

BRIDGMAN PUBLIC LIBRARY

BYLAWS

Revisions:

December 14, 2010

January 25, 2011

February 22, 2011

February 28, 2012

March 26, 2013

THE BRIDGMAN PUBLIC LIBRARY BYLAWS

ARTICLE I LEGAL AUTHORITY

- Section 1** **Establishment.** The Bridgman Public Library (a public facility) was authorized and established by the City of Bridgman on April 4, 1966 pursuant to 1877 P.A. 164.
- Section 2** **Joint Board of Directors.** As authorized by 1877 P.A. 164, as amended, The Bridgman Public Library has a Joint Board of Directors made up of elected members from the City of Bridgman and appointed members from Lake Charter Township. The Joint Board of Directors is designated in these By-Laws as the “Board of Trustees,” and each director is designated as a “Trustee.”
- Section 3** **Scope of Authority.** Legal responsibility for the operation of the Library is vested in the Board of Trustees. In accordance with its legal authority, the Bridgman Public Library may do one or more of the following:
- 3.1** Establish, maintain and operate a public library for the residents of the City of Bridgman and Lake Charter Township.
 - 3.2** Appoint and remove officers from its members.
 - 3.3** Appoint, periodically evaluate, and remove a Library Director and determine his/her duties and compensation.
 - 3.4** Determine the Library budget, strategic plan, and secure adequate funding.
 - 3.5** Control the expenditure of all moneys collected, donated or appropriated for the Library.
 - 3.6** Acquire and maintain real and personal property for the Library.
 - 3.7** Prepare and submit the required annual report to the Library of Michigan, the City of Bridgman and Lake Charter Township.
 - 3.8** Supervise and control Library property, including the selection, purchase and maintenance of the Library collections, buildings, and equipment.

- 3.9 Enter into contracts necessary or appropriate for the operation of the Library, including to receive Library-related services from or give Library-related services to a library or a municipality within or without the City and Township.
- 3.10 Adopt by-laws, regulations, and policies not inconsistent with 1877 P.A. 164, as amended, as well as other Federal, State and Local laws and ordinances.
- 3.11 Accept gifts and grants for the Library.
- 3.12 Do anything reasonably necessary or appropriate for conducting, maintaining, operating, promoting and advancing the Library.
- 3.13 The Library will comply with pertinent federal and state laws affecting the Library, including the Open Meetings Act, Freedom of Information Act, and USA Patriot Act. In the case of the latter, the library director shall receive and reply to a federal search warrant or court order or other designated by the Board.
- 3.14 The Library endorses the American Library Association's 'Library Bill of Rights as adopted on June 18, 1948 (amended January 23, 1980) and 'Freedom to Read' statement as adopted on June 25, 1953 (revised June 30, 2004).

ARTICLE II
BOARD OF TRUSTEES

Section 1 **Members.** The Bridgman Public Library Board of Trustees shall consist of nine (9) members, selected as follows:

- 1.1 Six (6) members elected at large from the City of Bridgman. Each member shall be elected to serve a six year term.
- 1.2 In accordance with the terms and conditions of the Service Contract with Lake Charter Township, three (3) members shall be appointed by the Lake Charter Township Supervisor. Each member shall be appointed to serve a five (5) year term.

Section 2 **Attendance.** Members shall be expected to attend all meetings except as they are prevented by a valid reason.

Section 3 **Orientation.** The President shall ensure that all new Board members shall receive an introduction to the library, its facilities, staff and services prior to their first Board meeting. Each Board member shall receive a Trustee Training Kit, which shall include the Library's:

- 3.1 Mission Statement
- 3.2 Bylaws and Policy Statements
- 3.3 Guidelines for the position of Trustee
- 3.4 Current budget
- 3.5 Latest audited financial statement
- 3.6 Organizational chart
- 3.7 Calendar of Events
- 3.8 Previous six (6) months meetings minutes and director reports
- 3.9 Contact information for members
- 3.10 Board committees and committee membership

Section 4 **Confidentiality.** Unless otherwise required by law, rule, regulation or Board policy, Board members are expected to maintain the confidentiality of personal information concerning Library patrons, personnel, and other Board members.

