

Sanilac District Library Board of Trustees Bylaws

ARTICLE I

Incorporation and Name

Section 1: This organization was formed by Agreement between the Township Of Sanilac and the Carsonville-Port Sanilac Schools, dated, February 25, 1998.

Section 2: In accordance with the terms of the Agreement, this organization shall be called the Sanilac District Library until and unless changed by the District Library Board.

ARTICLE II

Membership

Section 1: In accordance with the District Library Establishment Act (MCL 397.171 et seq.) (the Act) and the Agreement, the Board Of Trustees of the Sanilac District Library shall consist of seven members to be appointed as described below:

Sanilac Township shall appoint five members of the District Library Board, each of whose terms shall end June 30, 1999. For purposes of continuity in direction and management of the public library, all five members appointed by the Township shall, to the extent such individuals are available and will to serve, as of the day immediately preceding the Effective Date, be members of the Board of Trustees of the Sanilac Township Library.

Carsonville-Port Sanilac School District shall appoint two members of the District Library Board, both of whom shall reside in any area within the School District not located in Sanilac Township. The terms of each of the members appointed by the School shall end June 30, 1999.

The Parties agree that this Agreement shall be deemed to have been amended as of March 1, 1999, to provide that the District Library shall be governed by an elected board consisting of 7 members, whose terms shall begin July 1, 1999 and shall end in accordance with the provisions of the Act.

At the first election of board members in June 1999, the four trustees receiving the highest number votes will be elected for a four year term expiring in 2003. The remaining 3 trustees will be elected for a 2 year term expiring 2001. After June 2001, all trustees shall be elected for a term of four years. Terms of office begin at the same time as the term of school board members elected at the same election. (397.181 section 11a).

On February 21, 2012, A resolution was offered by Trustee Grace Spencer and supported by Trustee Cynthia Mooney to comply with MI Public Acts 232 and 233 by:

- a. Extending current terms expiring on June 30, 2013 to December 31, 2014, and
- b. Extending current terms expiring on June 30, 2015 to December 31, 2016, and
- c. After December 2016, all trustees shall be elected for a term of four years. Terms of office begin at the same time as the term of school board members elected at the same election and expire on December 31.

In accordance with Section 8(2) of the Act, the Governor of the State of Michigan shall have the power to remove a member of the District Library Board for cause, pursuant to the provisions of the Section 10 Article V of the State Constitution of 1963, as amended. Vacancies shall arise in the event of the removal by the Governor, resignation, death, conviction of a felony, in the event a member ceases to be a resident of the District, or of the jurisdictional territory of the Party, or otherwise as provided by the law. In the event of a vacancy, the Party which appointed the member of the District Library board whose position has become vacant shall appoint a replacement there for within 2 months of the vacancy. In the event no such replacement shall have been appointed by the appropriate Party at the end of such 2 month period, the District Library Board shall have the power to appoint such replacement, whose term shall extend to the end of the term of the District Library Board member being replaced. After the first election of trustees in June 1999, a vacancy in the office of a board member shall be filled until the expiration of the vacating board member's term by appointment of the majority of the remaining library board members (397.180 section 10.(7))

Article III Powers of the Board of Trustees

Section 1: The Board of Trustees may exercise any and all of the powers granted to it in the District Library Establishment Act; Act 24 of 1989. The Board may delegate such powers to the Officers of the Board and/or the Library Director as it deems necessary.

Section 2: The Board of Trustees shall have exclusive control of the budget of the Sanilac District Library.

Section 3:

- A. Until a district wide millage proposed by the Board has been approved by the electors of the District, the fiscal year of the Sanilac District Library shall be the annual period commencing April 1 and ending the following March 31, provided that the initial fiscal year shall commence the date of this Agreement and shall end March 31, 1999.
- B. On June 14, 1999, a district wide millage of .625 mills was approved by the electors of the library district for a period of ten years.
- C. On June 22, 1999, a resolution was passed to end the current fiscal year on December 31, 1999 (April 1, 1999 to December 31, 1999) and to change all future fiscal years to the calendar year, January 1 to December 31.

Section 4: The Sanilac District Library Board shall prepare and publish an annual budget in accordance with the Uniform Budgeting And Accounting Act, being Act No. 2 of the Public Laws of Michigan of 1968, as amended.

