

**AN ORDINANCE OF EMERY COUNTY GRANTING
CERTAIN RESPONSIBILITIES TO THE EMERY COUNTY LIBRARY
BOARD AND THE LIBRARY DIRECTOR AND ESTABLISHING
CERTAIN POLICIES AND PROCEDURES FOR THE EXERCISE THEREOF**

Purpose: To delegate certain policy responsibilities to the Emery County Library Board ("Board") and provide basic guidelines and procedures for library operation.

The Emery County Board of Commissioners ("County Commission") ordains as follows:

**SECTION ONE
LIBRARY BOARD**

- 1.1 There is hereby established the Emery County Library Board, which shall consist of not less than five and not more than nine board members chosen from the citizens of the county.
- 1.2 Only one board member may be a member of the County Commission at any one time.
- 1.3 All board members shall be appointed by the County Commission. Appointments to the Board shall be made before the first day of January of each year in which an appointment is necessary.
- 1.4 Board members shall be appointed to serve for four-year terms (or until their successors are appointed) and shall not serve more than two consecutive full terms.
- 1.5 Terms of board members shall be staggered so that approximately one-quarter of the Board is appointed each year.
- 1.6 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.
- 1.7 The County Commission may remove any board member for misconduct or neglect of duty.

**SECTION TWO
BYLAWS AND OFFICERS**

- 2.1 The Board shall adopt bylaws for managing the business and affairs of the Board.
- 2.2 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 the treasurer of such funds. The County Treasurer shall not be a member of the Board.
- 2.3 The Board shall elect a chair and other officers as specified by State law and/or the Board's bylaws.

**SECTION THREE
MEETINGS**

- 3.1 The Board shall schedule regular meetings as it deems necessary and appropriate to conduct its business but shall have no fewer than four regular meetings during a calendar year.
- 3.2 A quorum shall consist of a majority of the Board.
- 3.3 Special meetings may be called at any time by the Chair, provided notice thereof is given to the public and all board members at least twenty-four hours in advance.
- 3.4 Meetings shall comply with all requirements of state law including, but not limited to, the Utah Open and Public Meetings Act.
- 3.5 If the board member who is the representative of the County Commission is unable to attend any Board meeting, then that board member may designate an alternate to act in that board member's place, and the alternate's presence shall count as a board member for the purposes of meeting a quorum and voting.
- 3.6 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.

**SECTION FOUR
COMMITTEES**

- 4.1 Ad hoc committees for the study and/or investigation of library issues or other library matters may be appointed by the Board Chair to serve until the completion of the work for which they were established.

**SECTION FIVE
RESPONSIBILITIES AND DUTIES**

- 5.1 Subject to compliance with federal laws, state laws, and county ordinances and policies and with the approval of the County Commission, the Board is hereby granted responsibility for:
- a. the expenditure of library funds.
 - b. establishing and revising policies in cooperation with the Library Director for the use, operation, maintenance and care of the library, library facilities, equipment, staff, and other such resources, all in accordance with County ordinances, policies and procedures.
 - c. the purchase, lease, exchange or sale of land; the purchase, lease, exchange sale or construction of buildings for the benefit of the library; and the purchase, lease, exchange or sale of real property or personal property for the benefit of the library.
 - d. establishing policies for the enforcement of library rules and applicable laws and ordinances.
- 5.2 Subject to compliance with federal and state laws regarding collections and information resources, the Board shall:
- a. establish policies for the selection, acquisition, cataloging, maintenance, and use of the library collections and information resources.
 - b. submit those policies to the County Attorney for review for compliance with state and federal law.

- 5.3 Subject to compliance with federal laws, state laws and county ordinances and policies, the Board shall:
- a. recommend to the County Commission a competent person for appointment to the Board with those duties specified in a job description approved by the Board and the County Commission.
 - b. make an annual report to the County Commission on the condition and operation of the library, including a financial statement.
 - c. submit an annual report to the State Library Board.
 - d. furnish to the County Commission, in writing and prior to the time required by law to levy county taxes, an estimate of the amount of money necessary to establish, equip and maintain the library and to provide library services during the next ensuing fiscal year and certify the amount.
 - e. recommend a Library Director to the County Commission.
 - f. perform such other duties and exercise such other powers as may be specifically assigned or delegated to the Board by the County Commission.

**SECTION SIX
DUTIES AND RESPONSIBILITIES OF THE LIBRARY DIRECTOR**

- 6.1 The Library Director shall:
- a. serve as the executive officer for the Board and manage the day-to-day operations of the libraries.
 - b. serve as the administrative officer and department head of the Emery County Libraries as a department of the county in accordance with and subject to the requirements of county ordinances, policies and procedures.
 - c. perform such other duties related to the libraries as established in the official job description or as may be assigned by the County Commission.
 - d. be an employee of the county subject to the personnel policies, procedures, merit system, and compensation plans approved by the County Commission.

**SECTION SEVEN
EFFECTIVE DATE**

7.1 This Ordinance shall become effective on the 15 day of OCTOBER, 2019, or 15 days after its adoption and that publication has been made as required by law, whichever date is later. This Ordinance was duly approved and unanimously adopted by the County Commission on the 15TH day of OCTOBER, 2019.

EMERY COUNTY BOARD OF COMMISSIONERS



Lynn Sitterud, Chair

ATTEST:



Brenda Tuttle, Clerk/Auditor