Section 5 **Reimbursement of Expenses.** Trustees will serve without compensation. However, the Library shall, upon submission of receipts and any other documentation requested by the Board, reimburse Trustees for proper travel and other expenses incurred in carrying out their assigned duties as members of the Board.

Section 6 **Resignation.** Resignation from the Board of Trustees shall be by written letter submitted to the President of the Board. The resignation shall be effective upon receipt of such notice by the President.

Section 7 **Vacancy.** In the event a resignation or other vacancy occurs during the term of any Board member, the vacancy shall be filled by:

- 7.1 If the vacancy is in an elected seat, the Board shall appoint a new member to serve the remainder of the term. The Board shall select the new member from a list of candidates determined by placing a notice in two (2) local newspapers or other media as determined by the Board.

The candidates shall be asked to submit a letter of interest to the Board President and shall be interviewed by the Board or an ad hoc Board Interview Committee. The names of the approved candidate or candidates shall be submitted to the full board for acceptance. The appointment shall be by majority vote of the remaining board members.

- 7.2 If the vacancy is in an appointed seat, the Lake Charter Township Supervisor shall appoint a new member to serve the remainder of the term.

Section 8 **Disqualification and Removal.** The Board shall remove a Trustee from office upon the happening of any of the following events;

- 8.1 The Trustee ceases to qualify as a resident of either the City of Bridgman or the Lake Charter Township.
- 8.2 The Trustee is absent from the meetings of the Board for three (3) consecutive months without being authorized by the Board President
- 8.3 The Trustee is absent from the meetings of the Board Standing Committee for three (3) consecutive meetings without being authorized by the Board President
- 8.4 Becomes physically or mentally incapable or unwilling, as determined by the Board, to fulfill his or her duties, or
- 8.5 Fails to comply with the Board's ethical standards.

Section 9 **Ethical Standards.** Trustees may not negotiate, bid for, or enter into a contract with the Bridgman Public Library in any matter in which they have a direct or indirect financial interest.

Trustees shall withdraw from Board discussion, deliberation, and vote on any matter in which the Trustee, an immediate family member, or an organization with which the Trustee is associated has a substantial financial interest.

Trustees may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

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

Trustees shall respect the confidential nature of library business while also maintaining 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 and individuals.

Trustees are expected to perform all of the functions of a trustee.

Section 10 **Reporting.** The Board shall furnish the offices of the City of Bridgman and the Lake Charter Township with copies of the minutes of all open meetings.

ARTICLE III OFFICERS

Section 1 **Board Membership.** Officers must be members of the Board throughout their term in office.

Section 2 **Offices.** Officers shall consist of a President, Vice-President, Secretary and Treasurer. No member shall hold more than one office at the same time.

Section 3 **Nominations.** An ad hoc nominating committee shall be appointed by the President at the regular board meeting in October. The nominating committee shall consist only of Board members. The nominating committee shall present a slate of recommended candidates to the Board at the November regular meeting. Additional nominations may be made by any member at the November regular meeting.

Section 4 **Election.** The election of officers shall be held during the first regular Board meeting in November of each year, immediately following the swearing in of newly elected members.

Section 5 **Term.** Officers shall serve a term of one year. Terms shall run from December 1st to November 30th of the following year.

Section 6 **Removal.** Any officer may be removed for any reason, at any time, by a majority vote of the entire Board.

Section 7 **Vacancies.** Vacancies shall be filled by a vote of the Board at the next regular meeting of the Board. The newly elected officer shall complete the remainder of the term vacated.

Section 8 **The Duties of the Officers Shall Be As Follows.**

8.1 **President.**

- Shall act on behalf of the Joint Board of Directors.
- Shall preside at all meeting of the Joint Board of Directors.

- Shall appoint all standing and ad hoc committees.
- Shall call special board meetings.
- Shall assist with the preparation of the agenda for regularly scheduled board meetings.
- Shall execute or cause to be executed all documents authorized by the Board.
- Is a signatory on all financial documents and checks.
- Shall serve as the chair of the Executive Committee.

