

The Library Board

The Lake County Library District (“district”) is a special district formed by the Lake County Commissioners on June 14, 1991 to be effective July 1, 1991 pursuant to ORS 357.216 to 357.288.

Lake County Libraries enrich every person by providing comfortable community spaces to satisfy curiosity, stimulate imagination, create young readers, and explore local heritage. Our SIRCLE of values--Service, Integrity, Respect, Community, Learning, and Excellence--drives every action we take to satisfy our mission.

A. Membership on the Board of Directors

1. *Election of Board Members*

In accordance with ORS Chapter 357, the library board consists of five members serving 4-year staggered terms elected from each of the following zones comprised of the named Lake County Voting District numbers. All elections of the members of the board shall be held as provided for by ORS Chapters 255 and 357.

- Zone 1: Voting precinct numbers 1, 2, 3, 5, 6, 13, 14, and 18
- Zone 2: Voting precinct numbers 4,8,10,11, 12, and 16
- Zone 3: Voting precinct numbers 7, 9, 15, 20, and 21
- Zone 4: County wide/at-large
- Zone 5: County wide/at-large

2. *Term of Office*

Except where the board or the county commission is filling a vacancy on the board, terms of office shall start on July 1 following election and run for 4 years.

3. *Qualifications*

- No person elected or appointed to the board shall be sworn in unless such person meets the qualifications for office set forth in ORS Chapter 357. If questions exist regarding the eligibility of any candidate, the board shall obtain an opinion from legal counsel prior to swearing in such person.
- In accordance with district board resolution no. 200910-03 passed August 20, 2009 and effective September 19, 2009, no person who is an employee of the district will be eligible to serve as a member of the Board while so employed.

4. *Board Member Oath of Office*

Each newly elected or appointed board member shall take an oath of office at a board meeting prior to assuming the duties of the position. The oath of office will be in the following form:

I, _____, do solemnly swear [or affirm] that I will support the Constitution of the United States of America, and the Constitution of the State of Oregon, and the laws thereof, and will faithfully and honorably demean myself in the office of _____ to which I have been elected [or appointed], to the best of my ability.

5. *Board Member Resignation*

The board believes that any citizen who files for and seeks election to the Board should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected of all board members, and that the citizen's intent to serve reflects his or her intention to serve a full term of office. However, if for reasons of health, change in domicile, or any other reason, a member does decide to terminate service, the board requests earliest possible written notification of intent to resign and the principal reason for resignation so that the board may plan appropriately for the continuity of the board business. A resignation becomes effective when officially accepted by the Board at its next regular meeting. The board will announce the resignation and declare the vacancy at that meeting.

6. *Board Member Removal from Office*

The Board will declare the office of a director vacant upon any of the following:

- The death or resignation of an incumbent.
- When an incumbent ceases to discharge the duties of the office for three consecutive months unless excused by the Board.
- When an incumbent is removed from office by judgment or decree of any competent court.
- When an incumbent has been recalled from office by the voters of the district.

7. *Vacancies on the Board*

Vacancies on the board shall be filled in accordance with ORS Chapter 198.320, which outlines the following:

- The vacancy shall be filled by appointment by a majority of the remaining members of the board. If a majority of the membership of the governing body is vacant or if a majority cannot agree, the vacancies shall be filled promptly by the County Commissioners of Lake County.
- The period of service of a person appointed to the board shall expire June 30 following the next regular district election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term for which the appointment was made. If the term for which the appointment was made expires June 30 after the election of the successor, the successor shall be elected to a full term. In either case, the successor shall take office July 1 next following the election.

B. Powers and Duties of the Board

1. *Meeting the Needs of the District*

The board of directors exercises those powers granted to it, and carries out those duties assigned to it by law, in such a way as to best meet the needs of the district.

2. *Formulation and Interpretation of District Policy*

The most important activity of the board is the formulation and interpretation of district policies. The board shall establish policy, reserving to itself all authority and responsibility not expressly assigned to other district officers and personnel. Board members only have the right and responsibility to participate in board meetings and vote on district matters as part of the board.

3. *Official Board Action*

No individual board member may speak for or act on behalf of the board or district, except as authorized to do so by official board action as recorded in the official minutes, guidelines, or policies of the district.

4. *Ethical Standards and Conflicts of Interest*

- a. Board members act as representatives of the citizens of the district. Therefore, board members shall adhere to the highest ethical standards in the conduct of district business.
- b. Board members have the right to express personal opinions. When expressing such opinions in public, all board members should clearly identify the opinions as their own.

- c. A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.
- d. All board members will conduct themselves and district business in accordance with Oregon Government Ethics for Public Officers and Employees (ORS Chapter 244).

- i. *Financial Gain*

Each public official is prohibited from using the position as a public official to receive certain financial benefits if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official. In addition, each public official is prohibited from using or attempting to use the official position to obtain financial benefits for a relative or a member of the public official's household, or for a business with which the public official, a relative, or a member of the public official's household is associated. The following financial benefits may be received:

1. Official compensation
2. Reimbursement of Expenses
3. Honorarium
4. Unsolicited awards for professional achievement
5. Some gifts

- ii. *Gifts*

No public official shall solicit or receive any gift(s) with a total value of more than \$50 from any single source who could reasonably be known to have a financial interest in the official actions of that public official. A gift is defined as something of value given to a public official, for which the official does not pay an equal value. Gifts of entertainment are included in the \$50 gift limit.

