees, appoint ad hoc committees for the study and/or investigation of library matters, execute all documents authorized by the Board, arrange an officer (i.e. Secretary) to take minutes and maintain official records of Board actions, and generally perform all duties associated with that office. The Vice-Chair, in the event of the absence, resignation, or disability of the Chair shall assume and perform the duties and functions of the Chair. The Secretary shall keep a true and accurate record of all meetings of the Board. Records of all Board meetings shall be kept, managed, classified, and disclosed as required by County ordinance and State law, including, but not limited to the Government Records Access and Management Act. The Secretary shall provide meeting minutes to each Director prior to subsequent meeting. In the absence of the Secretary, a Board member shall be appointed to fill the Secretary's post. All other Board members shall perform such other duties as assigned by the Chair.

ARTICLE V **Meetings**

The Board shall schedule regular meetings as it deems necessary and appropriate to conduct its business, shall have no fewer than four (4) regular meetings during a calendar year (i.e. January, March, May, July, September, and October). The meeting dates, time, and location shall be set by the Board annually and the public given notice in January. No meeting shall be scheduled in December. Meetings shall comply with all the requirements of State law including, but not limited to, the Utah Open and Public Meetings Act (§ 52-4-201). Electronic notice/agenda of each meeting shall be given to each voting member not less than two days prior to the meeting, any person wishing to include an item on the agenda must do so before this time by contacting the Chair. Board Members shall attend Board meetings unless duly excused. Any Board Members desiring to be excused shall notify Board and/or Library Director prior to the meeting that will be missed. The Chair shall recommend the replacement of any Board Member with consecutive unexcused absences. No member of the Board shall be permitted to vote on any action unless the member shall be present in person, via telephone/computer video connection when the vote is taken and when the result is announced. No member shall grant a proxy vote to any other member. The order of business for meetings shall include, but not be limited to, the following items:

1. Call to Order and Roll Call
2. Approval of Minutes from prior meeting
3. Public Comment
4. Old/New Business requiring discussion/action
5. Library Director/Librarians Report
6. Library Chair Report
7. Other Business
8. Agenda items for next meeting
9. Adjourn

A quorum for the transaction of any business action at any meeting shall consist of a majority of the Board of Directors present in person, via telephone/computer video connection. An affirmative vote of a majority of the members present shall be necessary to approve any action before the Board. The Chair may vote upon and may move or second a proposal before the Board. Conduct of meetings will utilize a similar parliamentary procedure as the Robert's Rules of Order, latest edition, as a guideline for procedural matters.

ARTICLE VI

Duties and Responsibilities

Subject to compliance with federal laws, State laws, and County ordinances and policies the Board is hereby granted responsibility for the expenditure of library funds, establishing and revising policies in cooperation with the Library Director for the use, operation, maintenance and care of the library/facilities/equipment/staff and other such resources. The Board shall establish policies for the enforcement of library rules and applicable laws and ordinances and for the selection, acquisition, cataloging, maintenance, and use of the library collections and information resources and submit those policies to the County Attorney for review for compliance with State and Federal law. Recommend to the County Executive a competent person for appointment with those duties specified in a job description approved by the Board and the County Executive, make an annual report to the County Executive and the Board of County Commissioners on the

condition and operation of the Library, including a financial statement. Submit an annual report to State Library Board. Furnish to the County Executive, in writing, and prior to the time required by law to levy County taxes, an estimate of the amount of moneys necessary to establish, equip, and maintain the Library, and to provide Library services during the next ensuing fiscal year and to certify the amount. Perform such other duties related to the Library as established in the official job description or as may be assigned by the County Executive.

ARTICLE VII
Library Director/Library Personnel
Duties and Responsibilities

The County Library Director/Librarian shall serve as the Executive Administrative Officer and Department Head for the San Juan County Board of Directors as a Department of San Juan County in accordance with and subject to the requirements of County ordinances, policies, and procedures. Perform such other duties related to the Library as established in the official job description or as may be assigned by the County Executive. Any Library Director/Library Personnel shall be an employee of the County, subject to the personnel policies, procedures, merit system, and compensation plans approved by the County Executive and the Board of County Commissioners. The Board shall recommend to the County Executive for appointment a competent person to serve as the Library Director. The County Executive shall, within 30 days of the recommendation, either make the appointment or request that the Board submit another recommendation.

ARTICLE VIII
Committees

The Chair shall appoint committees of one or more Board Members each for such specific purposes as the business of the Board may require. All committees shall make a progress report to the Board at each of its meetings. No committee will have authority, other than advisory powers, or recommending suitable action of the Board if it is granted such specific guidance to do so.

ARTICLE IX
GRAMA

The Board will follow the County's policy on GRAMA requests. The County follows Utah Code Annotated § 63G-2, as amended.

ARTICLE X
General

The Bylaws may be amended by the majority vote of all Members of the Board, provided written copies of the proposed amendments shall have been distributed to all Members at least ten days prior to the meeting at which such action is proposed to be taken. Any rule or resolution of the

Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of the Members of the Board shall be present and shall so approve.

Passed by the Board of San Juan County Commissioners this 20th day of June, 2023, by the following vote:

Those voting aye:

Those voting nay:

Those absent or abstaining:

BOARD OF SAN JUAN COUNTY COMMISSIONERS

Bruce Adams, Chair

ATTEST:

Lyman Duncan, Clerk/Auditor

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