LIBERTY HILL PUBLIC LIBRARY DISTRICT

BYLAWS



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ARTICLE I – NAME, LOCATION, PURPOSE

SECTION 1 – NAME

The name of the political subdivision shall be Liberty Hill Public Library District ("the District") as approved on the 16th day of November, 2002 by the voters who reside within the boundaries of the District.

SECTION 2 – LOCATION

The District administration office shall be in Liberty Hill, Texas.

SECTION 3 – PURPOSE

The purpose of the District, as established by Chapter 326 of the Local Government Code ("the Act"), shall be to establish, equip, and maintain one or more public libraries within the boundaries of the District for the dissemination of information to residents living within the District.

ARTICLE II – BOARD OF TRUSTEES

SECTION 1 – TERM AND VACANCY

The District shall be governed by a board of five trustees ("the Board"). The Board is elected by the qualified voters within the boundaries of the District. No person may be elected to the Board unless the person is a resident of the District and is a registered voter of Williamson County, Texas.

The members of the Board shall serve two-year terms. The general election for trustees shall be held annually on the state uniform election date that occurs in November. A candidate for the office of trustee must file an application for a place on the ballot in accordance with the Texas Election Code. Upon creation of the District, and pursuant to agreement among the trustees, two initially elected trustees shall serve until the November 2003 uniform election date and three trustees shall serve until the November 2004 uniform election date. If the

candidates for the Office of Trustee are unopposed, then, in accordance with Chapter 326 of the Local Government code, and the Election Code, the governing body may declare each unopposed candidate elected to office. Trustees will be sworn in at the first meeting following the November uniform election date.

Vacancies on the board shall be filled by appointment upon affirmative vote of a majority of the remaining trustees. A trustee appointed to fill a vacancy will serve the unexpired term of his or her predecessor in office.

SECTION 2 – OATH

Each of the trustees must take the official oath required by Article XVI, Section 1 of the Texas Constitution before beginning the trustee duties.

SECTION 3 – RESIGNATION

If a person resigns as trustee, the person is subject to the provisions of Article XVI, Section 17, of the Texas Constitution, which states that all officers of the State shall continue to perform the duties of their office until their successors shall be duly qualified. The resignation of the trustee shall be effective upon acceptance by the Board or in accordance with state law.

SECTION 4 – OFFICERS

The trustees shall elect officers from among the Board. These officers shall be: President, Vice President/Treasurer, Secretary, and Investment Officer.

1. PRESIDENT – The president shall be the chief executive officer of the District and, in general, will supervise the business and employees of the District. Specifically, the President shall:
    a. preside over Board meetings, both scheduled and special;
    b. provide agenda and supplemental material for Board meetings;
    c. serve as spokesperson for the Board in dealings with library staff, residents of the District, and other persons or entities;
    d. assign tasks related to Board functions to Board members and monitor the progress of assigned tasks through reports submitted by Board members;
    e. sign, with the Secretary or any other proper officer of the District approved by the board, any deeds, mortgages, bonds, contracts, or other instruments that

the Board has authorized to be executed, except in cases in which the signing and execution of documents is delegated by trustee resolution, these bylaws or by applicable statue or regulation to some other officer or agent of the District;

f. have such other authority and perform such other duties prescribed by the Board.

2. VICE PRESIDENT/TREASURER – The Vice President/Treasurer shall: in the absence or unavailability of the President, assume the duties of President; monitor and report on all District fiscal matters; and perform such other duties as assigned by the President or by the Board.

3. SECRETARY – The Secretary shall: serve as President in the absence of both the President and Vice President; ensure that all records and books of the District are properly kept; and perform such other duties assigned by the President or by the Board.

4. INVESTMENT OFFICER – The Investment Officer shall: invest the District's revenue in accordance with state law and board policy and approval; work cooperatively with the Board Treasurer; and regularly report the status of the District's investments to the Board.

SECTION 5 – COMPENSATION

Trustees shall not receive a salary or other compensation for services as a trustee. Trustees may be reimbursed for travel and/or other Library District expenses if approved by a majority vote of the Board. Trustees may participate in all library activities available to Library Staff.

