

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER

1. LIBRARY BOARD.

CHAPTER 1

LIBRARY BOARD

SECTION

- 2-101. Creation of board.
- 2-102. Membership of board.
- 2-103. Compensation of board members.
- 2-104. Appointments to the board.
- 2-105. Removal from board - vacancies filled.
- 2-106. Meetings of the board.
- 2-107. Appointment of librarian.
- 2-108. Donations, gifts, and contributions.
- 2-109. Title to property acquired by the board.
- 2-110. Library use by town inhabitants.
- 2-111. Library board's powers and duties.
- 2-112. Miscellaneous.

2-101. Creation of board. Pursuant to the charter of the town and the provisions of *Tennessee Code Annotated*, §§ 10-3-101, *et seq.*, there is hereby created a public library board in and for the town, consisting of seven (7) members, known as library directors. The chapter is intended to and does hereby repeal and replace the current library board chapter appearing as Chapter 2, §§ 2-201 to 2-204 adopted by ordinance dated June 19, 1999. (2008 Code, § 2-201)

2-102. Membership of board. The members of the public library board shall be citizens of McMinn County, Tennessee and qualified to vote in McMinn County, Tennessee. No official; employee of the town nor member of any town board shall be a member or director of the public library board except that the mayor or a board member may serve. No more than five (5) members of the directors shall be of the same sex. (2008 Code, § 2-202)

2-103. Compensation of board members. The members of the public library board shall serve without salary or other compensation. (2008 Code, § 2-203)

2-104. Appointments to the board. The board of commissioners shall elect or appoint seven (7) members or directors to membership on the public library board one of which shall be the mayor or board member appointed by the mayor; three (3) for a term of one (1) year, two (2) for a term of two (2) years and two (2) for a term of three (3) years. All succeeding

members or directors of the public library board shall be elected for terms of three (3) years. The annual election of new members or directors of the public library board shall be made at a regular meeting of the board coming annually, as near as practicable, after the date upon which the first board is elected or appointed as provided in this section. Every qualified person so elected or appointed to membership on the public library board shall hold office for his/her elected term and until his/her successor is elected. (2008 Code, § 2-204)

2-105. Removal from board - vacancies filled. Any member or director of the public library board may be removed from office by majority vote of the board for failure to attend meetings of the board, for any other neglect of duties as such member or director or for any misconduct in office. The board shall fill vacancies occurring in the membership of the public library board, whether caused by death, resignation, disability, removal from office by becoming ineligible for membership on the board by reason of removal or residence from the county, or other reason, or for any other cause. Persons elected or appointed to fill vacancies shall serve out the expired term only, or until his successor is elected or appointed. (2008 Code, § 2-205)

2-106. Meetings of the board. The public library board shall meet and organize annually by electing officers and adopting by-laws and regulations. (2008 Code, § 2-206)

2-107. Appointment of librarian. The public library may appoint or employ a librarian. The librarian shall administer the internal affairs of the library and may appoint such assistants or employees as may be necessary, after obtaining approval of the public library board. The librarian and all assistants and employees, and the operation and administration of any library established under the provisions of this chapter, shall be under the supervising control and direction of the public library board. (2008 Code, § 2-207)

2-108. Donations, gifts, and contributions. The public library board is hereby authorized and empowered to accept gifts, bequests and devices of money, personal or real property to be used by it for library purposes, including the establishment, operation, administration and maintenance of public library for the inhabitants of the town, and others, as may be permitted by the public library board, in conjunction with any other person, including McMinn County, Tennessee, or any county library board that may be created by or for such county, or any established library. (2008 Code, § 2-208)

2-109. Title to property acquired by the board. The title to all property acquired by the public library board shall be vested in the Town of Englewood in trust for the board and their successors in office, who shall have power to convey, lease, mortgage, encumber or otherwise transfer and convey such property as it may be authorized to do by the board of commissioners, or its successors. (2008 Code, § 2-209)

2-110. Library use by town inhabitants. Any library established or provided by the public library board shall be free to the inhabitants of the town. The board may extend the privileges and facilities of such library to persons residing outside the town upon such terms as it may deem proper and to that end may contract with any county library board. (2008 Code,

§ 2-210)

2-111. Library board's powers and duties. The public library board shall have power to make reasonable rules providing penalties for loss or injury to library property, and to enforce such rules.

The librarian of any library established, operated, administered or maintained under provisions of this chapter shall make and submit an annual report to the public library board in such appropriate form and manner as the board may designate.

The public library board shall make an annual report to the board of commissioners in such form and manner as it may require.

All library accounts of every character shall be audited annually by or under the authority of the board, unless such audit is expressly waived by the board. (2008 Code, § 2-211)

2-112. Miscellaneous. Notwithstanding anything to the contrary that may be provided, expressly or impliedly, by any provision of this chapter, neither the town nor its board of commissioners in anywise obligates itself or themselves to establish, or to assist in the establishment of any library in the town, nor shall the town nor the board of commissioners in anywise be responsible for the handling, investment, collection or safekeeping of any funds or property that may be donated, bequeathed or devised to the public library board or to any library that it may establish, operate, administer or maintain, and neither the town nor its board of commissioners shall in anywise be obligated or responsible for the operation, administration or maintenance of any such library, and neither the library board nor the individual members or directors thereof nor appointee or employee of the board or its individual members or of the librarian, or of his/her assistants or employees, shall have any power or authority whatsoever to make or incur any contract, liability or obligation whatsoever for or on behalf of the town or its board of commissioners, except with the express authorization and consent of the town and its board of commissioners being first provided by appropriate resolution or ordinance. (2008 Code, § 2-212)