

ORDINANCE 2003-33

**AN ORDINANCE ENACTING TOOELE COUNTY CODE 4-14-1 ET SEQ.,
ESTABLISHING THE LIBRARY BOARD AND PROVISIONS
REGARDING THE BOOKMOBILE.**

**THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF TOOELE
ORDAINS AS FOLLOWS:**

SECTION I - PURPOSE. This ordinance is for the purpose of delegating certain policy responsibility to the Tooele County Library Board and provide basic guidelines and procedures for bookmobile operation.

SECTION II- CHAPTER ENACTED. Tooele County Code 4-14-1 et seq., is hereby enacted to read:

4-14-1. Library board of directors.

(1) There is hereby created a county library board whose directors shall be appointed by the county commission.

(2) The board shall consist of not less than five and not more than nine directors chosen from the citizens of the county and based upon their fitness for office.

(3) The terms of library board members shall be staggered so that approximately 1/4 of the board is selected each year.

(4) Only one member of the county commission may be, at any one time, a member of the board.

(5) Each director shall serve without compensation, but the actual and necessary expenses incurred in the performance of the director's official duties may be paid from library funds.

4-14-2. Board terms - Removal - Vacancies.

(1) Each library board director shall be appointed for a four-year term, or until the director's successor is appointed. Initially, appointments shall be made for one-, two-, three-, and four-year terms, and one member of the county commission for the term of that commissioner's elected office. Annually thereafter, the county commission will appoint for a four-year term, one director to take the place of the retiring director.

- (2) Directors shall serve not more than two consecutive full terms.
- (3) The directors shall annually select a chair and other officers.
- (4) The county commission may remove any director for misconduct or neglect of duty.
- (5) Vacancies in the board of directors shall be filled for the unexpired terms in the same manner as original appointments.
- (6) A position on the board becomes vacant when that director ceases to be a resident of the county. The position of a director is forfeited and becomes vacant for failure to attend three regular consecutive meetings of the board, unless such absence is excused by a majority of the board.

4-14-3. Treasurer.

The county treasurer shall have legal custody of all bookmobile funds and shall act as the treasurer of such funds.

4-14-4. Chairs' duties.

- (1) The chair of the board shall preside at all board meetings, authorize calls for any special meetings and generally perform the duties of a presiding officer.
- (2) The chair of the board shall sign or countersign all official board documents and where appropriate recommend approval by the county commission. The chair shall arrange staff to act as clerk of the board for the purpose of actual minute taking and maintaining official records of board actions.

4-14-5. Meetings.

- (1) The board shall meet regularly with a quorum present, whether corporal or by means of electronic equipment, for the purpose of discussing or acting upon a matter or matters. For this purpose a quorum consists of that number of board directors that represents 51% or more of the total number of board directors appointed at the time.
- (2) The board shall have at least one annual meeting held in the last quarter of each year.
- (3) Special meetings may be called at any time by the chair, providing notice thereof is given to the public and all directors at least 24 hours in advance.
- (4) If the board director who is a member of the county commission is unable to attend any board meeting, then that director may designate an alternate to act in that director's place.
- (5) If the member of the county commission who is a director of the board has designated an alternate to act in that director's stead, at any or all board meetings, then that alternate's presence shall count as a board director for purposes of meeting a quorum or voting.
- (6) Meetings shall comply with all requirements of State law including the Utah Open and Public Meetings Act.
- (7) Records of all board meetings shall be kept, managed, classified, and disclosed as required by county ordinance and State law, including the Government Records Access and Management Act.

4-14-6. Committees.

Ad hoc committees for the study and/or investigation of issues or other library matters may be appointed by the chair to serve until the completion of the work for which they were established.

4-14-7. Delegated power and duties.

Subject to compliance with federal laws, state laws, and county ordinances and policies:

(1) The board is hereby granted responsibility to:

(a) cooperate with the Utah State Library Division pursuant to the provisions of Title 9, Chapter 7, Section 509 of the Utah Code Annotated, as amended, in providing bookmobile services;

(b) establish policies for the operation, maintenance, and care of the bookmobile;

(c) purchase, lease, exchange, or sell personal property for the benefit of the bookmobile;

(d) establish policies for collections and information resources; and

(e) establish rules to exclude from the use of the bookmobile any person who willfully violates bookmobile rules, state laws or county ordinances.