Section 5: Dissolution. Sanilac District Library will be dissolved and the District Library Agreement terminated if all but one of the Parties withdraw. To guarantee that there shall always be public library services available to the communities and outlying areas of Port Sanilac and Carsonville, upon dissolution, the Sanilac Township Library shall be reinstated and all assets of Sanilac District Library shall be returned to Sanilac Township Library.

Article IV Officers

Section 1: Officers of the Board shall be President, Vice-President, Secretary and Treasurer. The Library Director may act as Secretary to the Board.

Section 2: The officers shall be elected by a majority of the Board for a term of one year at the first regular board meeting in January of each year.

Section 3: Vacancies in office shall be filled by the Board of Trustees at the next regular meeting following the occurrence of the vacancy, except for the office of President, in which case the Vice President shall assume the duties of the office for the expired term. A successor Vice President shall be elected to fill the vacancy so created in that office.

Section 4: No member shall be pecuniarily interested directly or indirectly in any contract with or for the Library. No member shall be eligible for appointment to any position carrying with it compensation from library funds.

Article V Duties of the Officers

Section 1: The President shall:

- a. Preside at all meetings of the Board of Trustees, following the proper order of business as hereinafter provided.
- b. Appoint all special committees with the approval of the Board.
- c. Call special meetings as may herein be provided.
- d. As a member of the Board, the President is entitled to a vote on any question.
- e. Perform such other duties as may be prescribed by Library law or by any action of the Board of Trustees.

Section 2: The Vice President shall have the power to perform the duties of the President in case of the absence of that officer and such other duties as the President or Board may direct. In case of resignation, removal, disability or death of the President, the Vice-President shall assume the office of the unexpired term.

Section 3: The duties of the Secretary shall be as follows:

- a. To keep or cause to be kept a true and accurate account of the proceedings of all regular and special meetings of the Board of Trustees.
- b. To keep or cause to be kept in custody copies of all records of the Board in the library building or in the library's safe deposit box, except such as are assigned to others.
- c. To cause to be printed the proposed and approved minutes of all regular and special meetings of the Board of Trustees; to cause such minutes to be open and available for public inspection as required by law.
- d. To post or cause to be posted public notice of all regular and special meetings of the Board of Trustees; to send out or cause to be sent out proper notice of all regular and special meetings to members of the Board.
- e. To conduct the official correspondence for the Board of Trustees unless otherwise ordered.
- f. To have custody (in the library building or library's safe deposit box) of all surety bonds, deeds, abstracts, leases and all other contracts separately or in conjunction with others as the Board may direct.
- g. To certify all copies and proceedings requiring certification.
- h. All official records of the Board of Trustees must remain on the premises of the library or in the library's safe deposit box.
- i. To perform such other duties as prescribed by action of the Board of Trustees.
- j. These duties may be delegated to the Library Director with approval of the Board.

Section 4. The Duties of the Treasurer:

- a. To keep or cause to be kept funds of the Library providing for their safe custody and investment as directed by the Board subject to limitations for the investment of public funds as provided by law.
- b. To keep or cause to be kept a record of all moneys received or deposited to the Library Fund, and all disbursements, sales and transfers from the fund.
- c. Control expenditures from the Library Fund through a system of vouchers submitted by the Director.
- d. To cause to be submitted to the Board of Trustees all financial reports of the library and to approve and sign all financial reports after submission and acceptance by the Board.
- d. To be the custodian of all bonds, and all other sureties owned by the Library, with all such remaining on the library premises or in the library's safety deposit box.
- e. To furnish information in order to be bonded in the amount of \$10,000, the cost of which shall be assumed by the library.
- f. To chair the Finance and Budget Committee.
- g. To perform all other duties of the Treasurer as prescribed by law or by action of the Board of Trustees.
- h. These responsibilities may be delegated to the Library Director with approval of the Board.