8.2 Vice-President.

- Shall perform all the functions of the President in his/her absence or disability.
- Shall perform such functions as may be assigned by the President of the Joint Board of Directors.
- Shall serve as a member of the Executive Committee.
- Is a signatory on all financial documents and checks.

8.3 Treasurer.

- Shall chair the Finance Committee, and as such, perform duties as delegated by this committee.
- Shall report on the state of the funds at each regularly scheduled board meeting.
- Shall assist with preparation of annual audit.
- Shall assist with selection and approval of financial institutions and investments of library funds, as authorized by the Joint board of Directors.
- Shall review bills as presented for payment each month.

8.4 Secretary.

- Shall serve as a member of the Executive Committee.
- Shall keep a true and accurate account of all proceedings of the regularly scheduled board meeting (this responsibility may be discharged with the assistance of appropriate library personnel).
- Shall perform all the functions of the President in the simultaneous absence and/or disability of the President and Vice President.
- Shall oversee library compliance with the provisions of the Michigan Open Meetings Act.
- Is a signatory on all financial documents and checks.

ARTICLE IV
FINANCIAL

Section 1 Approval of Expenditures. Except for normal day to day operating expenses, expenditures shall be approved in advance by a majority of the Board of Trustees.

- Section 2** **Co-sign checks.** All checks drawn on Library funds must be signed by two officers.
- Section 3** **Co-sign disbursements.** All disbursements of Library funds must be signed by two officers.
- Section 4** **Emergencies.** The President of the Board of Trustees, in what he or she reasonably believes to be an emergency, may unilaterally contract for expenditures necessary to preserve the library building and/or contents and the proper functioning thereof. The President may delegate, at his or her discretion, this authority to the Library Director.
- Section 5** **Fiscal Year.** The fiscal year for the Library shall be July 1st to June 30th.
- Section 6** **Budget.** The proposed budget shall be presented to the Board at the regular May meeting. The annual budget meeting shall be held at the June meeting at which time the budget for the previous year shall be reconciled, and the budget for the new year beginning July 1st shall be adopted.

ARTICLE V
STANDING COMMITTEES

- Section 1** **Establishment of Standing Committees.** The Board may establish one or more standing committees to address ongoing issues that affect the library. The duties of each standing committee will be as designated by the Board from time to time.
- Section 2** **Authority of Standing Committees.** Each standing committee shall have advisory powers only, unless by appropriate delegation of authority in these Bylaws or by Board resolution, the Board specifically empowers a standing committee to act on its behalf. Each standing committee shall present recommendations to the Board. The Board shall be free to reject, accept or modify any committee recommendations.
- Section 3** **Appointment of Members.** Standing committees may be inactive until there is a need to appoint members. Except for the Executive Committee, each standing committee shall consist of the President and three (3) members of the Board appointed by the President. However, the Board may remove any member from a standing committee by majority vote. The Executive Committee shall consist of the President, Vice-President and Secretary.
- Section 4** **Standing Committees.** The following standing committees are established:
- 4.1** **Executive Committee.** The Executive Committee shall have those duties assigned to it as the Board deems appropriate from time to time.

- 4.2 Finance Committee.** The duties of the Finance Committee shall include assistance in the preparation and presentation of the annual budget to the Board; assistance in seeking adequate support for the budget; monitoring grant possibilities and activity; and monitoring budget activity throughout the fiscal year.
- 4.3 Personnel & Policy.** The duties of the Personnel & Policy Committee shall include advising the Board in the following areas: policies to govern the operation and programs of the library; long range planning; annual performance evaluation of the library director; and employee disputes as stated in the Library's Employee Handbook.
- 4.4 Planning & Facilities.** The duties of the Planning & Facilities Committee shall include monitoring the long range plan to ensure that the Library's goals and objectives are being implemented, and ensure the maintenance and repair of the facility.

Section 5 Chairperson. Upon formation, the members of any standing committee shall elect a chairperson to preside over the committee meetings.

