

**MARSHALL PUBLIC LIBRARY BOARD OF TRUSTEES
MARSHALL, ILLINOIS**

BYLAWS

ARTICLE I -- NAME

The name of this organization shall be the Marshall Public Library Board of Trustees. The Library is located at 612 Archer Avenue in Marshall, Illinois, 62441, and serves residents of the City of Marshall and also residents of Marshall Area Public Library District by contract. (Amended 10/13/2010)

ARTICLE II -- TRUSTEES

The Marshall Public Library Board of Trustees is charged with the responsibility of the governance of the library. The board shall consist of nine members appointed by the Mayor with appointment shall be for a three-year term, except when the appointment is for an unexpired term, in which case the appointment will be for the unexpired portion. The Mayor may appoint one City Council member to the board, among the total of nine library Trustees.

Agenda:

The agenda and/or information packet for the meetings will be distributed to the Board by the Library Director one week prior to meetings. Any Board member wishing to have an item placed on the agenda will call the Library Director in sufficient time preceding the meeting to have the item placed. Any Board member who is unable to attend a meeting will call the library to indicate that he or she will be absent. Due to the fact that a quorum is required for each meeting, this phone call should be placed as far in advance as possible.

Compensation:

Board members are not to be compensated pursuant to statute, but will be reimbursed for necessary and related expenses as trustees. To be effective, Board members must attend most meetings, read materials presented for review, and attend an occasional Library System (or other library related) workshop, seminar, or meeting. The Library Director will make the dates of these workshops known to the Board in a timely manner. It is the goal of the Board of Library Trustees to have each member attend a minimum of one Library System (or other library related) workshop, seminar, or meeting during each calendar year. Board members using their own vehicle will be reimbursed at the rate allowed by the IRS for travel to and from any Library System (or other library related) workshop, seminar, or meeting.

New Trustees:

The Director shall meet with new trustees to examine the property and review services and shall present to new trustees a packet which includes the policies and other procedural material, a list of trustees and committees, minutes and financial reports for the previous 12 months, and other pertinent information.

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Filing:

Board members are required to file an annual a Statement of Economic Interest by May 1st each year with the County Clerk. (ILCS 420/4A-105)

(Amended 9/2016)

ARTICLE III -- OFFICERS & ELECTIONS

The officers of the Board shall be a President, a Vice-President, and a Secretary. Those officers shall be elected by a vote for a one-year term at the regular meeting in the month of May. The President shall not serve more than two consecutive terms unless by unanimous board consent. In the event of a resignation from an office, an election to fill the unexpired term of that office will be conducted by a vote at the next regular meeting. A trustee may be removed from an office by a 2/3 vote of the full board.

(Amended 10/13/2010)

President:

The President shall preside at all board meetings, appoint all standing and special committees, serve as ex-officio member of all committees, and perform all other such duties as may be assigned by the board. The President shall be the *only* spokesperson for the Board of Library Trustees in all advisory or disciplinary action directed to the staff.

Vice President:

The Vice-President, in the absence of the President, shall assume all duties of the President.

Secretary:

The Secretary shall keep minutes of all board meetings, record attendance, record all votes, and keep a current copy of the Bylaws and policies of the Board together with a record of any changes or amendments. The Secretary shall perform all other such clerical duties as may be assigned by the board.

Treasurer:

The Treasurer will counter-sign checks, along with the Director or another officer, on authorization of the Board. The Treasurer will serve on the Finance Committee and will be bonded at not less than 50% of the total funds received in the previous fiscal year. (75 ILCS 16/30-45)

(Amended 9/2016)

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ARTICLE IV--MEETINGS

Regular Meetings:

The regular meeting of the Board of Library Trustees of Marshall Public Library shall be on the second Wednesday of each month. The meeting shall be at the library at 6 o'clock PM. The board shall, by ordinance, specify regular meeting dates and times. The secretary of the board shall then (1) provide for the local newspaper the schedule of regular meetings of the board for the ensuing fiscal year, and (2) post the schedule of meetings in the library. Both notices shall have the dates, times, and places of such meetings. Meeting notices and meeting minutes are available on the library's website

(Amended 10/12/2005, Revised 10/9/2013)

The library board may meet in closed, or executive, session if such a meeting is approved by a majority vote of a quorum present during a meeting that is open to the public. The board must make an audio or video recording of any closed meeting and archive that recording appropriately. Information discussed in a closed session is to remain confidential until/unless the matter is revealed or acted upon in open session by the board. The board will review all closed session meetings periodically with review being no less than semi-annually. (5 IL 120/2)

(Amended 10/13/2010, 9/2016)

Electronic Attendance at Meetings:

The fullest participation and attendance in all board meetings should be achieved whenever possible; and the use of electronic conferencing for meeting attendance and voting, is permissible so long as the conduct of the meeting is in accordance with the Open Meetings Act.

