BYLAWS OF THE PUBLIC LIBRARY BOARD OF CULLMAN COUNTY

ARTICLE 1: NAME

This organization shall be called the Public Library Board of Cullman County, existing by virtue of the Code of Alabama, 1975, Section 11-90-1, et seq., and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute.

ARTICLE 1: OFFICERS

Section 1: The officers shall be chairman, vice chairman, and treasurer. These shall be elected from the appointed trustees at the annual October meeting of the board held in the meeting room of the library.

Section 2. A nominating Committee shall be appointed by the chairman in August, three months prior to the annual meeting. The Nominating Committee will present a slate of officers at the annual meeting. Additional nominations may be made from the floor.

Section 3 Officers shall serve a term of one (1) year from the annual meeting at which they are elected or until their successors are duly elected. They shall not serve more than three consecutive terms.

Section 4. Members of the Board shall be appointed for a four-year term, and the Board shall have five members. The present members shall recommend names for appointment to the board to be submitted to the appropriate governing body for approval and appointment.

Section 5. The Board shall notify the appropriate governing body when there is a vacancy or when a member's term expires.

Section 6. The chairman shall preside at all meetings of the Board, have authority to co-sign checks, authorize calls for any special meetings, appoint committees, execute all documents authorized by the Board, serve as ex-officio voting member of all duties associated with office.

Section 7. The vice-chairman, in the event of the absence or disability or vacancy in the chairman's office, shall assume and perform the duties and functions of the chairman.

Section 8. The treasurer shall be the disbursing officer of the board, have authority to co-sign checks, and shall perform such duties as generally devolved upon the office. In the absence or inability of the treasurer, the duties shall be performed by the vice-chairman of the board.

Section 9. The Library Director shall serve as the Executive Secretary for the Board and will keep an accurate account of all meetings, prepare correspondence for the board, issue notices, and have custody of the minutes and any other material as the Board may direct. The Library

Director shall email the agenda for the next meeting and a copy of the minutes from the previous meeting to all Board members at least five days before the regular meeting. The Library Director, as the acting executive, shall have authority to co-sign checks.

ARTICLE III: REGULAR SESSIONS

Section 1. The regular meetings shall be held each month or as determined by the Board, but no less than one per quarter; the Board will set the date, hour, and location. Three sequential absences by a member will be considered resignation.

Section 2. The annual meeting, which shall be for the purpose of the election of officers and the adoption of an annual report, shall be held at the time of the first regular meeting after October 1 of each year.

Section 3. At the direction of the Chairman or at the request of three board members, special meetings may be called by the Library Director for the transaction of business as stated in the call for the meeting.

Section 4. A quorum for the transaction business at any meeting shall consist of three board members in attendance.

Section 5. Conduct of meetings: Proceedings of all meetings shall be governed by Robert's Rules of Order, unless otherwise stated in these Bylaws.

Section 6. Notice of all meetings shall be given by the Library Director to all members one week before each meeting. Any member unable to attend should notify the director at least one day prior to the meeting.

Section 7. All meetings are open to the public as required by law. Notice of regular meetings shall be posted in the library one week before such meeting.

Section 8. As all regular sessions are opened to the public, anyone may attend such a meeting of the Board. Persons wishing to address the Board must adhere the following procedures:

a. To be placed on the agenda, an individual will secure the Appropriate form from the Library Director. This form must be completed and returned at least (5) days prior to a scheduled meeting. The request must then be approved by the Chairman of the Board or a quorum of Board members.

b. Consecutive requests to address the Board of Trustees pertaining to the same subject matter shall be limited to two appearances, and controlled by the Chairman of the Board of Trustees or a quorum of Board Members.

c. A limit of ten (10) minutes for the first appearance and five (5) minutes for the second appearance, pertaining to the same subject, shall be imposed. Additional time may be allowed by the Chairman of the Board or by a quorum of Board Members.

d. Members of the Cullman County Commission, the mayors of municipalities in Cullman County, and members of the Cullman County Legislative Delegation are exempt from these procedures.

Section 9. During an open meeting the board shall not hear complaints against personnel, patrons, or any other persons connected with the library. Complaints regarding staff or personnel shall be directed in writing to the Library Director. Complaints regarding the Library Director, patrons, or other persons connected with the library, shall be directed in writing to the board chairman. Discussion of such complaints shall be conducted in a closed session of the board.

ARTICLE IV: MEETINGS: EXECUTIVE AND SPECIAL SESSIONS

Section 1. Executive sessions of the board may be held by virtue of the provisions of Title 13A, Chapter 14, section 2, of the Code of Alabama, 1975. The board will meet in Executive Session when discussing the good name or character of an individual.

Section 2. At the direction of the chairman or at the request of three board members, special sessions may be called by the Library Director for the transaction of business as stated in the call for the meeting. Such meetings will generally be held in cases of emergency or for pressing business matters that must be addressed by the full board rather than by a standing committee and cannot be delayed until the next scheduled regular session.