- iii. *Conflict of Interest*

- 1. *Potential Conflict of Interest*

A public official is met with a potential conflict of interest when the public official participates in action that **could** affect the financial interest of the official, a relative of that official or a business with which the official or the relative of that official is associated. Board members will disclose any potential conflicts of interest prior to consideration of the issue. The disclosure will be recorded in the meeting

minutes. The official may continue to participate in official action on the issue that gave rise to the conflict.

2. *Actual Conflict of Interest*

A public official is met with an actual conflict of interest when the public official participates in action that **would** affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated. Board members will disclose any actual conflicts of interest prior to consideration of the issue. The disclosure will be recorded in the meeting minutes. The board member then must refrain from further participation in official action on the issue that gave rise to the conflict of interest.

3. *Voting Allowed in Limited Circumstances*

If board members are met with an actual conflict of interest and there are not sufficient members on the governing body able to take action unless members with conflicts participate, then members with a conflict must refrain from discussion, but may participate in the vote required for official action by the board. These circumstances do not often occur for it would mean that at least three board members have an actual conflict of interest.

5. *Board Member Education*

In order to effectively carry out their duties, board members must be adequately informed. Members are encouraged to attend such conferences and other training programs as the board may authorize.

C. Board Member Responsibilities

1. *Communication*

- Develop regular channels of communication with board members and staff.
- Develop procedures for bringing staff opinions and recommendations to the board, as well as board opinions and decisions to the staff.
- Invite patrons, non-board members, other local governments, and groups to board or committee meetings or other types of board-sponsored assemblies to explore and develop approaches to common concerns.
- Recognize that certain information obtained at board meetings may be non-public and confidential, making disclosure a breach of trust.

- Respect the opinion of other members and accept the principle of majority rule in board decisions.
- Treat with dignity and courtesy other Board members, the Library Director, staff, and members of the public, and will provide an opportunity for all parties to be heard at official meetings with due respect for their opinions and within the provision of board policy.

2. *Fiscal Oversight*

- Recognize that board members have an obligation to oversee the district's finances.
- Approve the annual district budget.
- Approve contracts binding the district as per district policy.
- Monitor district finances and the budget, setting policy or taking action to ensure the fiscal integrity of the organization.

3. *Policies, Objectives, and Plans*

- Become familiar with all laws and policies governing the operation of the district and abide by them.
- Understand that the board's basic function is policy-making, not administrative.
- Develop and/or approve the strategic plan, board plan of action, long range plan of growth or development for the district, or other plans of operations.
- Where applicable, bring other local governments or community groups into the planning and decision-making process.
- Receive and act on committee or other planning body recommendations.
- Approve policies for the organization.
- Approve any significant departure from established plans or policy.
- Approve major changes in the district's organization or structure.
- Pass district resolutions or adopt ordinances.

4. *Management*

- Select the District President and other officers.
- Define the duties and responsibilities of the Library Director.
- Approve the plan, form and amount of the Library Director compensation.
- Hire the Library Director and evaluate her/his performance annually.
- Recognize the Library Director should have full administrative authority for properly discharging the duties of managing the operations within the limits of established board policy.

- *Select* legal counsel, outside auditors, and other consultants for the board.
- Approve contracts for professional services required by and for the board.
- Provide advice and consultation to management on matters within the purview of the board's responsibilities.
- Authorize officers or board agents to enter into contracts, sign written instruments, or take financial actions.

5. *Employee Relations*

- Approve any employee benefit plans.
- Refer all personnel complaints to the proper administrative office and discuss them at regular meetings only after failure of administrative solution.
- Approve contracts with and between any unions involved with the district.
- Do not allow personnel problems, other than problems with the library director, to be brought into board considerations.
- Present personal criticism of any library operation directly to the Library Director rather than to library personnel.

6. *Control*

- Ensure that the district is in compliance with all federal, state, and local laws.
- Identify types of information needed by the board to effectively analyze the district's directions and achievement. Create a process for collecting and analyzing information.
- Review and assess the district's performance against objectives, resources, plans, policies, and services rendered. Analyze major "shortfalls" in achievement.
- Identify obstacles, sense changing needs, and propose new directions or goals.

7. *Board of Directors*

- Define the duties and responsibilities for the District President, Vice President, and any major committee chairpersons.
- Elect or appoint the District President, Vice President, and any major committee chairpersons.
- Define powers and responsibilities of committees of the board. Appoint, change, or abolish committees of the board.
- Motivate board members to accept positions of leadership and responsibility.

- Approve the form and amount of reimbursement for board members.
- Make use of educational sessions, workshops, and seminars to gain a further understanding of issues.
- Recognize that an individual board member has no legal status to act for the board outside of official meetings, except as delegated by a vote of the board.
- Refuse to make individual commitments on any matter that should properly come before the board as a whole.
- Realize that if a quorum of the board meets, then the meeting is considered a public meeting and must comply with all of the requirements of Oregon Public Meetings Laws. Maintain in compliance with these laws.