Section 5: Duties of the Trustees:

- a. **Depositories:** To provide for the deposit of the funds of Sanilac District Library in such banks or trust companies as may be determined from time to time, and to further determine the manner in which checks drawn against funds shall be signed.
- b. **Budget:**
 1. To adopt an annual budget in an open meeting for the operation and maintenance of the Library.
 2. To make an estimate annually on a day to be determined by the Board of the amount of taxes deemed necessary for the ensuing year, which estimate shall specify the amounts required for the different objects, and to report the same as the regular library tax levy for such to the proper assessing officer or officers.
- c. **Expenditures** shall be in accordance with the budget finally adopted except as amended by action of the Board.
- d. **Sites and Buildings:** To locate, acquire, purchase or lease in the name of the Library, such site or sites within the district for libraries, administration buildings, other buildings and any other property as may be necessary in the foreseeable future; to purchase, lease, acquire, erect or build and equip such buildings for library use as may be necessary; to pay for the same out of the funds of the Sanilac District Library provided for the purpose; to sell, exchange, or lease subject to the law, any real or personal property of the Library which is no longer required thereby for library purposes, and to give proper deeds, bills of sale or other instruments passing title to the same.
- e. **Raising and Borrowing Money:** To initiate the necessary procedures to raise or borrow money for library purposes.
- f. **Library Services:** To establish, carry on and review library services as it shall deem necessary or desirable for the maintenance and improvement of the Library and to set hours of operation.
- g. **Salaries:** To determine the salaries for all Library personnel.

- h. **To employ an attorney** or legal firm who shall attend those meetings of the Board of Trustees at which legal counsel is requested.
- j. **To employ a recognized firm of certified public accountants** for the annual audit and such other duties as required.
- k. **To have the care and custody** of all Library property and to provide suitable library facilities.
- l. **Committees:** The Board may authorize committees as are deemed necessary. No committee will constitute a majority or quorum of the Board. The committee shall report recommendations to the Board for appropriate action. Special committees for the study and investigation of particular problems may be appointed by the president, each committee to serve until the completion of the work for which it was appointed. The President of the Board and the Library Director shall be an ex-officio member of all committees.
 - **Budget Committee:** Responsibilities:
 - Review the proposed annual budget as submitted by the Library Director and recommend adoption by the Board.
 - Review and compare expenses and income to the annual budget recommending adjustments to the Board as required.
 - Review Financial Policies as advised by the Director and recommend adoption of additions, corrections, deletions and updates to the Board as needed.
 - Review policies and systems of procedural control with the Director to assure conservation of public funds, wise management of assets and that the library is operated in a financially sound, balanced manner consistent with the best interests of the library.
 - Review and monitor finances to assure that the library is adequately funded to meet short and long term needs.
 - **Personnel Committee:** Responsibilities:
 - Annually review wage adjustments as recommended by the Director.
 - Review Personnel Policy additions, changes, deletions and updates as advised by the Director and recommend adoption of additions, corrections, deletions and updates to the Board as needed to assure that Sanilac District Library recruits, employs, develops and retains competent personnel.
 - Review working conditions with the Director.
 - Support the Director in establishing a system of procedural controls to assure a responsible administration of personnel policies.
- m. To perform such other duties as prescribed by law, including the making of reasonable rules and regulations relative to anything necessary for the proper establishment, maintenance, management and carrying on of the Library.
- n. All board members are encouraged to attend meetings regularly.

Article VI

Meetings

Section 1: The regular meetings of the Board of Trustees to consider library matters shall be held on the third Tuesday of each month in the Library, or at such other place as may be designated by the Board of Trustees from time to time, beginning at 6:30 p.m. At the December meeting, the Board shall determine the dates and times of the regular meetings for the next year. If the third Tuesday is a holiday, the Board of Trustees shall establish an alternative date. Public notice of regular meetings of the Board of Trustees shall be given as required by law. Within ten days following the meeting a notice shall be posted in a public place setting forth the dates, times and places of all regular meetings scheduled for the ensuing year. Any changes to this schedule, as required, shall be posted in the monthly announcement of the regular meeting.

Section 2: Special meetings may be called by the President or by the written request of any two or more Trustees, provided eighteen hours of notice is given of the time and purpose for which such meeting is called. The announcement of a special meeting at any meeting at which a quorum is present shall be sufficient notice of such meeting. Trustees not present at the time of the announcement shall be notified by the Secretary.

Section 3: Notices of regular meetings shall be posted in a public place.

Section 4: Any legal meeting of the Board may be recessed to a specific time and place for the purpose of completing items on the regular agenda for the meeting so recessed; however, a meeting recessed for more than thirty-six (36) hours shall be reconvened only after providing public notice as required by law.

