

**Town & Country  
Public Library District**

**By-Laws**

# Town & Country Public Library District

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# **Town & Country Public Library District**

## **BY-LAWS**

### **Article I Organization & Purpose**

The Town & Country Public Library District established in 1929 as the Elburn Public Library and in 1989 became a library district. The library is located at 320 E. North Street, Elburn, IL, is conducted as a district library in accordance with the Illinois Public Library District Act, 75 ILCS 16/1-1 et. seq., for the use and benefits of residents residing within the boundaries of the library district.

The Library is financed primarily by taxes levied on property within the District, pursuant to said Statutes, 75 ILCS 16/35-5 et seq. Where reference is made to State Statutes, these By-Laws merely repeat the requirements of the Statute for reference, and it is the intent of this Board that any future amendments to State Statutes referenced as 75 ILCS 16/1-1 et. seq. shall also amend the requirements of these By-Laws.

### **Article II Board of Trustees**

### **Section 1: Composition of Board of Trustees**

The Board of Library Trustees shall be comprised of seven trustees, as specified by Statute.

### **Section 2: Eligibility**

Candidates for Trustee must meet the requirements for candidacy as specified in the Public Library District Act and the Illinois Election Code.

### **Section 3: Nomination**

As provided by statute, nominations of candidates for election as Library Trustee shall be by petition. No party name or affiliation may appear on such petition. (75 ILCS 16/30-20)

### **Section 4: Elections**

As provided by Statute, elections of Library Trustees shall take place at consolidated elections in odd-numbered years. Elections shall be conducted in accordance with the provisions of the Public Library District Act (75 ILCS 16/30-10 and 30-20) and the Illinois Election Code.

### **Section 5: Term of Office**

Library trustees elected to succeed those whose terms have expired shall hold office for a four-year term following the election until their respective successors are elected and qualified. (75 ILCS 16/30-10).

### **Section 6: Organization Meeting**

As provided by Statute, at the regular Board meeting after their election or appointment, the incumbent and new Library Trustees shall meet to organize the Board. The secretary shall first certify the membership of the Board, and Library Trustees duly elected or appointed, and having taken their oath of office as prescribed by the Constitution shall be qualified to serve as Library Trustees. The Library Trustees shall then organize the Board and elect from among its members, a president, vice president, secretary and treasurer (2 year terms) (75 ILCS 16/30-40).

### **Section 7: Vacancies**

Vacancies shall be declared in the office of Library Trustees by the Board as described in the Illinois Public Library District Act. Vacancies may be filled by the remaining Trustees until the next library election, at which time a Trustee shall be elected to fill the vacancy, except if the vacancy occurs with less than 28 months left in a term and less than 88 days before the next regularly scheduled election. In this case, the appointee shall serve the remainder of the unexpired term and no election shall be held (75 ILCS 16/30-25). The Board of Library Trustees shall give appropriate publicity to the existence of a vacancy or election in an effort to secure the most highly qualified applicants and candidates.

**Section 8: Powers**

This Board shall have such powers and duties as are set forth in 75 ILCS 16/30-55 et seq. and other relevant statutes.

**Section 9: Compensation and Expenses**

As provided by Statute, Library Trustees shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties from Library funds.

**Article III  
Trustee Duties**

To achieve the goals of the Library, the Board of Trustees and Library staff shall cooperate among themselves and with other libraries, institutions, and organizations to:

1. Set annual goals to support the District mission statement, in order to provide the highest quality library services to the residents of the District;
2. Establish and revise all policies regarding the operation of the Library;
3. Establish and review on a periodic basis, the rules, policies and by-laws that govern the management and operation of the Library and the Board of Trustees;
4. Observe its full legal responsibilities, duties and rights according to the Illinois Statutes, employing such legal counsel as necessary;
5. Draft and enact all necessary ordinances and resolutions pertinent to the operation of the Library including, but not limited to Budget & Appropriations and Levy Ordinances;
6. See that the Library is adequately financed, using a maximum levy if necessary, that the Library is operating within the budget, and that funds are expended only in the public interest;
7. Assure that adequate records on Library operations are kept and that complete reports are made annually to the Illinois State Library as required by law;
8. Establish a cooperative relationship and open line of communication with other official agencies and community organizations, such as the Village Board, schools, and park districts;

9. Take an active part in community and area development and planning;
10. Set the policy for hiring, supervising and evaluating of the Library Director, whose responsibilities are outlined in the Library Director job description.

