

MOORE PUBLIC LIBRARY
a District Library

BY-LAWS
for **BOARD OF TRUSTEES**

Article I - Name

The name of this organization shall be the Moore Public Library - a District Library

Article II - Legal Authority

Pursuant to the District Library Establishment Act, 1989 PA 24, MCL 397.171 *et seq.*, (“Act 24”) the Moore Public Library Board of Trustees is the legally established authority for all operations of the Moore Public Library - a District Library serving the district comprised of all territory located within the jurisdictional limits of the Village of Lexington and Worth Township.

Article III - Powers and Duties

The Board of Trustees shall be authorized and empowered to:

- a) establish, maintain, and operate public libraries for the district;
- b) exclusively control the expenditure of money deposited into the district library fund
- c) appoint and remove officers from among its members;
- d) appoint and remove a librarian and necessary assistants and fix their compensation;
- e) acquire real or personal property for use for library purposes by purchase, land contract, installment purchase contract, lease with or without option to purchase, or title retaining contract;
- f) erect buildings;
- g) supervise and control district library property;
- h) enter into a contract to receive library-related service from or give library-related service to a library or municipality within or without the district;
- i) adopt bylaws and regulations not inconsistent with Act 24, governing the board and the district library;

- j) propose and levy upon approval of the elector's as provided in Act 24 a tax for support of the district library;
- k) borrow money pursuant to the district library financing act, Act No. 265 of the Public Acts of 1988;
- l) issue bonds pursuant to the district library financing act, Act No. 265 of the Public Acts of 1988;
- m) accept gifts and grants for the district library;
- n) do any other thing necessary for conducting the district library service, the cost of which shall be charged against the district library fund;
- o) perform any other acts authorized by law.

Article IV- Membership

Section 1 The Moore Public Library shall be governed by a Board consisting of seven (7) members. The Township Board of Worth shall appoint four (4) Board members and the Village Council of Lexington shall appoint three (3) Board members. The term of office for Board members shall be four (4) years, provided however, that the terms of the members first appointed shall be staggered as set forth in the Moore Public Library Agreement dated January 1, 2004 (the "Library Agreement"). As staggered terms expire, board members shall be appointed for a term of four (4) years commencing January 1 of that year (as defined in the Library Agreement).

Section 2 The office of a Board member shall become vacant when the incumbent dies, resigns, is convicted of a felony, is removed from office by the governor pursuant to section 10 of article V of the state constitution of 1963, or ceases to be a resident of the district. In addition, the office of an appointed board member becomes vacant when the incumbent ceases to be a resident of the participating municipality that appointed the incumbent.

Section 3 A vacancy shall be filled for the unexpired term by the participating municipality that appointed the member whose position is vacant.

Section 4 Board members are expected to be familiar with the Michigan Trustee manual and to apply manual principles as they carry out their duties.

Article V - Officers

Election

The President shall present a slate of officers to the Board at its regular meeting in January. Additional nominations may be made from the floor. The Board shall select from its membership a President, Vice-President, Secretary and Treasurer who shall serve for a term of one year. Each of said officers shall have such powers and duties as prescribed by these By-Laws or by special action of the Board from time to time to the extent said actions are consistent with the laws of Michigan.

President

The President shall preside at all meetings of the Board. The President shall, in consultation with the Director and committees, determine the agenda for each meeting and shall, with the consent of the Board, determine the order of business thereat. The President shall, with the Secretary, sign the minutes of each meeting of the Board. The President shall appoint committees with the consent of the Board and shall serve as an ex-officio member of each committee. The President shall execute on behalf of the Board, when approved by it, all instruments of conveyance, assignment, transfer, contract indebtedness or lease as, in order to be effective, must be executed by an officer or member of the Board other than or in addition to the Treasurer. The President shall also execute all written reports, applications and statements that law or governmental regulations require to be executed and filed on behalf of the Board by an officer or member of the Board other than or in addition to the Treasurer or Director.

Vice-President

In the absence or unavailability of the President or the President's refusal to act, the Vice President shall have all the powers and duties of the President, except as otherwise provided by law.

Secretary

The Secretary shall review and sign the minutes of the meetings of the Board and certificates evidencing resolutions or actions of the Board and, when required, shall attest to the signatures and authority of the President, Vice President, Treasurer or Director and co-sign instruments and writings executed by any of them. An appointed staff member shall be responsible for the recording of the minutes. The Director shall be responsible for the maintenance, safekeeping and preservation of the minutes and official records of the Board.