Section 5: A quorum for the transaction of business shall consist of four members of the Board. Two members of the Board may approve the payment of the bills if a quorum is not present.

Section 6: The following items will constitute the agenda for regular meetings.

- Call to Order and attendance
- Approval of agenda
- Minutes of last meeting
- Financial Report: (review of monthly expenses and approval of payment of next month's bills)
- Committee Reports (as needed)
- Director's Report
- Correspondence
- Public Comment: Each person must state name and address and is limited to 3 minutes
- Old Business
- New Business
- Adjournment

Section 7: Any Board action, to be official must be approved at an official Board Meeting by a majority of the quorum.

Section 8: "Robert's Rules of Order, Revised" shall govern the Board of Trustees procedures in all cases not otherwise herein provided.

- a. All actions, whether by resolution or by motion, shall be moved and supported before discussion. If a motion is not supported, it shall not be taken up for discussion.
- b. After an action is moved and supported, it shall be open for discussion by members of the Board.
- c. Members shall seek recognition by the President before speaking.
- d. Any motion or resolution under discussion may be amended prior to adoption by the following action:
 1. The proposed amendment is moved and supported;
 2. The proposed amendment is open for discussion;
 3. Following discussion, or upon request by a Trustee, the President shall call the amendment for approval;
 4. If the amendment passes by a majority vote, the originally proposed action shall be considered as amended.
- e. Following discussion, or upon request by a member of the Board, the President shall call the action for approval.
- f. Unless otherwise requested by a member of the Board, all actions shall be taken by voice vote signifying "Aye" or "Nay".
- g. Proposed amendments to the agenda shall be by motion, support and vote.

Section 9: All meetings of the Board of Trustees shall be open to the public as to all matters save those which it must or may under applicable law consider in closed session. Persons in attendance shall be permitted to address the Board in accordance with the following rules:

- a. The chairperson shall establish such guidelines at each meeting as shall:
 1. Best assure equal opportunity for those in attendance to be heard;
 2. Maximize the value of the information made thus available;
 3. Avoid or reduce repetition or redundancy.
- b. The foregoing guidelines concerning the rights of persons to address the Board shall also apply to any committees deemed to be a public body as defined under PA 267 of 1976, known as the Open Meetings Act.

Section 10: Employees are invited to attend all regular and special meetings of the Board.

Section 11: A board member shall be reimbursed for actual necessary expenses in the performance of official duties, including but not limited to, expenses of meetings and conferences where attendance is authorized by the board.

ARTICLE VII

Library Director

Section 1: The Library Director shall be appointed by the Board and shall be considered the executive officer of the Library.

Section 2: As executive officer of the Board, the Director shall have sole charge of the administration of the library, reporting to the Library Board and administering policies established by the Board as governing body. The Director is responsible for the hiring, development, direction and supervision of Library employees; care of the facility and equipment; for the efficiency of the Library's service to the community; for the annual preparation of the budget proposal; for the operation of the Library under the financial conditions set forth in the budget approved by the Board; for collection development; public relations and financial management.

Section 3: The Director shall attend all regular and special meetings of the Board of Trustees and shall have the privilege of attending all meetings of committees as an ex-officio member. When in attendance at these meetings, he/she shall have the right to speak upon matters under discussion by the Board or Committee, but shall not have the right to vote.

Section 4: Other duties of the Director:

- a. The Library Director shall also be responsible for keeping the Trustees informed of matters related to the Library or themselves as Trustees.
- b. For preparing a preliminary draft of budget and annual report for Board approval, and for assisting the Board in its decisions on policies, budget and other such matters.
- c. The Library Director is authorized to make expenditures for the operation of the Library within the approved budget line items. The Director shall not be authorized to transfer title or assets without the approval of the Library Board.
- d. The Library Director is responsible for preparing and submitting all grants. 3-18-2014

ARTICLE VIII

Amendments to the Bylaws

Section 1: All proposed amendments to the Bylaws shall be made by written motion and read into the Minutes for the record. Provided a quorum is present, passage of the amendment shall be by majority vote. All amendments to the Bylaws shall become effective immediately unless otherwise specified in the amendment. After passage all Policy Manuals shall be revised to include the latest amendment prior to the next scheduled Board Meeting.