#### **Article IV Board Officers & Their Duties**

The officers of the Board of Library Trustees shall be a president, a vice-president, a secretary, and a treasurer. Each of the offices shall be held by a different Library Trustee. Officers shall each serve a term of two years ending on the third Monday of the month following each regular election or until their successors are duly elected by the Board. A vacancy in any office shall be filled by the Board for the unexpired term.

##### Section 1: President

The president, working closely with the Library Director, prepares agendas for board meetings for distribution to participants in advance of each meeting. The president presides at board meetings, serving as discussion leader, and appoints committee members. He or she signs official documents and may under instruction from the Board represent the library at public meetings and gatherings. When the board president speaks on behalf of the library, he or she must reflect the adopted positions of the board, not personal views. As a single member of the board, he or she has one vote and shall not have or exercise veto powers.

##### Section 2: Vice-President

The vice-president presides at board meetings in the absence of the president and performs such other duties as are assigned.

##### Section 3: Secretary

The secretary records the proceedings of meetings, then prepares written minutes and distributes them to trustees in advance of the next meeting. After the minutes of a past meeting are approved, the secretary prepares a permanent and correct copy for the archives of the library. The preparation of the minutes may be assigned to staff, but if delegated, the process is completed with the oversight of the board secretary. The Illinois Open Meetings Act mandates that

minutes of all board meetings, including closed (or executive) sessions, must be prepared and archived. The minutes of open sessions should be kept in a secure but accessible location in the library and made available to the public upon request. Twice a year, boards must consider whether to open minutes of individual closed sessions or keep them closed. The secretary will preside if the president and vice-president are absent. (The Library Director will provide assistance in carrying out the functions of the office.)

A recording secretary may be hired upon Board approval and may be a person other than a Board member. The recording secretary shall record the minutes of all regular meetings and shall make them available at least one week prior to the following regular meeting. The recording secretary shall perform any other duties as may be assigned by the Board. The recording secretary serves at the pleasure of the Board.

#### Section 4: Treasurer

The treasurer handles funds, keeps books, and prepares reports on the general finances of the library. The treasurer is a legal officer named to assure that the financial operations of the library are handled properly, including oversight of annual audits. The board treasurer should prepare or assist in the preparation of annual budgets and chair the finance committee. By law, the treasurer is bonded in an amount not less than 50 percent of the total funds.

The Board shall annually employ a certified public accountant to perform an audit of the Treasurer's records.

### **Article V Meetings**

#### Section 1: Open Meetings and Notices

All meetings shall be posted and held as required by the Illinois Open Meetings Act (5 ILCS 120/1, et seq). The Secretary shall be responsible for publication or posting of notices of meetings as required by said Open Meetings Act. Executive sessions or closed meeting shall be held only as authorized by statute.

#### Section 2: Regular Meetings and Notices

Regular meetings of the Board shall be held monthly unless changed by a majority vote of the Board, with required legal notice. The Board shall, at the beginning of each fiscal year, pass a Resolution specifying the time, place, day, and date of all meetings for the coming fiscal year.

#### Section 3: Special Meetings and Notices

Special meetings may be called by the Secretary at the direction of the President, or at the request of four (4) trustees, for the transaction of business as stated in the call for the meeting. Written notice of special meetings shall be

posted 48 hours prior to the meeting pursuant to the Open Meetings Act and delivered to Board members at least one day immediately preceding the day of the special meeting. Board members may be given oral notice of a meeting to be held in the case of a stated emergency.

#### Section 4: Quorum

A quorum shall consist of four (4) Trustees, and a majority of those present shall determine the vote taken on any question, unless otherwise specified.

#### Section 5: Voting

All votes on any question shall be by yeas and nays and spread of record by the Secretary. Absentees and abstentions from voting shall be noted. A roll call vote shall be required from each Library Trustee on any matter concerning ordinance or policy. An affirmative vote of the majority of all members of the board present at the time shall be necessary to approve any action before the board. The President may vote upon and may move or second a proposal before the board.

