



Benbrook Library District  
Information for  
Board of Trustees Candidates

Benbrook Library District  
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Board President: Carol Hafer  
Library Director: Erica Richardson

The following is information for citizens who may consider filing for public office. It is a guide to help potential Trustees understand government policies, procedures, and anticipated involvement.

Please recognize that laws governing special library districts may change. Candidates may desire to ensure that this material is still current and applicable.

### **Trustee Candidate Information**

Holding a position of elected office can be a very rewarding and productive experience for those interested in serving their fellow citizens. It can also be a very demanding and time-consuming task. If you are considering running for a position on the Benbrook Library District Board of Trustees, the following information may be helpful.

Benbrook Library District operates as a special purpose district and is governed by the Texas Local Government Code, Chapter 326. The voters elect a Board of Trustees, which in turn hires a Library Director to administer the library's day-to-day affairs.

The Board of Trustees serves as the legislative body. The Board sets policy, approves budget, and sets the tax rate. The Board is the final authority on policy decisions that determine the functions of the Library. The Library Director is responsible for directing the workforce and programs of the Library in accordance with ordinances, policies and procedures adopted by the Board of Trustees and state and federal laws, where applicable.

From the time an applicant files for a place on the Board of Trustees, certain requirements must be met to comply with the law. Many of these requirements, such as dates reports are due, are provided at the time of filing.

### **Election Day Information**

General Elections are held on the first Tuesday following the First Monday in November of each year. Polls are open from 7:00 AM to 7:00 PM on Election Day. The Benbrook Library District enters a Joint Election Contract with Tarrant County and other local political entities for election services.

After each polling place judge completes the necessary paperwork, the results of that precinct are taken to Tarrant County for tabulation. As each polling place reports, those

results are posted on the Tarrant County Election website. These results are unofficial until such time the Tarrant County Elections Administrator provides the final results to the Library Director. The final results will include Early Voting, Election Day Voting, Mail Ballots and the outcome of any provisional ballots.

The Library Director compiles the results of voting for each candidate or measure in each polling place based on information provided on Election Night. These results are the unofficial canvass of votes. This information is placed on the Library's website.

The official canvass of election returns cannot be made earlier than the eighth day, or later than the eleventh day, after the election. During that time frame, the Board of Trustees will meet in regular or special session to canvass the returns.

In the event a runoff election is required, it will be scheduled at this meeting. The same procedures on election night and final canvass will be followed as the regular election.

#### **After the Election**

A Statement of Officer must be filed with the Library Director before the Oath of Office may be administered.

A newly elected Trustee will be furnished information such as the Library's budget, policies, meeting archives, and other information for review and study prior to being seated as a member of the Board of Trustees.

If further information is needed after reviewing these documents, please contact the Library Director. Member of Board of Trustees work directly with the Library Director. Any information should come from those offices, unless otherwise directed by the Library Director. A member of Board of Trustees should not request or direct staff to furnish information without first contacting the Library Director.

Library staff is available to assist newly elected Trustees become familiar with the Board of Trustees arrangements and use of library equipment. Meetings are conducted by the Board President using Roberts Rule of Order, and voting is done by hand count and recorded in the minutes. Regularly scheduled Board of Trustees meetings are held on the Third Monday of each month, at 4:30 PM in the Meeting Room at Benbrook Library.

The agenda is prepared by the Library Director. The Board President or a member of Board of Trustees may request placement of an item on the agenda by submitting a written request to the Library Director no later than noon of the Thursday before the next regularly scheduled Library Board meeting. The request should clearly state the nature of the item, the desired action by Board of Trustees and include any supporting material. Board of Trustee agenda packets are prepared by staff and emailed directly to the Board. You will receive additional information regarding the method to obtain agenda information under a separate letter.

Packets should be reviewed prior to the Board of Trustees meeting. Questions regarding agenda items should be directed to the Library Director.

At the first Board of Trustees meeting at which all candidates have been seated, an election of officers is conducted. Each member of the Board of Trustees may vote.

The following is a brief summary of important legal issues affecting Trustees such as open meetings, records regulations, and conflict of interest statutes.

#### **Board of Trustees Meetings**

The Benbrook Library District bylaws describe: (1) the Board of Trustees meet at least once each month; (2) meetings be scheduled at a fixed time and place; (3) a quorum of Trustees must be present; (4) majority vote of those present and voting decides the question; and (5) the Board President always presides if present.

#### **Texas Open Meeting Act**

The Texas Open Meetings Act requires written notice of the date, hour, place, and subject of each meeting held by the governing body. The notice of the meeting must be posted in a place readily accessible to the general public at all times for at least 72 hours before the scheduled time of the meeting. An exception to this requirement is in case of emergency or when there is an urgent public necessity. The notice of the emergency meeting or the supplemental notice of the emergency subject added as an item to the properly posted agenda must be posted at least two hours before the meeting is scheduled to begin.

All meetings must be open to the public, except an Executive Session. Closed Executive Sessions are permitted for: (1) private consultation between a governing body and its attorney relative to pending or contemplated litigation or a settlement offer; (2) deliberation regarding the purchase, exchange, lease or value of real property; (3) deliberation regarding a prospective gift; (4) deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee; (5) the deployment or the specific occasions for implementation of security personnel or devices; and (6) deliberations regarding economic development negotiations. No final action, vote or straw vote on a matter considered in a closed meeting can be taken except in open sessions.

### **Texas Public Information Act**

The Texas Public Information Act (PIA) requires that most Library records, including those in the possession of Board of Trustees Members, be open to public inspection. Most written material used or produced by Board of Trustees Members is required to be made available upon request to the news media and other members of the public unless specifically excluded from PIA requirements. That material also includes text messages on private cell phones which concern library business.

### **Conflict of Interest**

Every elected and appointed official of the Benbrook Library District must be aware of the strict prohibition against conflicts of interest. Failing to comply with the law risks criminal penalties for the individual Trustee and invalidation of the action of the governing body. Local Government Code Chapter 171 and Government Code Chapter 573 detail the provisions of the conflict-of-interest statutes. Copies of this portion of the law may be obtained from the Library Director.

### **Liability**

Generally speaking, Texas Courts have held that discretionary decisions made by Trustees within their legislative authority and in “good faith” – that is without intent to do harm, are not personally liable under the Texas Tort Claims Act of 1983.

However, certain specific statutes are exceptions to the Tort Claims Act. You should contact an attorney for more detailed information relative to any personal liability incurred as a legislative member of the Board and have a basic understanding of the legal principles involved.

Self-education is an important part of every new Trustee's training. The Benbrook Library District is a member of the North Central Council of Governments (COG) and Texas municipal League (TML). These Organizations provide information that can be helpful to a newly elected official. In addition, Texas Municipal League conducts a training session for newly elected Trustees.