Section 6 Committee Schedules. Each standing committee shall meet in accordance with a schedule established by the committee chairperson. Reasonable notice of the meetings of any committee shall be given to the members thereof. The chairperson or the President may call a special meeting of any committee.

Section 7 Committee Reports. At each meeting of the Board of Trustees, each committee chairperson shall deliver a verbal report to the Board with respect to the activities of the Committee since the last Board meeting. Verbal reports as to committee activities shall be presented to the Board prior to deliberation and voting by the Board on committee recommendations. Each verbal report shall summarize the recommendations of the committee. If the committee is unable to agree as to its recommendations to the Board, the verbal report shall briefly summarize the majority and minority views of the committee with respect to that issue. Any committee may submit a written report to the Board in lieu of the verbal report. Written committee reports shall be kept on file in the Library Director's office.

ARTICLE VI **AD HOC COMMITTEES**

Section 1 Ad Hoc Committees. Special committees for the study and investigation of particular problems may be appointed by the President, with the approval of the Board, to serve until the completion of the project for which it was appointed. These committees shall be known as Ad Hoc Committees.

- Section 2** **Membership.** Ad Hoc Committees may include Board members, staff, public representatives, experts, consultants and others as the President and Board deem appropriate.
- Section 3** **Authority.** All ad hoc committees are advisory only and have no decision-making authority.
- Section 4** **Duration.** All ad hoc committees are automatically dissolved upon completion of the project for which it was appointed.
- Section 5** **Chairperson.** Upon formation, the members of any ad hoc committee shall elect a chairperson to preside over the committee meetings.
- Section 6.** **Committee Schedules.** Each ad hoc committee shall meet in accordance with a schedule established by the committee chairman. Reasonable notice of the meetings of any committee shall be given to the members thereof. The chairperson or the President may call a special meeting of any ad hoc committee.
- Section 7** **Committee Reports.** At each meeting of the Board of Trustees, each committee chairperson shall deliver a verbal report to the Board with respect to the activities of the Committee since the last Board meeting. Verbal reports as to committee activities shall be presented to the Board prior to deliberation and voting by the Board on committee recommendations. Each verbal report shall summarize the recommendations of the committee. If the committee is unable to agree as to its recommendations to the Board, the verbal report shall briefly summarize the majority and minority views of the committee with respect to that issue. Any committee may submit a written report to the Board in lieu of the verbal report. Written committee reports shall be kept on file in the Library Director's office.

ARTICLE VII MEETINGS

- Section 1** **Regular Meetings.** Regular meetings of the Board shall be held monthly at the Bridgman Public Library. Board meetings shall be open to the public except as they deal with confidential matters.
- Section 2** **Order of Business.** The order of business for all regular meetings of the Board shall be as follows:
- 2.1 Call to order
 - 2.2 Roll Call
 - 2.3 Agenda Revisions
 - 2.4 Public Comment

- 2.5 Friends of the Library representative
- 2.6 Committee reports
- 2.7 Director's report
- 2.8 Approval of minutes
- 2.9 Treasurer's report
- 2.10 Approval of bills
- 2.11 Discussion items
- 2.12 Action items
- 2.13 For the good of the Bridgman Public Library

- 2.14 Adjournment

Section 3 **Agendas.** An agenda for each regular meeting shall be prepared by the Board President and Library Director. The agenda shall be given to each Trustee at least five (5) days prior to each regular meeting.

- 3.1 Trustees may place an item on the agenda by contacting the President.
- 3.2 Additions to the agenda at a regularly scheduled meeting are allowed if approved by the majority of the Board.
- 3.3 Members of the public who wish to address the Board shall request a place on the agenda not later than twenty-four (24) hours before the time established for the meeting. The request may be directed to one of the Officers of the Board or to the Library Director.

Section 4 **Public Comment.** Members of the public may address the Board during those portions of the agenda specified for public comments. During the public comment of a regular meeting, a person must provide his or her name and address prior to speaking. The speaker may be limited to three (3) minutes unless the time limit is waived by the President.

