

By-law No. 123/2008

A By-law of the Town of Bentley, in the Province of Alberta, to Provide for the establishment of the Bentley Municipal Library Board

WHEREAS, the Council of the Town of Bentley has authority, pursuant to Part I and Part 5 of the Libraries Act, being Chapter L-11 of the Revised Statutes of Alberta, and amendments thereto,

AND WHEREAS, Council of the Town of Bentley deems it expedient to establish the Bentley Municipal Library Board,

NOW THEREFORE, Council of the Town of Bentley, duly assembled in meeting and pursuant to the Library Act, hereby establishes the Bentley Municipal Library Board to manage and control the Bentley Municipal Library.

1. Definitions

- a) "Council" shall mean the Council of the Town of Bentley
- b) "Board" shall mean the Bentley Municipal Library Board
- c) "Chief Administrative Officer" shall mean the Chief Administrative Officer of the Town of Bentley or any person authorized by the CAO to act on his/her behalf
- d) "Member" shall mean a member of the Bentley Library Board

2. Board Framework

- a) The Board shall consist of not fewer than five (5) members and not more than seven (7) members as follows;
 - i) Not fewer than four (4) and not more than six (6) members shall be volunteers from the Community and shall be appointed by resolution of Council
 - ii) Not fewer than one (1) and not more than two (2) members of Council and shall be appointed by Council at the annual Organizational Meeting
- b) All members of the Board have equal rights, privileges and obligations.

- c) The term of office shall be as follows;
 - i) the term of office for a community board member shall be three (3) years. A member may serve on the Board for a maximum of two (2) consecutive terms of office, unless 2/3 of the whole Council passes a resolution stating that a member may be reappointed as a member for more than two consecutive terms.
 - ii) the term of office for the member of Council shall be one (1) year with annual appointments by Council at the annual Organizational Meeting.
 - iii) when appointments are made in respect of a first Municipal Library Board, Council shall appoint
 - 1/3 of the members for a term of one (1) year,
 - 1/3 of the members for a term of two (2) years,
 - The remaining members for a term of three (3) years.
 - iv) In the event of a vacancy occurring, the person appointed by resolution of Council to fill such vacancy, shall hold office for the remaining term of his or her predecessor.
- d) Any member absent from three (3) consecutive regular meetings of the Board without prior authorization of the Board, will automatically forfeit his/her membership on the Board as of the date of the third consecutive meeting absent from.
- e) Any member may resign from the Board at any time upon sending written notice to the Board Chairperson and a copy to the Chief Administrative Officer.

3. **Meetings/Quorum/Voting**

- a) Regular meetings of the Board shall be held at least ten (10) times per calendar year, with the time and date to be determined by the Board on an annual basis. The date and time of any regular meeting may be altered from time to time, by a resolution passed by the Board.
- b) A majority of members of the Board constitute a meeting quorum.
- c) Full and free discussion of every proposition presented for decision of the Board is an established right of all Board members.
- d) The majority of those Board members present and voting shall constitute the decision of the Board.

- e) All members in attendance at the meeting, including the Chairperson, must vote on all matters before the Board, unless a pecuniary interest is declared.
- f) The provisions of the Municipal Government Act, Division 6, Pecuniary Interest, shall apply to all Board Members.
- g) In the event of a tie vote, the motion shall be declared defeated
- h) The Board shall establish their own rules of procedure, but in doing so, they shall have due regard for parliamentary procedures and procedural fairness.

4. Annual General Meeting

- a) The Board shall annually, hold a General meeting at which time the following decisions will be made;
 - Election of the Chairperson and Deputy Chairperson
 - Appointment of the Treasurer and Recording Secretary
 - Establish signing authority
 - Appoint an Auditor
 - Establish the date, time and location of regular meetings
 - Appointments to Committees of the Board.

5. Role of the Board

- a) The Board, subject to any enactment that limits its authority, shall have full management and control of the Bentley Municipal Library and shall, in accordance with regulations, organize, promote and maintain an efficient library service and may cooperate with other Boards and Libraries in the provision of these services
- b) The Board may, by resolution, adopt operational policies as it determines necessary to carry out the management of the Bentley Municipal Library.
- c) The Board may pass By-laws pertaining to the safety and operation of the Bentley Municipal Library and shall, upon final reading and passing thereof, forward a copy of the by-law to the Council. The Council may disallow a by-law passed by the Library Board.

6. **Budgets & Financial Records**

- a) The Board shall, before December 1 of each year, prepare and approve a budget and an estimate of the money required, during the ensuing fiscal year, to operate and manage the Municipal Library.
- b) The budget and estimate of money required shall be forthwith submitted to the Chief Administrative Officer, for presentation to Council.
- c) Council may approve the estimates in subsection b) in whole or in part.
- d) The Board shall;
 - i) keep accounts of all its receipts, payments, assets and liabilities,
 - ii) have the accounts audited annually by a person who is not a member of the Board and who has been appointed by the Board and whose qualifications are satisfactory to Council to review the accounts each calendar year and prepare a financial report in a form satisfactory to Council,
 - iii) submit the financial report to Council immediately after its completion

This By-law rescinds By-law 407/80.

This By-law shall come into force and effect on the date of the final passing thereof.

Read a first time this 12th day of February, 2008.

Read a second time this 12th day of February, 2008

Read a third and final time this 12th day of February, 2008

Mayor

Chief Administrative Officer