ARTICLE V: THE LIBRARY DIRECTOR AND STAFF

The board shall elect a qualified person to serve as Library Director, who shall be the executive and administrative officer of the library on behalf of the board and under its review and direction. The Director shall be held responsible for the proper direction and supervision of the staff, for the care and maintenance of library property, for an efficiency of library service provided to the public, and for fiscal operations within the limitations of the budgeted appropriation and library policies. The Library Director shall select, appoint and/or dismiss employees consistent with the policies set forth by the Cullman County Commission and the

Cullman County Personnel Board, and will notify the Public Library Board of the appointment or termination of all employees. The Library Director shall attend all board meetings and shall make a regular report of the operations of the library, including recommendations to improve its efficiency to the Board.

ARTICLE VI: EXPENDITURES

Other than items designated in the budget, no expenditure of more than three thousand ($3,000) in any month shall be made by the director without the advance approval of the board.

ARTICLE VIII: GENERAL

Section 1. An affirmative vote of the majority of all members of the board present at the time shall be necessary to approve any action before the board. The chairman may vote upon and may move or second a proposal before the board.

Section 2. The Bylaws may be amended by the majority vote of all members of the board provided written notice of the proposed amendment shall have been emailed to all members at least five (5) days prior to the meeting at which such action is proposed to be taken.

Section 3. Any rule or resolution of the board, whether contained in these Bylaws or otherwise, may be suspended temporarily by a majority of the board members, in connection with business at hand; but such suspension, to be valid, may be taken only at a meeting at which at least three members of the board shall be present and at least three members shall so approve.

Section 4. The Library Board does authorize members who are absent due to an illness to participate electronically in meetings of the Library Board pursuant to ACT 2022-421 of the Alabama Legislature and the attached Electronic Meetings Policy.

Resolution: 2023-09

Opting Into Electronic Meeting Participation

Whereas, during the 2022 Regular session of the Alabama Legislature Act 2022-421 was enacted to authorize boards to allow a member who is physically absent due to an illness to participate electronically in a meeting of the Cullman County Public Library Board, provided that a quorum of members are physically present at the meeting locations; and

Whereas, the Cullman Public Library Board believes it is in the public's interest to allow the members of the library board who are ill to participate electronically in meetings when a quorum is physically present as authorized by this new law; and

Whereas, the new law requires a Library Board to adopt an Electronic Meetings Policy at least 45 days before the first meeting at which the electronic means of communication is used; and

Whereas, the new law requires the Electronic Meetings Policy to detail the communications equipment and procedures to be used, how the public may access the meeting and how voting will be conducted; and

Whereas, based upon the foregoing, the Cullman County Public Library Board has developed an Electronic Meetings Policy, which is attached to this resolution;

THEREFORE, BE IT RESOLVED BY THE CULLMAN COUNTY PUBLIC LIBRARY BOARD that it does hereby authorize members who are absent to due to an illness to participate electronically in meetings of the Library Board pursuant to ACT 2022-421 and the attached Electronic Meetings Policy.

Voted on and approved by the Cullman County Public Library Board on the 19th day of September, 2023.

Electronic Meetings Policy

1. **Scope of Rules**
   Pursuant to Ala. Legislature Act 2022-421, the following Electronic Meetings Policy was adopted by the Cullman County Public Library Board

2. **Communication Equipment and Procedures**
   a. **Communication Equipment**- "Communication Equipment" means any tools, devices, hardware, software, or other things necessary to facilitate communication among meeting participants who are in different locations and that allows all participants to hear one another at the same time.
   b. **Member Unable to Be Physically Present Due to Illness**- If a member of the Library Board is unable to by physically present at a meeting of the Cullman County Library

Board due to an illness and he or she wishes to participate electronically in the meeting, then the member shall provide written notice to the Board Chair and the Library Director at least four hours before the meeting. If the member who is unable to be physically present is the Board Chair, then the Board Chair should provide written notice to the Library Director at least four hours before the meeting. An email is sufficient for written notice under the Electronic Meetings Policy.

c. **Quorum Required**- A member who is unable to be physically present due to illness may only participate electronically in a meeting if a quorum of the Board is physically present at the meeting location.
d. **Testing the Equipment**- The communication equipment must be tested to ensure that all participants may hear one another at the same time. It must also be able to be heard by any members of the public in attendance.
e. **Roll Call Voting**- Any vote taken at a meeting utilizing the communication equipment described in this policy shall be taken as a roll call vote that allows each member to vote individually in a manner audible to all persons participating or present.
f. **Recordkeeping-** Documentation of the member's request to participate electronically due to an illness shall be kept by the Board for record keeping purposes. It shall additionally be noted in the meeting minutes.

3. Public Access

a. **Meetings open to the Public**- All regular meetings of the Cullman County Library Board shall be open to the public as required by the Alabama Open Meetings Act.
b. **Accessibility**- All regular meetings of the Cullman County Public Library Board will be conducted in a building that is open to the public. At this physical location of this meeting all members of the public shall be able to hear all persons who are participating electronically in the meeting.