

BYLAWS

Board of Trustees

YANKTON COMMUNITY LIBRARY

Adopted Oct.8, 2003

Revised September 12, 2012

Revised September 13, 2017

Revised October 10, 2018

Revised October 8, 2019

Revised November 18, 2020

Article I

Composition, Terms, and Duties of the Board of Trustees:

- Section 1 The Yankton Community Library shall follow all the laws set forth by the SDCL 14-2-35 regarding the appointment, terms and duties of trustees. The Trustees shall follow the duties prescribed under SDCL 14-2-40. The Board of Trustees shall consist of seven members. Five members, broadly representative of the population of the City of Yankton, will each be appointed by the Mayor for a (3) three-year term, starting in July following official approval by the City Commission. In the event of a delay in the appointment, the outgoing member shall serve until a successor is appointed. One member of the City Commission shall be appointed for a (1) one-year term, renewable for the Commissioner's term of office at the discretion of the Mayor. This trustee will act as a liaison between the City Commission and the Board of Trustees. Additionally, one member of the Yankton County Commission shall be appointed for a (1) one-year term, renewable for the Commissioner's term of office at the discretion of the County Commission, to act as a liaison between the County Commission and the Board of Trustees (SDCL 14-2-36).
- Section 2 Membership on the board shall not exceed two (2) consecutive terms.
- Section 3 Two (2) absences of a board member during a (12) twelve-month term without prior notification to the board secretary may be grounds for the board president to ask that member to resign. Excessive and/or continuous absences or any extreme or inappropriate conduct that prevents the Library Board from effectively conducting business by any member may also be cause to request that member resign. If a board member receiving a request to resign refuses to do so, the matter shall be sent to the Yankton Board of City Commissioners (or with respect to Yankton County's appointed member, to the Yankton County Board of Commissioners) who shall conduct a hearing on the matter under Executive (closed) session of which the library board member shall be provided prior notice, and during which the library board member shall be

provided an opportunity to be heard. Following the hearing the Board of City Commissioners (or with respect to Yankton County's appointed member, the Yankton County Board of Commissioners) may remove the library board member by a majority vote during regular session of a public meeting. (See Attorney General's Opinion 75-185 and SDCL 9-14-12).

Section 4 Empowered by SDCL 14-2-41, a city public library board is a statutory body having various policy-making responsibilities. The Board of Trustees recognizes and accepts this role, performing all the functions listed by law as well as the following functions/tasks:

1. Appoint a Library Director to serve at the pleasure of the board.
2. Adopt bylaws for the conduct of its business and adopt policies for the selection of library materials, the governance of the library, and the use of library services, buildings, equipment and collections.
3. Annually review, revise and approve the long-range plans/goals and other planning documents of the library.
4. Accept and carry out all the duties and powers of trustees as outlined in SDCL 14-2-40/41.

Section 5 Board members going off the Board who still have terms available to them and who wish to continue serving on the board shall state their wishes to the Mayor/City Commission in writing before the June library board meeting. The Mayor/City Commission will then appoint new members when required.

Section 6 Board members wishing to resign from the board should do so in writing, addressing their wishes to the library board President who, in turn, will contact the Mayor who will make a new appointment. In the rare case of lack of a quorum due to resignations, power will revert to the City Commission for all policy and business transactions until replacement board members can be appointed.

ARTICLE II

OFFICERS

- Section 1 Officers of the board of trustees shall be the President and Vice-president. The President and Vice-president shall be elected by the board.
- Section 2 The President or in his/her absence, the Vice-President, shall conduct all meetings.
- Section 3 The President and Vice-president shall be elected for a one (1) year term at the reorganizational meeting.
- Section 4 The Library Director shall act as secretary of the Board. The secretary is a non-voting member on the board.

