

KDLA June 2010 Trustee Tip of the Month *What are the Terms and Duties of Board Officers?*

The Library Board of Trustees is directed by the Kentucky Revised Statutes to establish and adopt bylaws "for their own guidance." See KRS 173.350(2); KRS 173.520(2)(c); or KRS 173.745(2)(c).

While most of the specific duties of the Board Officers are determined by the bylaws and local policy, there are several legal requirements provided for in statute.

According to KRS, officers are to be elected and then serve in that capacity for a term of two years. They may serve consecutive terms, but need to be reelected. The offices identified by KRS to be elected are: president, treasurer, secretary, and other "officers as deemed necessary." KRS 173.350(1); KRS 173.500; or KRS 173.735.

While not stated in library statute, OAG 67-458 states that it may be unconstitutional for a board member to hold two offices simultaneously. Having each of the board offices filled by a different person also provides a clear segregation of duties and a better system of internal controls.

The election of officers is handled according to the policy adopted by the board.

The President does not have the authority to act independently for the board. He/she may be authorized by the board, voting in a quorum, to act on their behalf on a specific issue.

The Treasurer is the only officer required to be bonded as stated in KRS 173.360(2); KRS 173.540(5); or, KRS 173.755(5). The Treasurer signs checks for disbursements from the library account, upon receipt of a board-approved itemized voucher as per KRS 173.360(2); 173.540(1); or, 173.755(1).

The Secretary will sign and the President countersigns the itemized vouchers per KRS 173.540(1); or 173.755(1). KRS 173.360(2) specifies "money shall be paid only upon vouchers approved by the board."

More information can be located in the Kentucky Public Library Trustee Manual available at: <http://www.kdla.ky.gov/organizations/klta/trusteemanual.pdf>.

Quick Tips:

- ◆ Officers defined in KRS to be elected are: President, Treasurer, Secretary, others as deemed necessary.
- ◆ Term of service in the position of an office is two (2) years.
- ◆ The President cannot act independently without authorization by a Board vote.
- ◆ The President and Secretary sign the itemized vouchers approved for payment by the Board.
- ◆ The Treasurer is the only Board officer required to be bonded.
- ◆ Your Regional Librarian can provide additional help or sample Bylaws as requested.

This is not legal advice and I am not an attorney. If you feel you need legal advice you should consult an attorney.

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