SECTION 6 – MANAGEMENT OF THE DISTRICT

The Board has control over and shall manage the affairs of the District. The Board may:

1. employ any person, firm, partnership, or corporation the Board considers necessary for conducting the affairs of the District;
2. determine the term of office and compensation of any employee and consultant by contract or by resolution of the board;
3. remove any employee at will;

4. employ a library director who must reside within the boundaries of the Liberty Hill Public Library District unless otherwise authorized by the board, to administer the affairs of the District under policies established by the board;
5. determine the compensation of the library director;
6. appoint the library director or an employee as assistant to the board Secretary to assist the Secretary in certifying the authenticity of any record of the District;
7. require an officer or employee to execute a bond payable to the District and conditioned on the faithful performance of the person's duties;
8. provide for and administer a workers' compensation, health benefit, retirement, disability, or death compensation plan for the employees of the District;
9. make changes, after notice and a hearing, to any adopted employee benefit plans;
10. adopt reasonable rules and policies to accomplish the purposes of the District;
11. set monetary charges in reasonable amounts for the violation of a District rule or policy; and
12. exclude for the use of the library a person who willfully violates a rule or policy adopted by the board.

SECTION 7 – ETHICS

Trustees shall observe the "Statement of Ethics" adopted as part of these Bylaws and included as Appendix A.

ARTICLE III – REGULAR AND SPECIAL MEETINGS

SECTION 1 – REGULAR MEETINGS

The regular meeting of the Board shall be held on the fourth Tuesday of each month at 7:00 pm or at such other time and place as set by the trustees.

SECTION 2 – SPECIAL MEETINGS

Special meetings may be called by the President or at least two member of the Board at any time with 24 hours prior notice to all trustees. This notice shall generally describe the business to be transacted. Notice of Special meetings may be delivered to trustees verbally provided time and date of notice and trustee response is documented. The members of the Board may

waive in writing the provision as to notice and purpose. Waiver by the trustees shall not abrogate the posting and notice requirements of the Texas Open Meetings Act.

SECTION 3 – QUORUM

Three trustees constitute a quorum, and a concurrence of three is required in any matter relating to the business of the District.

SECTION 4 – AGENDA

The agenda of any meeting shall outline all business to be transacted, and no other business of the District shall be transacted, except citizen comments.

SECTION 5 – CONDUCT OF MEETINGS

All meetings shall be held in accordance with Roberts Rules of Order and shall be posted in accordance with the Texas Open Meetings Act.

ARTICLE IV – POWERS OF THE DISTRICT

SECTION 1 – SUMMARY OF POWERS

The District is a political subdivision of the state and has full authority to carry out the objects of its creation, including establishment and maintenance of public libraries. The District may:

1. acquire, purchase, hold, lease, manage, occupy, and sell real and personal property or any interest in that property;
2. enter into and perform any necessary contracts'
3. appoint or employ necessary officers, agents, and employees of the board;
4. sue and be sued;
5. impose and receive sales and use taxes as prescribed by the Act;
6. accept and receive donations;
7. lease, own and maintain real property, improvements, and fixtures to house and maintain library facilities and equipment;

8. acquire existing improvements, facilities, plants, equipment, or appliances and assume the contracts and obligations of the previous owner;
9. borrow money, give security therefor and contract with other entities, including other districts or municipalities, to make library facilities and services available to the District;
10. administer any trust declared or created for any library operated or maintained by the District and receive by gift, devise, bequest, transfer or assignment, any existing trusts, and hold in trust or otherwise property situated in this state or elsewhere and, if not otherwise provided, dispose of such property for the benefit of the District;
11. establish policy to govern the administration of the library or libraries of the District; and,
12. perform other acts necessary to carry out the purposes of this act.

SECTION 2 – ADOPTION OF PLAN OF OPERATION

The District may adopt a plan to accomplish the purposes for which it was created.

ARTICLE V – COMMITTEES

Committees may be established and members may be appointed by resolution adopted by a majority vote of the trustees present at a meeting. Membership of committees may consist of trustees or citizens, or a combination of trustees and citizens. Committees shall not exercise any of the authority of the Board, but shall act in an advisory capacity only. The Board may remove a committee member by a vote of a majority of the trustees whenever in their judgment the best interests of the District will be served.

ARTICLE VI – BOUNDARIES OF THE DISTRICT

The boundaries are identical to the boundaries of the Liberty Hill Independent School District as of November 2002.