Section 5 **Schedule.** A schedule of regular meetings for the year, including the dates, time, place and location will be posted in the Library following the November meeting of the preceding year.

Section 6 **Annual Meeting.** The November regular meeting shall be considered the Board's annual meeting.

Section 7 **Budget Meeting.** See Article V.

Section 8 **Special Meetings.** Special meetings may be called by the President. Special meetings shall be called as soon as possible upon written request to the President from at least

two (2) Trustees or the Library Director. Written notice stating the time, place and purpose of the special meeting shall be given to each Trustee at least eighteen (18) hours in advance of such meeting. Minutes of special meetings will be kept, transcribed and included in the Board's permanent record.

Section 9 Quorum. A quorum for the transaction of business shall be five (5) members. Where a quorum is not present within 20 minutes after the hour fixed for the meeting, the Secretary shall record the names of the Board members present and the meeting shall stand adjourned until the next regular meeting or until a special meeting is called.

Section 10 Parliamentary Procedure. Roberts Rule of Order shall be the governing authority for any issue not covered in these Bylaws or Michigan statute.

Section 11 Voting. When decisions of the Board are required for action on specific agenda items, the Board shall vote. Each member will have one vote. 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.

Section 12 Minutes. Minutes from the previous meeting and the agenda for the forthcoming meeting shall be available for all Trustees, at the library, at least 3 days prior to the next regular meeting.

12.1 Meeting minutes shall reflect the vote taken unless the vote was unanimous. A roll call vote will be recorded if requested by a trustee.

Section 13 Michigan Open Meetings Act, P.>A. 528 as amended December 31, 2012.

On December 27, 2012, Governor Snyder signed into law HB 5459, which amends the Michigan Open Meetings Act to add several new notice requirements for public bodies holding rescheduled or special meetings. The new law, Public Act 528 of 2012, was given immediate effect.

Under the new law, public notice of a rescheduled or special meeting must be posted in a "prominent and conspicuous place" both at the public body's principal office and on the public body's website if the public body maintains a website and that website includes monthly or more frequent updates of public meeting agendas or minutes. The law requires the public notice on the website to be included on the homepage or to be accessible via a prominent and conspicuous link on the homepage.

In addition, the new law requires that public notice postings be accessible to the public for the duration required by the act. In other words, to meet the 18-hour posting requirement for a rescheduled or special meeting, the public body must post the notice in a prominent and conspicuous place which is accessible to the public for at least 18 hours prior to the meeting. This change effectively modifies a 2011 court of appeals decision and is consistent with special

meeting notice practices which had been established by a 1980 Attorney General's opinion.

Pursuant to those changes, all notices of meetings, special meetings or rescheduled meetings of the Bridgman Public Library will be accessible at the Library or from the Library website homepage, www.BridgmanLibrary.org.

VIII LIBRARY DIRECTOR

- Section 1** **Appointment.** The Board shall appoint a library director. The director shall be the chief executive and administrative officer of the library and will report directly to the Board.
- Section 2** **Compensation.** The Board shall set the director's compensation.
- Section 3** **Duties.** The director shall be responsible for the day to day operation of the library. The director shall carry out the policies, directives, instructions, decisions and orders adopted by the Board. The director shall be immediately responsible for the employment and direction of the library staff, and for the care and maintenance of the building, equipment, and collection. The director shall direct the financial administration of the library, and oversee the preparation of the budget, make application for and administer grants. The director shall attend all regular and special meetings of the Board and shall present a report at each regular meeting. The director shall be heard on all matters brought before the Board except when the Board is in executive session. The director shall keep the Board regularly and completely informed regarding the finances, public services, physical plant, personnel, collection, and other developments, changes and problems of the library. The director shall perform other related duties, as assigned by the Board.
- Section 4** **Dismissal for Good Cause only.** If the director is guilty of serious misconduct, habitual neglect of duty, incompetence, or conduct incompatible with his or her duties, or prejudicial to the Library, or if he or she is guilty of willful disobedience to the Board's directions, instructions, policies or orders, in a matter of substance, the director can be summarily dismissed by a majority vote of the Board.