(2) The board shall:

(a) recommend to the county commission and the director of the Utah State Library Division a competent person to act as librarian;

(b) establish and revise bookmobile policies in cooperation with the library director, subject to consistency with state and federal law and county ordinance and policies, and review by the county attorney's office;

(c) work cooperatively with the county commission, library director, bookmobile staff, other county staff, and others in the community to provide excellent bookmobile services;

(d) encourage citizen involvement in the development of long-range plans for the improvement of library services and facilities;

(e) hear and resolve relevant library issues brought to the board;

(f) make an annual report to the county commission on the condition and operation of the bookmobile, including a financial statement;

(g) submit an annual report to the State Library Board;

(h) recommend to the county commission the removal of any director of the board for misconduct or neglect of duty; and

(i) furnish to the county commission, in writing, and prior to the time required by law to levy county taxes, an estimate of the amount of moneys necessary to establish, equip, and maintain the bookmobile and to provide services during the next ensuing fiscal year.

4-14-8. Rules - Use of bookmobile.

(1) The board shall make rules in a manner consistent with county ordinances, policies and procedures for the governing of the bookmobile.

(2) The bookmobile shall be free to the use of the inhabitants of Tooele County, subject to the rules made as prescribed by this section.

4-14-9. Librarian.

The librarian shall:

- (1) serve as executive officer for the library board;
- (2) be responsible for the administration of the bookmobile under the policies adopted by the board and the county;
- (3) recommend such policies and procedures to the board that will promote the efficiency of the bookmobile and improve services to its patrons;
- (4) be accountable to the county commission in complying with bookmobile policy, county-wide policy, county ordinances, and state and federal laws;
- (5) be responsible for the maintenance and operation of properties belonging to the county for its bookmobile;
- (6) submit regularly and timely reports to the board on the progress, activities and finances of the bookmobile;
- (7) ensure the appropriate receipt of non-tax income collection and expenditure of all county bookmobile funds; and
- (8) perform other duties as established in the director's official job description.

4-14-10. Donations of money or property.

(1) A person desiring to make a donation of money, personal property, or real estate for the benefit of the bookmobile has the right to vest the title to the money, personal property, or real estate in the county, designated for the benefit and purposes of the bookmobile.

(2) The county shall hold donated personal property and control of the donation according to the terms of the deed, gift, devise, or bequest of the property, and shall be the trustee of the property.

4-14-11. Cooperation for providing bookmobile services.

The library board of directors may cooperate in providing bookmobile services under an interlocal agreement approved and implemented in accordance with Title 11, Chapter 13, Interlocal Cooperation Act, with the boards of directors of city libraries, boards of education, governing boards of other educational institutions, library agencies, and local political subdivisions.

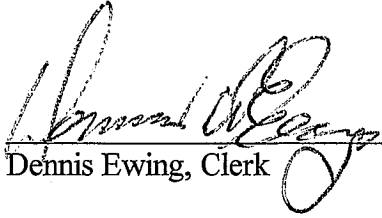
SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

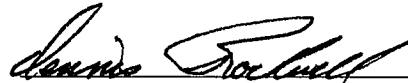
SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or as such publication date if more than 15 days after passage.

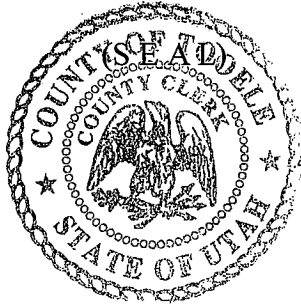
IN WITNESS WHEREOF, the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance the 23RD day of December 2003.

ATTEST:

TOOELE COUNTY

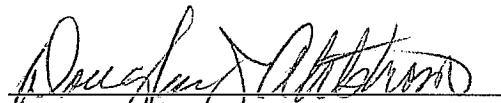

Dennis Ewing, Clerk


Dennis Rockwell, Chairman
Tooele County Commission



Commission Rockwell voted aye
Commissioner White voted aye
Commissioner Lawrence voted aye

APPROVED AS TO FORM:


Douglas J. Ahlstrom
Tooele County Attorney