ARTICLE III

MEETINGS

- Section 1 The regular meetings of the Yankton Community Library Board shall be held at the library meeting room, or such room as the board may designate for a physical location with a virtual option. If permitted by law or by executive order of the South Dakota Governor, the President may determine that a meeting be held solely as a virtual meeting due to inclement weather, a community health situation, or other unforeseen need. Regular meetings shall be held on the second Wednesday of every month or on that date not less often than quarterly, as the President deems appropriate.
- Section 2 All meetings of the board, whether regular or special, shall be open to the public, but no one shall participate in the deliberations or address the members of the board without permission to do so by the board president.
- Directors may participate in any meeting through the use of conference telephone, website interface or similar communications equipment by means of which all persons participating in the meeting can hear each other, and such participation shall constitute presence in person.

- Section 3 Any action required to be taken by the Trustees, must be taken during a regularly scheduled or special meeting. Trustees are not permitted to vote by email.
- Section 4 Meeting proceedings will be governed and regulated by all appropriate state laws and by the most current edition of *Roberts Rules of Order*. Acceptance of minutes shall be by voice majority vote.
- Section 5 The Library Director, acting as Board Secretary, shall prepare the agenda for each meeting of the board with the consent and input of the board President. He/she shall post at the office of the library a notice of all regular meetings which shall include the proposed agenda. In case of a special meeting, the notice shall be delivered in person, by mail or electronically, not less than twenty-four hours (24) before the meeting to all local news media who have asked to be notified. All conditions of the SDCL public open meetings act will be adhered to.
- Section 6 Special meetings shall be called and noticed by the board President whenever necessary in his/her judgment or at the written request of (4) four board members. Executive sessions (closed meetings) can be requested by any board member; however, advertisement of such meetings must appear on the agenda twenty-four (24) hours before the meeting and a motion/second must be made to adjourn into a closed meeting.
- Section 7 The order of business at regular meetings shall be as follows:
1. Call to order
 2. Additions to the agenda
 3. Approval of minutes of previous meeting
 4. Public comment period
 5. Financial report
 6. Correspondence and communications
 7. Report of the Library Director
 8. Unfinished business
 9. New business
 10. Public comment period
 11. Adjournment

- Section 8 A quorum is needed to conduct any board business. A quorum for the transaction of business shall be a simple majority of the (7) board members (4 members).
- Section 9 The re-organizational meeting shall be in July each year. This meeting shall include the election of officers. The re-organizational meeting can be delayed by a simple majority vote of the board with the installed officers holding office until a re-organizational meeting is convened.
- Section 10 The bylaws shall be reviewed annually during or after the September meeting.
- Section 11 During the preparation of the annual budget, a meeting within the first quarter shall include examination of the immediate and foreseeable future needs of the library's services and programs. During the second quarter, the board will set guidelines for the Director in preparing the new budget and include a preliminary examination of the proposed budget. During the third quarter, the proposed budget shall be adopted. The final operating budget is approved and appropriated by the Yankton City Commission.

ARTICLE IV

LIBRARY DIRECTOR

Section 1 The Library Director is the board's executive officer and shall have sole charge of administering the library under the board's direction and review. The Library Director shall be responsible for employing and directing the staff, for selecting library materials, for the care of the buildings and equipment, for the efficiency of the library's service to the public, and for operating the library under financial conditions set forth in the annual budget. The Library Director shall keep exact accounts of all monies received or expended, and shall report on such receipts and expenditures at all regular meetings of the board. The Library Director will perform all functions/tasks detailed in the job description and those functions illuminated in SDCL 14-2-42, plus prepare annual reports and compile statistics when requested by board members, the City manager and/or City Commission. Additionally, the Library Director shall perform the duties of secretary of the library board, and shall attend, or send a substitute to, all board meetings except when his/her employment or salary is to be discussed.

ARTICLE V

AMENDMENT OF BYLAWS

Section 1 These bylaws may be amended by a simple majority of the members present at any regular board meeting that has a quorum, provided that the amendment was stated in the call for the meeting that was provided to members at least (1) one week before the meeting.