1. All pertinent provisions of the Open Meetings Act must be complied with, including specifically the proper notice of any regular or special meeting, the proper record-keeping or minutes of each meeting, the appropriate agenda preparation for each meeting which, in addition, shall be posted along with the notice of the meeting; and any use of closed sessions shall be in compliance with the provisions of the Act.
2. The location of the meeting included on the notice shall be equipped with suitable electronic communication equipment in order that the public audience, the trustees in attendance and any staff or guests will be able to hear any input, vote or discussion and that any other location where the board conducts regular business shall have similar electronic communication means for use by board members, staff or public audience to attend at that location, if requested at least 24 hours in advance of the meeting.
3. Sufficient security and identification procedures must be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all trustees attending for voting purposes are in fact authorized trustees with the right to speak and vote.
4. As soon as it becomes apparent to the board that a meeting will include electronic conferencing, all subsequent notices of the meeting shall indicate that one or more trustees will or may be attending by electronic means and the location or locations where electronic conferencing will be available shall be noted. In the event that the

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5. Notice of the meeting has already been disseminated and posted, a follow-up notice indicating the above shall be placed as soon as possible. In the event any news media have filed the annual request for notice of meetings, they shall receive an updated notice in the same manner as given to all members of the Board.
6. A quorum of members of the Board must be physically present at the location of the meeting. Only additional members, ie. those members not part of the required physically present quorum, may attend by electronic means.
7. All trustees attending meetings by electronic means are entitled to vote as if they were personally and physically present at the meeting site so long as the electronic means exists. All votes shall be taken by roll call to ensure that non-physically present members are casting their own votes if they cannot be seen.
8. This policy shall not be construed to mean that electronic conferencing shall be regularly used or used at every meeting of the Board but shall be used only as necessary to allow the participation of Board members who are unable to attend in person due to circumstances beyond their control. Acceptable circumstances include, but are not limited to, personal illness, disability, business purposes or the business of the public body, or family or other emergency.
9. Electronic conferencing shall not be provided for members of the public to use in order to attend or participate in a meeting.
10. Only two trustees may participate by electronic attendance at a meeting. The presiding officer shall be present at the meeting. In the event that the President is not physically present at the meeting, the Vice-President shall preside.
11. The meeting minutes shall indicate those trustees who attend by electronic means, and in the event the entire meeting is not so attended, shall indicate those portions of the meeting which were attended by electronic means. (Adopted 3/12/2014)

Special Meetings:

Special meetings shall be held at any time when called by the President or Secretary or by any three Trustees of the Board, provided that notice with the agenda of the special meeting is given at least 48 hours in advance, except in the case of a bona fide emergency, to Board members and to any new medium which has filed an annual request for notice under the Open Meetings Act. No business except that stated in the notice and agenda shall be transacted. Notice and agenda shall be posted 48 hours in advance in the library except in the case of a bona fide emergency.

Virtual Meetings:

June 12, 2020, the Governor signed P.A. 100-0640 (SB 2135) into law. This new law amends the OMA to expressly authorize public bodies to meet remotely without the otherwise required quorum present at the meeting place.

1. Virtual meeting authorization is effective only when the Governor has issued a disaster declaration that covers all or part of the jurisdiction of the public body.
2. The President of the Board of Trustees must make a determination that an in-person meeting is not practical or prudent because of a disaster. This determination should be identified on the agenda or stated at the meeting.

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3. All trustees need to be verified at the meeting and must be able to hear one another and all discussion at the meeting.
4. Members of the public must be able to contemporaneously hear all discussion and votes, either by being physically present at the meeting place or through a phone or web-based link at open meetings.
5. At least one member of the public body or Director must be physically present at the meeting place unless it isn't feasible because of the disaster.
6. All votes must be by roll call.
7. Notice must be provided in accordance with the OMA (i.e., 48 hours in advance except in a bona fide emergency). The notice must be given to the members of the public body, posted on the public body's website, and provided to any news media that has requested notice.
8. Meetings must be recorded (including open sessions).

Annual Meeting:

An annual meeting shall be held in May for the purpose of hearing the annual reports of the Director, Librarian, and committees. The report should include a summary of the year's work with detailed account of the receipts and expenditures, a preliminary budget pending adoption by the city council for the following year, and other information according to statute. A copy of this report shall be forwarded to the Illinois State Library in accordance with the law. A copy should also be on file in the library.

