

**BYLAWS OF THE MARSHALL AREA PUBLIC LIBRARY DISTRICT**

ADOPTED 08/24/2010, AMENDED 2/2020, 10/2020

These rules are supplementary to the provisions of the statutes of the State of Illinois as they relate to the procedures of Boards of Library Trustees.

**Regular Meetings.**

Marshall Area Public Library District Board of Trustees shall meet six times per year. The meetings shall be open to the public and noticed in advance. At the beginning of each fiscal year, the board shall, by ordinance, specify regular meeting dates, place and times. The secretary of the board shall post the schedule of meetings in the library and in one location in the area district. Both notices shall have the dates, times, and places of such meetings.

The agenda for each meeting will be posted 48 hrs in advance in the library and in one location in the area district.

**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 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.
5. 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.
6. 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.

7. 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.
8. Electronic conferencing shall not be provided for members of the public to use in order to attend or participate in a meeting.
9. 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.
10. 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. (Enacted 8/25/20)

#### 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.
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).  
(Adopted 1027/2020)

**Special Meetings.**

Special meetings shall be held at any time when called by the president or secretary or by any four 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 news 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 and in one location in the area district except in the case of a bona fide emergency.

**Standing Committee:**

The Finance Committee shall be comprised of two members of the Board of Trustees and the Library Director. The Finance Committee's responsibilities include, but are not limited to, reviewing the Treasurer's records for accuracy at the end of each fiscal year. Any discrepancies will be noted for review by the full board at a regularly scheduled board meeting prior to submission the state comptroller's office.  
(Enacted 8/25/20)

**Quorum.**

A quorum at any meeting shall consist of 4 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.
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)

**Board of Library Trustees.**

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. Board members are not exempt from late fees, fines, or other user fees.

A person is not eligible to serve as a library trustee unless he or she is a qualified elector of the library district and has resided in the library district at least one year at the time he or she files nomination papers or a declaration of intent to become a write-in candidate or is presented for appointment.

A person is not eligible to serve as a library trustee who, at the time of his or her appointment or filing of nomination papers or a declaration of intent to become a write-in candidate, is in arrears in the payment of a tax or other indebtedness due to the library district or has been convicted in any court in the United States of any infamous crime, bribery, perjury, or other felony.

The agenda for the meetings will be distributed to the board by the president 48 hours prior to meetings. Any board member wishing to have an item placed on the agenda will notify the president 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.

**Officers and Elections.**

The officers of the Board shall be a president, a vice-president, a secretary, and a treasurer. Those officers shall be elected by vote for two year terms at the first regular meeting following district elections, said terms to end on the third Monday of the month following each regular election or until their successors are duly elected by the board. In the event of a resignation from an office, an election to fill the unexpired term of that office will be conducted by vote at the next regular meeting.

**President.**

The president shall preside at all board meetings, appoint members of 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.

**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 on all votes. The secretary shall perform all other such clerical duties as may be assigned by the board.

Treasurer.

The treasurer is authorized by the board to sign checks, shall serve on the finance committee, and shall draw up checks. The treasurer shall keep all financial records of the board. The normal depository of all financial records shall be the library. The treasurer shall have charge of the area district library board funds and income, sign all the checks on the authorization of the board, and report at each meeting the state of the funds. In the absence of the treasurer, or when he or she is unable to serve, the president or vice-president may perform the duties of the treasurer. The treasurer shall be bonded in the amount to be approved by the board and according to statute requirement. The treasurer is authorized to pay insurance bills as they come due. Checks greater than \$100 require a second authorized signature.

Order of Business.

The following Order of Business is suggested for regular meetings:

- Call to order
- Pledge of Allegiance
- Roll call, recording both present and absent members
- Secretary's report, approval of minutes as received or corrected
- Correspondence, communications, and public comments
- Treasurer's report, approval of bills payable
- Librarian's report
- Director's report
- Friends of the Library report
- Unfinished business
- New business
- Other
- Adjournment

Parliamentary Procedure.

Robert's Rules of Order, Revised shall govern the parliamentary procedure of the Board, unless otherwise specified in the Bylaws.

New Trustees.

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

Duties of the Librarian.

The librarian shall serve as an advisor to the board. The librarian shall provide figures for facility usage, circulation, acquisitions and other parameters needed to keep board members informed of library operations.

Duties of the Director.

The director shall serve as an advisor to the board. The director will provide information regarding building maintenance, programs, grants, and keep the board informed of issues requiring the attention of the area board.

**Amendments.**

Amendments to these bylaws may be proposed at any regular meeting of the board and will become effective if adopted by a majority of those members present providing they represent a quorum.

**Administrative Records.**

Administrative records of the area district shall be kept in the library and shall be available to the general public as specified in the Freedom of Information Act. 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, library director or librarian shall file there.

**Code of Ethics.**

Marshall Area Public Library District Board of Trustees 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.

(Approved 10/26/11)