



## Policy 1001: *Bylaws*

Adopted: *December 8, 2010*

Reviewed/Revised: *August 27, 2014; April 26, 2017; September 25, 2019; August 24, 2022*

### **Article I. Legal Establishment**

The Board of Library Trustees (“the Board”) serves a Public Library known as Algonquin Area Public Library District, (“the Library”) which is established in accordance with provisions of the Public Library District Act (75 ILCS 16/1-1 et seq.) (“the Act”). The Board shall exercise the powers and authority and assume the responsibilities delegated to it under the Act.

### **Article II. The Board of Library Trustees**

#### **Section II.01 The Role of the Board**

The responsibility of the Board is to determine the mission of the Library in the community and to develop appropriate goals for service; to seek adequate funding to achieve the goals of the Library; to adopt written policies to govern the operation of the Library; to authorize plans of expenditure to allow implementation of the Library’s service program; to be aware of issues in Library service and legislation affecting libraries; to communicate actively with local government and the general public; and to employ a competent and qualified Executive Director.

#### **Section II.02 Term of Office**

Library Trustees are elected to 6 year terms except in the case of a Library Trustee elected to fill the unexpired term of a Library Trustee who is no longer on the Board. In the case of a Library Trustee appointed to fill an unexpired term, the appointment shall be until the next regularly scheduled election in accordance with applicable statutes.

#### **Section II.03 Vacancies**

The Board may declare a vacancy when an elected or appointed Library Trustee declines or is unable to serve or is absent without cause from all regular Board meetings for a period of one year. A vacancy is also declared when a Library Trustee is convicted of a misdemeanor by failing, neglecting, or refusing to discharge any duty imposed upon him by this Act, becomes a nonresident of the Library District, or fails to pay the Library tax levied by the Board. A vacancy may be filled by the Board at any regular or special meeting.

#### **Section II.04 Officers**

The Officers of the Board shall be President, Vice President, Secretary, and Treasurer.

- a. Officers are elected from among the Library Trustees.
- b. Officers will be elected to serve terms of two years. A trustee shall not serve more than six (6) consecutive years in one office, after which the trustee must wait at least two (2) years before being elected again to the same office.
- c. If there is a vacancy in any officer position, nominations will be taken and a new officer elected as soon as practicable.

#### **Section II.05 President**

The President of the Board shall preside at all meetings of the Board. In the President’s absence, the Vice-President or in the Vice-President’s absence, the Secretary, and in the Secretary’s absence, the Treasurer, shall preside.



- a. The President shall sign ordinances and resolutions. Contracts over \$25,000 or that establish new services may be signed by the Board President or delegated to the Executive Director.
- b. The President is responsible for seeing that the Bylaws and other policies of the Board are reviewed at regular intervals.
- c. The President is an ex-officio member of all committees.

### **Section II.06 Vice-President**

The Vice-President shall preside over meetings in the temporary absence of the President.

- a. In the event of the President's temporary refusal or inability to act, the Vice-President shall assume and perform the duties and functions of the President.
- b. In the event of a vacancy in the office of President, the Vice President shall perform the President's duties until the next regular Board meeting at which time a new President shall be elected.

### **Section II.07 Secretary**

The Secretary shall be the custodian of the Library's files and records. This shall include the record of the meetings, the names of those in attendance, the ordinances and resolutions enacted, the rules and regulations adopted, and all other pertinent written matters that affect the operation of the Library.

- a. The Secretary shall have the power to administer oaths and affirmations.
- b. The Secretary will attest to the President's signature as required on official documents.

### **Section II.08 Treasurer**

The Treasurer shall be responsible for keeping and maintaining financial accounts and records of the Library, including a record of receipts, disbursements and balance in any funds.

- a. The Treasurer shall be Chair of the Budget & Personnel Committee and shall examine all library bills presented by the Library.
- b. The Treasurer shall oversee the application of the Library's Investment Policy.
- c. The Treasurer shall be bonded in an amount set by the Board.

### **Section II.09 Additional Duties of Officers**

In addition to the duties previously specified, each Officer shall perform such other duties as may be required by law or by the ordinances, resolutions, or decisions of the Board.

### **Section II.10 Conflict of Interest**

No Library Trustee shall engage in any business or transaction, or have a financial or personal interest, whether directly or indirectly, that is incompatible with the proper discharge of their official duties in the public interest or that may tend to impair their independence of judgment or action in the performance of such official duties. Family members of a Library Trustee may not be hired by the Library when a Library Trustee serves on the Board. In accordance with applicable statutes, Library Trustees shall file a statement of economic interest with the County Clerk.

### **Section II.11 Compensation**

Library Trustees shall serve without compensation. Reimbursement for their actual and necessary expenses incurred in the performance of their duties shall be subject to Board



approval. Pursuant to the requirements of the Local Government Travel Expense Control Act, the Board regulates the reimbursement of travel, meals, and lodging expenses incurred by Trustees. All such reimbursement shall be approved by a roll call vote. Entertainment expenses are not reimbursable unless they are ancillary to the purpose of the program or event. [50 ILCS 150/1] A Trustee who requests reimbursement for travel expenses should complete a Reimbursement Request Form and submit it to the Executive Director or their designee. Reimbursement checks will be available to the Trustee no more than twenty-one (21) days after Board approval.