Quorum:

A quorum at any meeting shall consist of a majority of Board members.

Rules for Public Comment:

1. The meetings of the Board of Trustees are open to members of the public, except those portions of the meetings that are in closed session according to the Illinois Open Meetings Act.
2. Members of the public have a right to speak or make comments at the open session of all regular and special open board meetings.
3. Members of the public may only speak during their allotted speaking time or if asked a question by a member of the board.
4. The Board president will determine the order of the speakers.
5. Individuals are expected to identify themselves by full name and address and be brief.
6. Comments by members of the public are limited to three minutes. A speaker may not cede time to another speaker.
7. Members of the public may distribute written materials, including copies of their comments, to the members of the board.

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8. Written copies of comments pertaining to an agenda item from people who are not in attendance at the meeting will not be read aloud at the meeting. If these comments are received by the president before the board meeting, they will be distributed to the board members before the meeting is called to order.
9. Members of the public may not bring signs, banners, or other display material.
10. Individuals in need of interpreters or other special needs must contact the president at least 24 hours before the meeting. Reasonable accommodations will be made free of charge.
11. The Board president retains the right to stop or remove any speaker who uses profanity, make threats, or is otherwise abusive or disruptive.
12. Petitions or written correspondence to the board shall be presented to the board at the next regularly scheduled meeting.
13. The board reserves the right to override the above rules in case of emergency or other unforeseen circumstances.

(Amended 11/12/2014)

ARTICLE V – COMMITTEES

Standing and Special Committees:

The standing committees shall be appointed annually in the month of June and shall consist of three members and the Library Director. At the first meeting of each standing committee, a chairperson shall be elected and a secretary shall be designated to record minutes. Special committees may be appointed by the President to present reports or recommendations to the Board and shall serve until the completion of the work for which they were appointed. The standing committees shall be the Finance Committee, the Personnel Committee, the Policy Committee, and the Building and Grounds Committee. The library shall be the depository of all committee reports. Committees are subject to the Illinois Open Meetings Act; therefore, their meetings shall be conducted in public with appropriate advance public notice, and minutes of meetings must be recorded and archived. (Amended 6/13/2001, 10/12/2005, 10/13/2010)

Finance Committee:

The Finance Committee shall be comprised of three members of the Library Board of Trustees, including Board Treasurer and Library Director. The Finance Committee's responsibilities include, but are not limited to, drafting a preliminary budget or Budget and Appropriations Ordinance for full board approval, drafting a Levy for full board approval, drafting a working budget for full board approval, monitoring library investments, and implementing the library's investment policy.

(Amended 10/09/02, 10/12/2005)

Personnel Committee:

The Personnel Committee shall be comprised of three members of the Library Board of Trustees, including the President, and the Library Director. The Personnel Committee's responsibilities include, but are not limited to, preparation of the annual reviews of the Director for

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discussion among the full board prior to the formal review, assisting the Director in the preparation of his or her annual statement of goals and objectives for the coming year, and assuming a leadership role in the resolution of any personnel conflict which cannot be resolved by the Director. The Librarian is responsible for the annual review of all other library employees.
(Amended 10/09/02, 10/12/2005)

Policy Committee:

The Policy Committee shall be comprised of three members of the Library Board of Trustees and the Library Director. The primary responsibility of the Policy Committee is to develop the Library Policy. This policy shall include the division of responsibility between Board and staff, a Library Materials Selection Policy, and shall adhere to the "Library Bill of Rights" and the "Freedom to Read" statements of the American Library Association. The committee shall determine the library regulations governing the use of the Library and review sections of existing policy in a systematic fashion to insure that all policy is reviewed at an interval not to exceed three years. As a result of such policy reviews, the Policy Committee will make recommendations regarding additions or changes to existing policy as well as deleting policies which are no longer appropriate or of value.

The entire library Policy must be approved by Board vote and made readily available to the public.
(Amended 10/12/2005)

Building and Grounds Committee:

The Building and Grounds Committee shall be comprised of three members of the Library Board of Trustees and the Library Director. The Building and Grounds Committee's responsibilities include, but are not limited to, conducting an annual inspection of the library's physical facility to identify areas which are in need of repair, and making recommendations to the full board regarding any and all repairs which are deemed necessary either as a result of the annual inspection or throughout the year as the need arises.

(Amended 10/12/2005)

Librarian/Director Search Committee:

When the position of Librarian or Director falls vacant, the Board shall immediately select an acting Librarian or Director for the interim and establish a Librarian/Director Search Committee, which shall consist of the President and two members elected from the Board. Applications for the position shall be filed at the library and available to all Board members. The Search Committee shall report the results of applications and interviews to the Board. Five votes shall be required for the Board to hire a librarian or director, after which the Search Committee is dissolved.