ARTICLE X AMENDMENTS

- Section 1** **Bi-Annual Review.** The Personnel & Polices Committee of the Board shall review these bylaws bi-annually and recommend changes to the Board when necessary.
- Section 2** **Amendment.** These Bylaws may be amended by the Board of Trustees upon a vote of two-thirds (2/3) of the Trustees voting at a meeting for which notice was duly provided

and at which a quorum is present.

Section 3 **Effective Date.** Amendments shall become effective immediately upon approval by the Board unless the Board specifies an alternative effective date.

AMENDMENTS: noted in bold

December 14, 2010

Article VII Meetings

Section 1 Regular Meetings

Regular meetings of the Board shall be held on the **fourth** Tuesday of each month at **2:00 p.m.** at the Bridgman Public Library. Board meetings shall be open to the public except as they deal with confidential matters.

January 25, 2011

Article V Standing Committees

Section 4 Standing Committees

4.3 Personnel and Policy.

The duties of the Personnel & Policy Committee shall include advising the Board in the following areas: policies to govern the operation and programs of the library; long range planning; annual performance evaluation of the library director; and employee disputes as state in the Library's **Employee Handbook**.

February 22, 2011

Article I Legal Authority

Section 3 Scope of Authority

Add **3.14**

The Library endorses the American Library Association's 'Library Bill of Rights' as adopted on June 18, 1948 (amended January 23, 1980) and 'Freedom to Read' statement as adopted on June 25, 1953 (revised June 30, 2004).

February 28, 2012

Article VII Meetings

Section 1 Regular Meetings

Modify: Regular meetings of the Board shall be held ~~on the fourth Tuesday of each month at 2:00 p.m.~~ **monthly** at the Bridgman Public Library. Board meetings shall be open to the public except as they deal with confidential matters.

March 26, 2013

Article III Officers

Section 8 Duties of the Officers Shall be as Follows:

Delete 8.1, 8.2, 8.3, 8.4

Insert:

8.1 President.

- **Shall act on behalf of the Joint Board of Directors**
- **Shall preside at all meeting of the Joint Board of Directors**
- **Shall appoint all standing and ad hoc committees**

- **Shall call special board meetings**
- **Shall assist with the preparation of the agenda for regularly scheduled board meetings**
- **Shall execute or cause to be executed all documents authorized by the Board**
- **Is a signatory on all financial documents and checks**
- **Shall serve as the chair of the Executive Committee**

8.2 Vice-President

- **Shall perform all the functions of the President in his/her absence or disability**
- **Shall perform such functions as may be assigned by the President of the Joint Board of Directors**
- **Shall serve as a member of the Executive Committee**
- **Is a signatory on all financial documents and checks**

8.3 Secretary

- **Shall serve as a member of the Executive Committee**
- **Shall keep a true and accurate account of all proceedings of the regularly scheduled board meeting (this responsibility may be discharged with the assistance of appropriate library personnel)**
- **Shall perform all the functions of the President in the simultaneous absence and/or disability of the President and Vice President**
- **Shall oversee library compliance with the provisions of the Michigan Open Meetings Act.**
- **Is a signatory on all financial documents and checks**

8.4 Treasurer

- **Shall chair the Finance Committee, and as such, perform duties as delegated by this committee**
- **Shall report on the state of the funds at each regularly scheduled board meeting**
- **Shall assist with preparation of annual audit**
- **Shall assist with selection and approval of financial institutions and investments of library funds, as authorized by the Joint board of Directors**
- **Shall review bills as presented for payment each month**
- **Is a signatory on all financial documents and checks**
- **Shall review all bank statements as reconciled by accountant**
- **Shall review all monthly financial reports as provided by accountant**
- **Shall supervise Library Director's handling of all finances**

March 26, 2013

Article VII Meetings

Section 13 Open Meetings Act.

Delete current Open Meetings Act.

Insert:

Section 13 Michigan Open Meetings Act, P.A. 528, as amended December 31, 2012

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