

**Amendment (3) to Ordinance 1974-7  
Responsibilities of the Library Board**

Town of Cochiti Lake Public Library Ordinance:

**BE IT ORDAINED** by the Assembly of the Town of Cochiti Lake:

That the Assembly delegates certain responsibilities to the Town of Cochiti Lake Library Board.

**Section 1. Title**

Amendment (3) to Ordinance 1974-7, dated October 30, 1974 and Ordinance 1996-15 dated September 23, 1996

**Section 2. Definitions**

- (1) "Board" means Town of Cochiti Lake Library Board.
- (2) "Assembly" means the Town of Cochiti Lake Assembly.
- (3) "Library Director" means the administrative employee of the Town of Cochiti Lake and the head of the Town of Cochiti Lake Library.
- (4) "Library" means the Town of Cochiti Lake Library System that may or may not be part of the State Public Library System.

**Section 3. Creation of Library Board**

There shall be a Town of Cochiti Lake Library Board, appointed by the Assembly, whose members serve in a volunteer capacity at the pleasure of the Assembly. The Library Board shall have the duties and responsibilities provided in this Ordinance. The Library Board shall consist of no less than five (5) and no more than seven (7) members. The Assembly shall appoint board members. Members of the Library Board shall serve without compensation, but may be reimbursed for travel and other expenses incurred while in the pursuit of official library business. Members shall be appointed for two (2) year terms and may be reappointed only one consecutive term thereafter. If Board vacancies occur, the Assembly may appoint others to fill the unexpired terms. Members of the Library Board serve at the pleasure of the Assembly. The Library Director is an ex-officio member of the board without voting participation.

#### Section 4. Duties of the Library Board.

The Library Board shall have the following duties:

##### A. The Library Director

The Library Board shall act as an advisory board to the Assembly in the matter of a Library Director. At the time of a vacancy in the position of Library Director, the Assembly and Board shall meet and mutually decide on a procedure for the selection of a new Library Director. The final decision shall be made by the Assembly.

The Library Director shall report to the Board on matters of library policy and procedures and shall keep the Board informed of all aspects of Library operations. The Library Director shall be an employee of the Town of Cochiti Lake and shall report to the Town Administrator on day-to day personnel matters, i.e. hours worked and absences for professional development. The Town Administrator and not the Library Board, are responsible for those areas. If the position of Town Administrator shall be vacant the Library Director shall report to the designated member of the Assembly or an acting Town Administrator.

The Library Director shall serve at the pleasure of the Assembly, but the Assembly shall consult with the Board before taking personnel action to relieve the Library Director of his or her duties or changing Library Director's terms of employment. The Assembly shall set the Salary of the Library Director.

##### B. Library Policies and Procedures

The Library Board shall be responsible for the development of the library policies and non-technical procedures exclusively. Library policies and procedures relate generally to determination of the content and quantity of the library collections, the delivery of library services and programs, adequacy of library facilities, and long range planning. Any policies and procedures shall be made in writing and adopted by a majority vote of the Board. All written policies and procedures shall be forwarded to the Assembly for their information. Receipt of the policies, procedures and minutes by the Town Administrator shall constitute Assembly notification. The Board must meet all requirements of the State of New Mexico Open Meetings Act.

##### C. Library Finances

The Town of Cochiti Lake shall serve as the fiscal agent for the Library and shall be responsible for the purchase, control or disposal of real and personal property necessary for the purposes of the library out of budgeted funds. The

Town Administrator on behalf of the Assembly shall also enter into any contracts necessary for the operation of the library. The Board shall be responsible for the administration of gifts memorials and other funds and property donated to the library. The Board and the Library Director shall be jointly responsible for the preparation and submission of an annual budget.

In any case, all financial transactions shall adhere to the laws, rules and regulations of the State of New Mexico Department of Finance and Administration and State Auditors Office, and the Town of Cochiti Lake.

#### **D. General Matters**

In all other areas not specifically mentioned in this ordinance, the Board shall act as an advisory board to the Assembly on all matters related to the Library. The report presented by the Library Director and Board shall be given both by a written report and by a verbal report at a regular meeting of the Assembly at a date to be set by Assembly resolution annually.

#### **E. Bylaws**

The Board shall adopt bylaws that are consistent with this ordinance and govern the conduct of the Board. The bylaws shall provide for the amendment of the bylaws by a vote of the Board.


### **Section 5. Severability**

Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or other wise invalid for any reason, or should any portion of the Ordinance be pre-empted by state or federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of the Ordinance or its application to other persons or circumstances.


### **Section 6. Effective Date**

This ordinance shall take effect and be in full force thirty (30) days after its passage and publication.

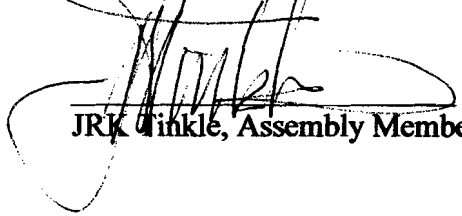
**DULY ADOPTED** this 28<sup>th</sup> day of June, 2004 by the Assembly of the Town of Cochiti Lake at a meeting thereof; at which a quorum was present, 5 voting for and 0 voting against.

  
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Ken Kiesling, Mayor

  
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Freda Donica, Assembly Member

  
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Paul Johnson, Assembly Member

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Sharon Alexander, Assembly Member

  
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JRK Finkle, Assembly Member

Attest:

  
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Ronald Herrera, Town Clerk