ARTICLE VII – CONTRACTS FOR SERVICES AND CONFLICT OF INTERESTS

The District shall have the authority to enter into service contracts with groups or individuals in order to provide the best possible services for the residents of the district.

A trustee who is financially interested in a contract with the District, or a trustee, who is an employee of a person that is financially interested in a contract with the District, shall disclose that fact to the other trustees. The disclosure shall be entered into the minutes of the meeting. A trustee who is financially interested in a contract may not vote on the acceptance of the contract or participate in the discussion of the contract. The failure of a trustee to disclose his or her financial interest in a contract and to have the disclosure entered into the minutes invalidates the contract.

ARTICLE VIII – FISCAL MATTERS

SECTION 1 – FEES

The District may impose any necessary charges or fees for providing services of the District. The District may discontinue a service to enforce payment of an unpaid charge or fee that is owed the District.

SECTION 2 – TAXES

The District shall levy and collect sales and use taxes in accordance with the requirements of the Act.

SECTION 3 – INVESTMENTS

Tax revenue of the District may be invested in an obligation that is an authorized investment for the State. District money other than tax revenue may be invested in accordance with policies adopted by the Board.

SECTION 4 – EXPENDITURES

The District's money may be disbursed only by check, draft, order, or another instrument that must be signed by two of the following officers of the Board: President, Vice President/Treasurer, or Secretary or by two representatives designated by the board.

SECTION 5 – REPAYMENT OF ORGANIZATIONAL EXPENSES

1. The District may:
    a. Pay all costs and expenses necessarily incurred in the creation and organization of the District; and
    b. Reimburse any entity or person for money advanced for the costs and expenses described by Subdivision 1.
2. Payments under this section may be made from money obtained from taxes or other revenue of the District.

SECTION 6 – SPECIFIC DUTIES RESERVED TO THE BOARD

The board shall perform the following duties:

1. Adopt an annual operating budget to be administered by the Library Director;
2. Approve all investments of District funds;
3. Approve investment of any Trust funds under control of the District;
4. Approve a capital budget, if any;
5. Designate one or more banks inside or outside of the District to serve as depository for District money;
6. Deposit tax revenue of the District in a depository bank;
7. Establish bank accounts and approve those authorized to expend funds therefrom;
8. Authorize all contractual obligations with a dollar value of $25,000 or more and expenditures of $3,000 or more;
9. Approve all contracts with a term longer than 12 months; and
10. Authorize the borrowing of any funds.

SECTION 7 – FINANCIAL OVERSIGHT

In addition to other duties, the Library Director is administratively responsible for financial duties not specifically reserved to the Board. The Board recognizes that many of these responsibilities require specialized training or experience. At least annually, the Board will

assess the capability of the Library Director and/or other staff members to ensure that these financial duties are properly executed. Should the Board decide that additional financial experience is necessary, the Library Director will be directed to secure such additional expertise.

SECTION 8 – AUDIT

At the end of each fiscal year, the District shall have an audit of the affairs of the District performed by an independent certified public accountant. The auditor shall be appointed by the Board and shall report to the Board. A signed copy of the audit report shall be delivered to each trustee not later than the 120th day after the closing date of each fiscal year. A copy of the audit report shall be kept on file at the District office and shall be made available for inspection by any interested person during regular business hours.

SECTION 9 – FISCAL YEAR

The fiscal year for the District shall be October 1 to September 30.

ARTICLE IX – CONFLICTS

If any article or section of these bylaws is deemed to be in conflict with the Act, the wording of the Act shall prevail. These bylaws shall conform to the prevailing governing statues. Such amendments as may be necessary to affect such conformation shall be automatic.

ARTICLE X – AMENDMENTS

These bylaws may be amended by the affirmative vote of three trustees at any regular or special meeting held for that purpose. The Secretary shall deliver written notice to each member at least five days in advance of the meeting, whether regular or special.

APPENDIX A – STATEMENT OF ETHICS

Trustees must promote a high level of library service while observing ethical standards.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the institution.

It is incumbent upon any trustee to disqualify himself or herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.

A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept appointment to a library board are expected to perform all the functions of library trustee.

A trustee may not represent the Board in any official capacity except as provided for in the bylaws or as such authority is granted and approved by the Board at a regular or special meeting of the Board.