

## CHAPTER 97: LIBRARY

### Section

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#### **IN GENERAL**

#### **§ 97.01 ESTABLISHMENT.**

(A) In G.S. § 153A-261 the General Assembly stated its recognition that the availability of adequate, modern library services and facilities is in the general interest of the public.

(B) Thus, the stated policy is to promote the establishment and development of public library services throughout the state. G.S. § 153A-263 provides that the Town Board may “establish, operate and support (a public library)” and that citizens that operate or financially support (through taxes) public libraries are entitled to free use of the library and their services.

(C) In keeping with this policy, the Lilly Pike Sullivan Municipal Library was established in the town to meet the library needs of the community. Its purpose is to provide information, cultural enrichment, recreation and a means of continuing education for people of all ages and interests. Since the library is one of the many services provided by the government, in keeping with good management practices, it is designated a department within the town’s organization.  
(1993 Code, § 42-1)

***LIBRARY BOARD OF TRUSTEES*****§ 97.15 ESTABLISHMENT; MEMBERSHIP.**

(A) In order to ensure that the public interests are continually addressed by the library, the Board of Commissioners shall appoint a Library Board of Trustees which understands the community's needs, the library's capabilities and the necessity to plan carefully for a library program that will provide the services needed. The Board of Trustees will advise the Board of Commissioners on library programs and policy as required.

(B) In order to provide for the effective trusteeship needed to ensure a viable library program, the members shall be selected based on the following qualifications:

- (1) Interest in the library, in the community and in the library's relationship to the community;
  - (2) Readiness to devote time and effort to carry out the duties of trusteeship;
  - (3) Recognition of the library's importance as a center of information of community culture, recreation and continuing education;
  - (4) Close acquaintance with community social and economic conditions and with groups within the community;
  - (5) Ability to work well with others – Board members, the librarian and staff members and the public served by the library;
  - (6) An open mind, intellectual curiosity and respect for the opinions of others;
  - (7) Initiative and ability to recommend policies for successful operation of the library and impartial service to all patrons;
  - (8) Courage to plan creatively, to carry out plans effectively and to withstand pressures, prejudices and provincialism;
  - (9) Ability to envision library development to include improvement and external expansion;
- and
- (10) Devotion to the library, its welfare and its progress.

(C) The library shall have a Board of Trustees consisting of six persons who shall be appointed by the Board of Commissioners. Because the library is a service available to the citizens of Greater Enfield, membership of the Board of Trustees shall be composed of persons with an Enfield mailing address. Each member shall serve for a period of four years or until a successor is duly appointed and qualified, except that two of the first Board members following the adoption of this chapter shall serve for two

years. Library Board members may be reappointed by the Board of Commissioners for an indefinite number of terms. Vacancies shall be filled in the same manner at the first meeting after the vacancy occurs.

(1993 Code, § 42-26)

**§ 97.16 OFFICERS; DUTIES.**

(A) The Library Board of Trustees shall elect from its members a Chairperson, Vice-Chairperson, Secretary and Treasurer every two years at the first regular meeting following the appointment of the new Board.

(B) It shall be the duty of the Chairperson to preside at all meetings, to appoint all committees, to certify all actions approved by the Library Board, to authorize calls for any special meetings and to represent the Library Board when necessary, including appropriate communication with the Board of Commissioners.

(C) It shall be the duty of the Vice-Chairperson to function in the place of the Chairperson in his or her absence.

(D) It shall be the duty of the Secretary to record a true and accurate account of all proceedings of the Library Board meetings, to issue notices of all regular and on the Chairperson's authorization, of all special meetings and shall notify the Board of Commissioners of any vacancies on the Library Board. The Librarian shall be responsible for transcription of the minutes and shall maintain the minutes and other records of the Library Board.

(E) It shall be the duty of the Treasurer with the administrative support of the Librarian to have charge of any special library funds and income, to keep books, report at each meeting on the state of the funds, develop the library departmental budget, present the proposed budget to the Library Board and to make an annual report.

(1993 Code, § 42-27)

**§ 97.17 RULES OF OPERATION; POWERS.**

(A) For efficiency, the Library Board of Trustees should adopt bylaws to govern its operation. They should be concise and should include, but not be limited to, the following:

- (1) Time and place of regular meetings;
- (2) The method of calling special meetings;
- (3) Quorum;
- (4) Expansion, if desired, of the duties of the officers;

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- (5) Order of business;
- (6) The appointment and duties of committees;
- (7) Hearings before the Board; and
- (8) Amending the bylaws.

(B) The town library is a legal entity and an instrument of the town government. The Board of Trustees, which is the primary advisor to the Board of Commissioners, is a legal body that has the following powers:

- (1) To formulate and propose programs, policies and regulations for the operation of the library;
  - (2) To make recommendations to the Board of Commissioners concerning the construction and improvement of buildings and other structures for the library system;
  - (3) To advise the Town Administrator in the appointment of a Chief Librarian, and provide assistance as requested with regard to the interview process;
  - (4) To propose a schedule of fines and charges for late return of, failure to return, damage to and loss of library materials and to take other measures to protect and regulate the use of materials;
  - (5) To participate in preparing the annual budget of the Library Department;
  - (6) To extend the privileges and use of the library system to nonresidents of the town as deemed feasible; and
  - (7) To advise the Board of Commissioners on library matters generally.
- (1993 Code, § 42-28)