Treasurer

The Treasurer shall be responsible for the library funds, providing for their safekeeping and investment as directed by the Board, subject to limitations for investment of public funds as provided by law. Before assuming the duties, a bond shall be executed in an amount and with a surety to be approved by the Board, payable to the Board and conditioned for the faithful performance of the official duties required of the Treasurer. All moneys received by the Treasurer, Director, or staff for library purposes shall be immediately placed in a depository designated by the Board.

The Treasurer shall keep, or cause to be kept, an account of the funds credited to the Board upon such forms as prescribed and approved by the state of Michigan and shall render, or cause to be rendered, a statement to the Board monthly showing the revenues and receipts from whatever sources derived, the disbursements and purposes for such disbursements, and the assets and liabilities of the Board, and the relation of the several items of the foregoing to the budget. Within thirty (30) days of the end of each fiscal year, the Treasurer shall submit or cause to be submitted, to the Board a complete financial statement showing the receipts and expenditures in detail for the entire fiscal year. In the absence of the Treasurer, the President may sign all necessary checks.

Article VI - Committees

Section 1 In most matters the Board shall act as a committee of the whole. In addition to standing committees, there shall be in addition such special committees as the Board shall from time to time determine to be advisable. The President of the Board shall be an ex-officio member of each committee. Each committee shall have such ex-officio members, if any, as the Board may from time to time determine. Such members shall be appointed as the Board shall provide and need not be members of the Board.

Section 2 The following standing committees are established: Policy, Personnel, Finance, Building and Grounds, and Collection Development Policy. Special committees will be appointed as necessary and discharged when their assignment is complete.

Section 3 Except by the express approval or action of the Board no committee shall have a) more than three members of the Board, not including the President of the Board, or b) authority to make any decision upon any matter, business or policy, within the power or responsibility of the Board itself. Any report or recommendation of a committee to the Board shall be deemed advisory only, and no member of the Board, whether or not a

member of the committee, shall be bound or controlled by any action, report or recommendation of a committee.

Section 4 Because there exists the potential for a quorum of the full Board to be present at committee meetings, all committee meetings, shall have written notice posted and distributed in accordance with these By-Laws. These committee meetings shall be open to the public in accordance with Michigan compiled law.

Section 5 It is recommended that no Trustee serve more than five (5) years on the same standing committee.

Article VII - Director

The Board shall appoint and fix the compensation of the Director who shall be the chief administrator of the library. The Director shall have full charge of the administration and operations of the library in accordance with the objectives and policies adopted by the Board and under the direction and review of the Board. The Director shall be held responsible for:

- a) the operation of the building;
- b) public relations;
- c) employment and direction of the library staff;
- d) selection, acquisition, and disposition of the books and non-book materials within the annual appropriations adopted by the Board and subject to the general policies adopted by the Board;
- e) keeping Board informed as to program needs, building needs, desirable expenditures of library funds and any special achievements or problems requiring action by or approval of the Board;
- f) reporting the work of the library and submit for consideration with recommendations all matters requiring action by the Board, and, to that end, shall consult with the President and members of the standing committees as to the agenda for each meeting of the Board;
- g) attending all Board meetings and committee meetings;
- h) ensuring relevant staff are aware of the provisions in the Michigan Public Library General Retention and Disposal Schedule, #17 ; and

- i) other responsibilities as may be assigned by the Board.

The Director shall serve at the pleasure of the Board. His or her employment shall be governed by the Personnel Policies Manual of the Board of Trustees.

Evaluation

On an annual basis, the Board of Trustees shall evaluate the job performance and compensation of the Director. The Director shall evaluate the performance of the library staff and recommend to the Board a salary compensation.

Article VIII - Meetings

Section 1 The regular meeting of the Library Board shall be held on dates, times and in locations determined by the Board at their annual Organizational Meeting. Within ten (10) days following the annual meeting a notice shall be posted in a public place setting for the dates, times, and places of all regular meetings scheduled for the ensuing year. Within three (3) days after a meeting at which the schedule for regular meetings is changed, notice must be given of the new regular meeting dates, times, and places.

Section 2 The Organizational Meeting shall be the first regular meeting of the fiscal year (January) and shall include the election of officers, setting the calendar, and consideration of such other organizational matters as may be required.

