

Constitution and By-Laws
Avery—Mitchell—Yancey Regional Library
Board of Trustees
(As Amended)

Constitution

Article I

Name

The name of this organization shall be the Avery—Mitchell—Yancey Regional Library (AMYRL) Board of Trustees.

Article II

Membership

- Section 1. Membership of the AMYRL Board of Trustees shall consist of twelve members who shall be appointed pursuant to and in accordance with procedures established by the respective units of local government.
- Section 2. Four members shall be appointed by the Board of Commissioners of Avery County; four members by the Board of Commissioners of Yancey County; two members by the Board of County Commissioners of Mitchell County; and two members by the Town Council of Spruce Pine. All members of the Regional Library Board must be members of the respective Local Library Board.
- Section 3. Members shall be appointed for a term of 3 years which shall begin on 1 July of the appointment year. A member may serve no more than two (2) consecutive terms. A previous member may be reappointed at the end of the third year following their immediate expired term.
- Section 4. Appointments shall be staggered to accommodate change yet maintain consistent governance.

Article III

Purpose

The purpose of the AMYRL Board of Trustees shall be the governing of the Avery—Mitchell—Yancey Regional Library, an institution legally organized according to the Library laws of the State of North Carolina pursuant to N.C. Gen. Stat. Sec. 160A, Article 20, to develop informational, educational and recreational materials services for all residents of Avery, Mitchell and Yancey counties.

By—Laws

Article I

Officers

Section 1. Election and Tenure

The officers shall be a Chair, a Vice-Chair, and a Secretary. All officers shall be elected by ballot at the annual meeting, and continue in office for two (2) years. The position of Chair shall rotate among the counties with each new election. In the case of vacancy, the Board, shall, at the next regular meeting, select a member to fill the unexpired term. Vacancies in office may be filled by the remaining members of the Board of Trustees voting thereon by ballot or by voice at the discretion of the Board.

Section 2. Duties

The Chair of the Board shall preside at all meetings and perform such other duties as generally pertain to the office. The Chair and Co-Chair shall appoint all committees. Committees, when possible, shall be represented by members of all three (3) counties.

The Vice-Chair shall perform the duties of the Chair in the latter's absence.

The Secretary of the Board shall keep a true and accurate account of all proceedings of the Board meetings; shall issue notices of all regular meetings; and on the authorization of the Chair, of all special meetings; shall have custody of the minutes and other records of the Board; shall notify the appointing bodies of any vacancy on the Board; and shall perform such other duties as may properly belong to the office or be delegated by the Board.

Article II

Removal

Section 1. The absence of any member of the Board from three (3) consecutive quarterly Board meetings shall be presumed to constitute a vacancy which shall be filled pursuant to Article V of the By-Laws.

Section 2. Upon the recommendation of the Board, any member may be removed by the governing body appointing that member for incapacity, misconduct, or neglect of duty.

Article III

Director

- Section 1. The Director shall be the chief executive and administrative officer of the AMYRL and have sole charge of administering the ARL in accordance with approved policies of the AMYRL Board. The Director shall be an ex-officio member of the AMYRL Board and all committees.
- Section 2. The selection, removal, determination of salary and other terms of employment of the Director shall require the affirmative vote of a majority of the entire AMYRL Board.
- Section 3. The Director is responsible for attending all Regional and Local Board meetings; all expenditures, which must be made in accordance with the budget and amendments to the budget adopted by the AMYRL Board; care and maintenance of buildings, equipment, and systems; recommending appointment or dismissal of staff to local governing bodies for local libraries and to the AMYRL Board for Regional Office staff; supervising and training staff; notifying the appointing body of any vacancies on the Board; collaborating with local board chairs to recommend individuals to fill vacancies on the AMYRL Board; supervising materials acquisition; collaborating with the Chair of the Board to provide new Trustee orientation; preparing agendas; reporting quarterly on all activities of the AMYRL to the Board and the governing bodies; maintaining positive relationships with other agencies and institutions involved.
- Section 4. The Director's job performance shall be evaluated biennially by a committee of the AMYRL Board and a report of that evaluation submitted to the AMYRL Board at the Annual Meeting.

Article IV

Meetings

- Section 1. The Regular quarterly meetings of the Board shall be held on the 2nd Thursday afternoon (5:30 p.m.) in February, the 4th Thursday afternoon (5:30 p.m.) in May, the 4th Thursday afternoon (5:30 p.m.) in August, and the 3rd Thursday afternoon (5:30 p.m.) in November or at such other time as shall be designated by the Chair.
- Section 2. The annual meeting shall be held at the time of the regular quarterly meeting in August.
- Section 3. Special meeting shall be called by the Chair, or upon the written request of any three members, for the transaction of business only as stated in the call for the meeting.

Section 4. Seven members shall constitute a quorum.

Section 5. Roberts Rules of Order shall decide points of procedure.

Article V

Order of Business

The Order of Business at regular meetings shall be as follows:

- Call to Order
- Roll Call
- Approval of Minutes
- Financial Report
- Report of Regional Director
- Report of Committees
- Correspondence
- Unfinished Business
- New Business
- Adjournment

Article VI

Committees

Section 1. At the annual meeting the Chair shall appoint a Personnel Committee. The personnel Committee shall (1) in consultation with the Regional Library Director, review and select applicants for employment in the regional Library Office (2) review regional Library employee grievances as necessary, and (3) complete biennial evaluation of the Director

Section 2. The Chair shall appoint other committees as needed in such areas as By-Laws, Evaluation, Finance, Long Range Planning, Nominating, Director Search, or special concerns/issues.

Article VIII

North Carolina Laws Governing Regional Libraries

The North Carolina General Statutes relating to public libraries including N.C. Gen. Stat. 160A, Article 20 and Sec. 7.02E.0200 et seq of the North Carolina Administrative Code

<<http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2007%20-%20Cultural%20Resources\Chapter%2002%20-%20State%20Library>> shall determine any procedure not specified in the above by-laws.

Article IX

Proxy

Voting by proxy may be exercised at any called Regional Library Board Meeting and can only be delegated from one official Regional Library Board Member to another. Proxies shall be valid only for the particular meeting designated thereon and must be filed by the voting member with the secretary twenty-four hours before the appointed time of the meeting.

Article VIII

Amendment

The Constitution and By-Laws may be amended by three-fourths (3/4) of the members present at any Regional Board meeting that has a quorum present, provided that the amendment was stated in the call for the meeting, which was mailed to members at least ten (10) days before the meeting.

Adopted: 28 August 2008

Avery—Mitchell—Yancey Regional Library

Chair

Date