8. *Public Accountability*

- Realize that the citizens within the boundaries of the district are the true “owners” of the district.
- Make decisions based on the wishes and needs of the public. Place the needs of the public above the ambitions of the board or district.
- Keep the public informed on all district matters.
- Spend the district’s money with prudence and trust.

D. Board Member Compensation and Expense Reimbursement

1. *Compensation and Reimbursement*

No Board member will receive any compensation for services other than reimbursement for actual and reasonable expenses actually incurred in the performance of official district duties. Such expenses may include the cost of attendance at meetings, conferences or visitations, including transportation and lodging, when such attendance has been approved by the Board.

2. *Reimbursement Documentation*

Board members incurring reimbursable expenses shall submit proper documentation of such expenses to the Library Director or such other designee for reimbursement by the district.

E. Board Member Liability Insurance

The District will purchase liability insurance and errors and omissions insurance to protect its board members individually and collectively for claims made against them as a result of their official board actions in the course of their official duties.

F. Board Member Orientation

1. *Cooperation with Board Candidates*

The board, through its staff, shall cooperate impartially with candidates for the board and provide them with information about board policies, administrative regulations, and other aspects of the operation of the district.

2. *Orienting New Board Members*

The board and its staff shall assist each new member-elect and appointee to understand the board's functions, policies, and procedures before he/she takes office. The following methods shall be employed:

- New members shall be invited to attend and participate in public board meetings prior to being sworn in.
- The Library Director shall provide material pertinent to district meetings and respond to questions regarding such material.
- New members shall be invited to meet with the Library Director and other district personnel to discuss the services each performs for the district.
- The library director shall give each new board member:
 - An updated copy of the District's policies and procedures.
 - A list of Oregon Revised Statutes most relevant to district operations.
 - A copy of the Attorney General's "Public Records and Meetings Manual."
 - Copies of the minutes of all board meetings, except for executive sessions, for the preceding 12 months.
 - Copies of the district's last 5 budgets.
 - A list of all district personnel by position.
 - Copies of the district's insurance policies.
 - Copies of all such documents as the attorney for the district may recommend with respect to any pending claims or lawsuits.
 - Such other materials as the board may direct or the library director deems appropriate.

G. Board Officers

1. *Annual Organizational Meeting*

At the first regular meeting after July 1, the Board will meet to organize for the year. The organizational meeting will consist of, but is not limited to, the following actions:

- Election of a Board President.
- Election of a Vice President.
- Provision of a time and place for its regular meetings.
- Other organizational actions prescribed by law or by board practice.
- The incumbent President of the board will preside until a successor is elected, whereupon the successor will assume the presidency. In the event no incumbent President or Vice President remains on the Board, or neither is able to continue to serve as an officer, or neither is present at the meeting, a temporary President will be selected to conduct the election.
- The President and Vice President shall serve for a period of one year or until their successors are elected or appointed. If a board member is unable to continue to serve as an officer, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the first meeting of the next fiscal year.

2. *Duties of the Board President:*

- The President shall perform such duties as may be prescribed by Oregon Revised Statutes or by action of the board.
- The President shall consult with the Library Director regarding the preparation of each board meeting.
- The President shall preside at all meetings of the board. The President shall decide questions of order at board meetings.
- The president shall have the same rights as other members of the board to discuss and to vote on questions before the board.
- The president may call special meetings of the board as described by the Oregon Public Meetings Law.
- The president of the board shall sign official district documents on behalf of the board when authorized to do so by a majority of the board.

3. *Duties of the Vice-President*

- In the absence, incapacitation or death of the President, the Vice President shall perform the duties of President. The Vice President will perform such other functions as designated by the board.

4. *Duties of other board members*

- In the absence, incapacitation or death of the President and the Vice-President, a quorum of remaining board members shall agree upon whom will perform the duties of President.

5. *Duties of the Executive Secretary*

- In accordance with Oregon Revised Statute 357.226, the board shall appoint a librarian, who shall be the secretary of the district. The board has given the librarian the title of Library Director.
- The Library Director shall keep and maintain, or cause to be kept and maintained by a competent clerk, complete records of the disposition of all matters on which the Board considered action, including:
 - Properly authenticated official copies of the minutes
 - Official record of all ordinances and resolutions of the board.
 - Official record of policies of the board.
 - Official record of procedures of the district.
 - The Library Director shall prepare, check, and distribute, or cause to be prepared, checked, and distributed by a competent clerk, minutes in advance for approval at the next Board meeting.
 - The Library Director shall be the official custodian of all funds of the district, except for those funds for which the Lake County Treasurer is custodian, and shall be responsible for the safeguarding and accounting of all such funds.
 - The Library Director shall cause to have issued a receipt for any moneys coming into his or her hands and cause to have deposited such moneys in accordance with the laws governing the deposit of public funds. She or he shall cause to have issued all checks in payment of expenses lawfully incurred on behalf of the district.