

CONSTITUTION FOR FORSYTH COUNTY PUBLIC LIBRARY

Adopted April 8, 1996

Effective July 1, 1996

Amended February 10, 1997

Amended May 21, 2007

Revised May 21, 2018

ARTICLE I. NAME

Section 1.

The name of the library shall be the Forsyth County Public Library. Its administrative offices shall be located in Forsyth County, Georgia.

Section 2.

Forsyth County Public Library is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations under Section 502 (c) (3) of the Internal Revenue Code (or the corresponding section of any future Federal tax code).

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to, its members, trustees, directors, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501 (c) (3) purposes. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.

Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code (or corresponding section of any future Federal tax code) or (b) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code (or corresponding section of any future Federal tax code).

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future

Federal tax code, or shall be distributed to the Federal government, or to a state or local government, for a public purpose.

ARTICLE II. PURPOSE

The library shall offer a full program of library service to all citizens of the county to meet their informational, educational, and recreational needs; select, acquire and catalog materials; provide access to materials by circulation, in house, and remote use; establish branches and other outreach services; and promote the use of the library resources.

ARTICLE III. CONSTITUENCY

The library shall serve all residents of Forsyth County.

ARTICLE IV. COUNTY LIBRARY BOARD OF TRUSTEES

Section 1.

The governing body shall consist of a five member board appointed by the county commissioners, which appointments shall be made in writing, transmitted to the appointee and to the library, stating the length of term and the expiration date of the appointment. The operation of the library is legally vested in this board under the provisions of the Official Code of Georgia Annotated, Article 2, Chapter 5, Title 20.

Section 2.

All decisions of the board shall be made by vote of a majority of a quorum of the board. No individual member may act on behalf of the board unless specifically authorized to do so by the board.

Section 3.

Unless otherwise stated in the notice of appointment from the county commissioners, the term of office for each trustee shall be four years with starting and ending dates corresponding to the fiscal year which shall begin in July. Absent early vacancy (e.g., resignation or removal), members shall retain their trustee position until the end of their appointment or term. At the conclusion of each four year term, members may be reappointed by the county commissioners. If not reappointed, members shall serve until their successors are appointed.

Section 4.

Any person appointed to the board must be a resident of Forsyth County. If they move their legal residence outside the county, they shall be replaced on the board.

Section 5.

Vacancies shall be filled in the same manner as appointments are made. If a vacancy occurs prior to the expiration of a trustee's term, the new appointee shall complete the unexpired time.

Section 6.

Board members shall receive no compensation. They may be reimbursed for any reasonable and necessary expenses incurred in the performance of library business or if stipulated in terms of any bequest or gift. Membership dues or fees for individual membership in state, regional, and national library associations may be paid.

ARTICLE V. OFFICERS

Section 1.

The officers of the board of trustees shall be a chairperson, a vice-chairperson, and a secretary/treasurer elected from those serving on the board. These officers shall perform the duties prescribed by the bylaws and the parliamentary authority adopted by the board.

Section 2.

The officers shall be elected at the September meeting to serve for one year or until their successors are elected, and their terms of office shall begin at the close of the meeting at which they are elected.

Section 3.

The treasurer, the director, and any member of the staff authorized to handle library funds shall be bonded for an amount commensurate with the amount of the funds handled.

ARTICLE VI. COMMITTEES

Committees may be appointed by the chairperson as needed.

ARTICLE VII. INTERLIBRARY COOPERATION

The Library Board may enter into cooperative endeavors with other libraries for the purposes of sharing personnel, materials, and services. Such cooperative endeavors must be within the limits of funds available, conducive to mutual growth and development and not in violation of state or federal laws, regulations, or other agreements, contracts, or board policies.

ARTICLE VIII. CONTRACTS

The Library Board is authorized to make and enter into such contracts or agreements as are deemed necessary and desirable under the provisions of Article 2, Chapter 5, Title 20 of the Official Code of Georgia Annotated.

ARTICLE IX. AMENDMENT OF CONSTITUTION

This constitution may be amended at any regular meeting of the board with a two-thirds vote of the members present, provided that notice is made in writing at least two weeks prior to the meeting, and provided that a quorum is present. All amendments to the constitution will be filed with the Georgia Public Library Service immediately upon adoption.