Section 3 Notice of rescheduled meetings with agenda shall be posted as required by law and available to all trustees at least 24 hours prior to a meeting.

Section 4 Special meetings may be called by the President or upon written request of two members for transaction of business stated in the call for the meeting. At least 24 hours prior to a special meeting, notice must be given to all trustees. The 24-hour prior notice to trustees does not apply to special meetings of sub-committees. Notice of special meetings shall be posted as required by law.

Section 5 Four (4) members of the Board shall constitute a quorum for the transaction of business. In the absence of a quorum those present may adjourn the meeting, until a quorum is present.

Section 6 At least one (1) week before each regular meeting of the Board, the Director shall mail or otherwise deliver to each member of the Board, at the address designated by the member, the following reports in such form as the Board may from time to time request or the laws of Michigan shall require:

Agenda
Minutes of the previous meeting
Monthly financial report and Director's Report

Section 7 The following items will constitute the agenda for regular meetings:

- Call to order
- Approval/amendment of the agenda
- Approval of last meeting's minutes
- Correspondence
- Treasurer's report
- Committee reports
- Director's report
- Public comment
- Old business
- New business
- Adjournment

Public Participation

The Board welcomes residents and other members of the public attending Board meetings. Those wishing to address the Board are asked to limit their remarks to no more than three minutes.

Voting

Except when a larger vote is required by law, all actions of the Board shall require the affirmative vote of a majority of the members full membership of the board.. When a motion is made and seconded to adopt a resolution authorizing the purchase or sale of real or personal property or the appointment of an officer or the payment of any debt or claim or the contracting or incurrence of any obligation or the payment of money or the transfer of property or the adoption of the annual budget or appropriation, or upon the request of any member of the Board, the President of the Board shall call the roll of the members of the Board and enter in the minutes of the meeting the names of those voting "aye," of those voting "nay."

Rules of Order

Where not otherwise governed by law or these By-Laws, the proceedings of the meetings of the Board shall be in accordance with Roberts Rules of Order as currently revised and published at the time of the meeting.

Records of the Library

Except as otherwise provided by law, copies of the minutes of all regular and special Board meetings, including financial reports, shall be maintained by the Director and available to the public.

A tape recording of all regular and special Board meetings shall be made and stored by the Director a period of one year. These tape recordings are considered to be public records. Recordings will not be made during those times when the full Board has adjourned into a closed session.

To the extent required by law, all documents that are public records shall be available for review and inspection, during normal business hours, by any person upon reasonable request to the Director in accordance with the Freedom of Information Act subject to the Library Privacy Act. Upon request, copies of non-exempt public records will be mailed in accordance with the Freedom of Information Act.

Copies of the Policies of the Board of Trustees shall be available to the public. The adopted Position Descriptions and Salary Schedules of the library staff shall be available to the public and the staff.

Article IX - Conflict of Interest

No member of the Board of Trustees shall have any pecuniary interest in any contract entered into by the Board.

This Board of Trustees subscribes to the tenets contained in “Ethics Statement for Public Library Trustees” in the Michigan Public Library Trustee Manual, 2004 edition, page 71 (copy attached). All Board members will be required to sign the Ethics Statement at the time of the member’s initial appointment to the board and at the January organizational meeting.

Article X - Amendments

These By-Law's may be amended at any meeting by the affirmative vote of a majority of the Board members full membership of the board, provided that the amendment has been introduced at a prior regular meeting.

Adopted: _____ Board President:

Appendix D: Ethics Statement for Public Library Trustees

The Michigan Library Association has adopted the following code of ethics for library trustees:

“Government is a trust, and the officers of government are trustees; and both the trust and trustees are created for the benefit of the people.” So postulated Henry Clay in 1829 in a speech in Kentucky.

Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity and honor.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the situation.

It is incumbent upon any trustee to disqualify himself-herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes acknowledging and those of the institution, acknowledging the formal position of the board even if they personally disagree.

A trustee must respect the confidential nature of library business while being aware and in compliance with applicable laws governing freedom of information.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept library board responsibilities are expected to perform all the functions of library trustees.

Adopted by the Michigan Library Association Executive Board June 19, 1989.

I have received and agree with the Library Board of Trustee By-Laws and Appendix D: Ethics Statement for Public Library Trustees. A copy of this is kept on file in the library.

Trustee signature: _____ Date: _____

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