#### Section 6: Attendance at Board Meetings

All trustees are expected to attend all meetings of the Library Board. This includes all regularly scheduled meetings, as well as any special meetings which are called as needed by the Board President.

A Trustee who is unable to attend a meeting must inform the Board President as far in advance as possible. If unable to contact the President, another officer or the Library Director must be informed.

Any Trustee who misses 12 regular Board meetings in a period of one year without just cause shall be considered to be in dereliction of duty and subject to call for intent. The Board may then declare that Trustee's seat to be vacant.

Trustees who serve on Board committees are expected to attend all meetings of those committees. If unable to attend, the committee chair must be informed as far in advance as possible. A Trustee who misses three committee meetings without informing the chair or other members of the committee, or without due cause, should consider whether continued membership is of benefit to the committee and its work. The Board President has the authority to make changes in the membership of any committee as deemed necessary.

#### Section 7: Attendance at Meetings by Electronic Means

Attendance at Board and committee meetings by electronic means is allowed as specified and approved by **Board Resolution 2010-1**, adopted by the Library Board on March 8, 2010, and as summarized below:

A Trustee may attend a meeting through electronic means if his or her physical presence at the meeting is prevented due to personal illness or disability, family or other emergency, or by employment purposes or the business of the Board.

All pertinent provisions of the Open Meetings Act must be complied with.

A quorum of members of the Board must be physically present at the location of the meeting.

All Board members attending meetings by electronic means shall be entitled to vote as if physically present at the meeting site so long as a quorum is physically present. Their votes shall be recorded by the Secretary as done by electronic attendance.

#### Section 8: Order of Business

The Library Director and the President shall prepare an Agenda of Business for each meeting of the Board of Library Trustees, and shall place items on the Agenda as requested by any Library Trustee. 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 will permit.

- (a) Call to Order
- (b) Additions/Changes to the Agenda
- (c) Adoption of the Agenda
- (d) Approval of Minutes
- (e) Public Comment
- (f) Friends of the Library Report
- (g) Treasurer's Report
- (h) Library Director's Report
- (i) Committee Reports
- (j) Old business
- (k) New business
- (l) Adjournment

#### Section 9: Conduct of Meeting

Proceedings of all meetings shall be governed by *Robert's Rules of Order*, most recent edition, and the Illinois Open Meetings Act.

#### Section 10: Suspension of Rules

Any rule or resolution of the Board, whether contained in these By-Laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid may be taken only at a meeting at which two-thirds (2/3) of the members of the Board shall be present (including presence by electronic means) and two-thirds (2/3) of those present (including presence by

electronic means) shall so approve. Statutory requirements may not be suspended.

## **Article VI Committees/Liaisons**

### Section 1: Standing Committees

There may be the following standing committees:

Personnel & Benefits  
Policy  
Building & Grounds  
Finance

### Section 2: Ad hoc committees

Special committees may be set up for specific purposes as the business of the Board may require from time to time. The committee shall be considered discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board.

By-law  
Minutes review  
New trustee orientation

### Section 3: Liaisons

There may be the following liaisons:

Friends of the Library  
Chamber of Commerce  
Meetings of other local governments

### Section 4: Appointments

The members of all committees and liaisons shall be appointed by the President with the approval of the Board at the July regular board meeting for a term of 1 (one) year. The Library Director shall be an ex officio member of all committees. Vacancies shall be filled by the President with the approval of the Board of Trustees.

### Section 5: Posting

The Chair of each committee shall provide an agenda and minutes to the Library Director for publication on a timely basis and will report to the Board at the next regular meeting following the committee meeting.

### Section 6: Powers

No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.

### Section 7: Meetings of Committees

Subject to action by the Board of Trustees, each committee by majority vote of its members shall determine the time and date of its meetings. The Chair of each committee shall be selected by its members. All committee meetings are subject to the Open Meetings Act.

## **ARTICLE VII Amendments**

The by-laws may be amended by the majority vote of all members of the board provided written notice of the proposed amendment has been sent to all members prior to the meeting at which such action is proposed to be taken.

Approved: April 12, 2010  
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