Emergency Committee:

The Emergency Committee shall consist of the President and two members elected from the Board. The Emergency Committee will meet as needed to determine the best plan of action in the event of an unexpected emergency, pandemic, natural catastrophe or any other unusual event that may merit immediate library closure or action not already outlined in the library's existing policies and procedures. Notice of an emergency meeting shall be given as soon as practicable, but in any event prior to the holding of such meeting, to any news medium which has filed an annual request for notice under section b of 5 ILCS 120/2.02.
(Adopted 7.20)

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ARTICLE VI -- ORDER OF BUSINESS

The following order of business shall be followed at regular meetings:

- Call to Order
- Roll Call
- Pledge of Allegiance
- Comments (Limited to 3 minutes per person)
- Secretary's Report
- Officer's Reports
- Presentation of Bills
- Librarian's Report
- Report on Friends of the Library
- Report on Area Library District
- Director's Report
- Old Business
- New Business
- Other
- Adjournment

Robert's Rules of Order, Revised shall govern the parliamentary procedure of the Board, including committee and special meetings, unless otherwise specified in the Bylaws. (Amended 10/13/2010, Revised 10/09/2013, Amended 1/14/2015)

ARTICLE VII -- MINUTES

Board minutes will reflect attendance and action taken. The board will approve open meeting minutes within 30 days or at next subsequent regular meeting. Copies of the minutes shall be kept on file in the library office and with the Board President and Secretary. Public inspection of minutes will be made available within ten days after approval. Minutes will also be available on the library's website. (5 ILCS 120/2) Amended 9/2016

ARTICLE VIII – COPYRIGHT AND RECORDS

Copyright and Copying:

The Library may copy for its own collection material that has been lost or deteriorated only if such material is not available at a fair cost. All required notices regarding the copying of any materials will be posted prominently in the library.

Administrative Records:

In compliance with the Illinois Freedom of Information Act, administrative records of the library shall be kept in the library and shall be available to the general public upon request. These shall include the monthly and annual reports of the library, all financial reports, minutes of the public Board meetings, and actions and other such items as the Board or Director shall file there. (Amended 10/12/05)

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Staff personnel records are confidential and shall be kept in a secure place, and only the Director or any person authorized by the Director shall have access to these records. Confidential records of the Board, such as personnel records concerning the Librarian or Director, shall be kept in the library, and only members of the Board shall have access to these records.

Circulation Records:

Circulation records and other records identifying the names of library users with specific materials hereby are recognized as confidential in nature, and access thereto is hereby restricted to library staff and those members of the public with a legitimate interest therein, as hereafter provided for.

All library staff and employees are hereby advised that such records shall not be made available to casual members of the public, the press, or to any agency of State, Federal, or Local government, except pursuant to such process, order, or subpoena as may be authorized under the authority of and pursuant to Federal or State law relating to civil, criminal, or administrative discover procedures or legislative investigative power.

Library staff shall observe the following procedures: On receipt of any legal process, order, or subpoena, the library staff member in charge will immediately consult with the Library Director of the Board and the City Attorney to insure that (a) the document is in proper legal form, and (b) there has been a proper showing of good cause for its issuance in a court or administrative body of competent jurisdiction. Until the legality of such process, order, or subpoena has been affirmatively shown to the satisfaction of the City Attorney, the Library will resist its issuance or enforcement until any such defects have been cured.

ARTICLE IX -- DIRECTOR & LIBRARIAN

The Board of Trustees shall hire the library director and head librarian. The director and librarian shall administer the policies adopted by the Board according to the job descriptions listed in the policy manual. The director or librarian may be removed by a 2/3 vote of the full board. (Amended 10/13/2010)

ARTICLE X -- AMENDMENTS

Amendments to these Bylaws, the library policy, or any procedural document may be proposed at any regular meeting of the Board and will become effective if and as adopted by a majority of those members present providing they represent a quorum. The time frame for review of these bylaws shall be three (3) years.

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ARTICLE XI – CODE OF ETHICS

Marshall Public Library subscribes to the *ALA Ethics Statement for Public Library Trustees* as follows:

1. Trustees must promote a high level of library service while observing ethical standards.
2. Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the institution.
3. It is incumbent upon any trustee to disqualify himself or herself immediately whenever the appearance of conflict of interest exists.
4. Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.
5. A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.
6. Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.
7. Trustees who accept appointment to a library board are expected to perform all of the functions of library trustees. (Amended 10/13/2010, 9/2016)