**Section II.12 Signatories**

All checks, drafts or other orders for the payment of money and all notes or other evidences of indebtedness shall be signed by such Officer or Officers or the Executive Director as shall be determined by the Board.

**Section II.13 Professional Memberships and Conference Attendance**

All library Trustees will have their membership fees paid for the Illinois Library Association and one library trustee, typically the President, will have their membership paid for the American Library Association unless otherwise determined by the Board. Participation is encouraged at workshops and conferences. Reimbursement for expenses related to workshop and conference activities will be made subject to the Ordinance Regulating Reimbursement of Travel, Meal and Lodging Expenses of the Algonquin Area Public Library District Board Members and Employees and Board approval.

**Section II.14 Fiscal Year**

The fiscal year of the Library begins July 1 and ends June 30.

**Article III. Committees**

**Section III.01 Standing Committees**

The standing committees shall be the Budget & Personnel Committee, the Facilities Committee, and the Bylaws & Policy Committee.

- a. These committees will be formed in May after the Consolidated General Election and will remain in effect for a period of two years. Committees may be reformed if there is a change in Board roster.
- b. The chairperson for the Budget & Personnel Committee is the Treasurer.
- c. The President shall appoint a chairperson and members for each of the other committees.
- d. These committees will meet as needed.
- e. Formal minutes are required for each committee meeting and are the responsibility of the committee chairperson. A chairperson may delegate responsibility for minutes to an appointed designee.
- f. Committee meetings shall comply with the Open Meetings Act (5 ILCS 120/1 et seq.).

**Section III.02 Ad Hoc Committees**

Ad Hoc committees may be appointed from time to time for specific purposes.



## **Article IV. Meetings**

### **Section IV.01 Regular Meetings**

Regular meetings of the Board are generally held at the Library on the fourth Wednesday evening of each month at a time to be designated by the Board. The time and place of meetings shall be published at the beginning of each fiscal year and posted on the Library's web site.

### **Section IV.02 Special Meetings**

Special meetings shall be called by the President or the Secretary or any four Library Trustees. No special meeting shall be called unless written notice of the time and place thereof shall be given to all Library Trustees and noticed to the public at least 48 hours in advance of the said special meeting.

### **Section IV.03 Open Meetings Act**

The Board shall comply with the Open Meetings Act (5 ILCS 120/1).

### **Section IV.04 Quorum**

A quorum shall consist of four Library Trustees. A majority of those present shall determine the vote taken on any question, unless a larger majority is specified by law.

### **Section IV.05 Voting**

All votes on any question shall be by ayes and nays. The number of aye and nay votes and the number of absences and abstentions shall be recorded by the Secretary. A "present" vote shall not be counted. The Secretary shall call the roll. The President may vote upon and may move or second any proposal/motion.

### **Section IV.06 Order of Business**

The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances permit:

- a. Call to Order
- b. Roll Call
- c. Audience to Visitors
- d. Approval of Minutes
- e. Approval of Disbursements
- f. Open Items
- g. Committee Reports
- h. Staff Reports
- i. Adjournment

The conduct of meetings shall be guided by the latest edition of Robert's Rules of Order.

### **Section IV.07 Executive Session**

Executive sessions may be used when deemed necessary by the Board in accordance with the Open Meetings Act.



## **Article V. Executive Director**

The Executive Director is not a member of the Board, but is employed to act as the professional advisor to the Board and as the manager of Library operations. In this capacity, the Executive Director is responsible for planning, budgeting, recommending and implementing policies, employing and managing the Library staff, and enacting the adopted plan of service. The Executive Director will submit monthly reports to the Board regarding financial matters and service activities, including collection statistics, as well as other matters of interest to the Library and Board. The Executive Director reports directly to the Board and participates actively at all Board meetings, but without a vote. The Executive Director represents the Library in the community and in its organizations.

## **Article VI. Amendments to the Bylaws**

These Bylaws may be amended at any regular meeting of the Board by a majority vote provided that the amendment has been submitted in writing at the previous regular meeting.

## **Article VII. Indemnification of Trustees, Employees and Volunteers**

If any claim or action not covered by insurance is instituted against a Library Trustee out of an act or omission by a Library Trustee acting in good faith for a purpose believed to be in the best interest of the Library; or if any claim or action not covered by insurance is instituted against an employee or volunteer of the Library allegedly arising out of an act or omission occurring within the scope of their duties as employee or volunteer; the Library may, at the request of the Library Trustee, employee, or volunteer:

- a. appear and defend against the claim; and
- b. pay or indemnify the Library Trustee, employee or volunteer for a judgment and court costs, based on such claim or action; and
- c. pay or indemnify the Library Trustee, employee or volunteer for a compromise or settlement of such claim or action, providing the settlement is approved by the Board.

For the purpose of this Section, the terms *Library Trustee*, *employee* and *volunteer* shall include former Library Trustees, employees, and volunteers of the Library. This Article VII shall not apply if the Board finds that the claim or action is based on malicious, willful, or criminal misconduct. In such cases, indemnification will be determined after an investigation of the facts.

## **Article VIII. Ethics**

The Library adheres to the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et seq.) .

---