

# Noble County Public Library Bylaws

*Note: In the event of a conflict between the Noble County Public Library Bylaws and Indiana Code, Indiana Code will take precedence.*

## Article I. Identification

Section 1. The name of this Board is the “Noble County Public Library Board of Trustees”, hereinafter referred to as “the Board.” The Noble County Public Library will be hereinafter referred to as “the Library”.

Section 2. Geographical boundaries of the Library and taxed library district include the following Noble County townships: Albion, Elkhart, Sparta, York, Jefferson, Washington, Noble, Green, Swan, and the portion of Allen Township that is not within Kendallville’s city limits.

## Article II. Authority and Purpose

Section 1. The Board shall govern the Library, a municipal corporation and Class 1 library organized under the public library provisions, according to the purposes and authority set forth in IC 36-12, as amended, and such other Indiana and federal laws as affect the operation of the Library.

Section 2. Members of the Board (Trustees) shall serve without compensation, except that the Treasurer may be paid, per IC 36-12-2-21. A Trustee may not serve as a paid employee of the Library.

Section 3. Necessary travel and/or meal expenses of any Trustee incurred in the interest and business of the Library may be reimbursed out of library funds, per policy or board resolution. Such travel on behalf of the Library shall be approved by the Board.

Section 4. The Board may engage legal counsel as needed for legal advice. The President of the Board or the Library Executive Director may request the legal opinions of legal counsel for any matter which comes within the jurisdiction of the Board, and shall report the opinion to the Board.

### Article III. Personnel

Section 1. The Board shall select a librarian who holds an appropriate certificate under IC 36-12-11 to serve as the Executive Director (Director) of the Library. The selection shall be made solely upon the basis of the candidate's training and proficiency in the science of library administration. The Board shall fix the compensation of the Director. The Director, as the administrative head of the Library, is responsible to the board for the operation and management of the Library, per IC 36-12-2-24(a).

Section 2. The Director shall have the power to write and enforce administrative regulations or procedures governing the Library which logically stem from adopted and approved Board policies. Such regulations or procedures shall be consistent with the policies of the Board.

Section 3. The Director shall be responsible for the care of the building(s) and equipment; filling approved staff positions and providing direction of staff; efficiency of the Library's service to the public; administration of the long range plan and short term goals, and; the operation of the Library under the financial conditions set forth in the annual budget.

Section 4. The Director shall attend all Library Board meetings and Executive Sessions which are authorized by Indiana Code. The Director may be asked to step out during an Executive Session in which his/her performance is discussed before the formal review. In special circumstances, as approved by the Board President, a Library Administrator may attend a Board meeting on the Director's behalf.

### Article IV. Conflicts of Interest

Section 1. Trustees, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity, and honor.

Section 2. Trustees shall promote a high level of service while observing ethical standards.

Section 3. Trustees shall avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the institution.

Section 4. Trustees will not use the Library for personal advantage or the advantage of friends or relatives.

Section 5. Trustees will declare any conflict of interest between their personal life and their position on the Library Board in accordance with Indiana State Board of Accounts

requirements. It is incumbent upon any Trustee to disqualify or recuse himself/herself from voting whenever the appearance of a conflict of interest exists.

Article V.  
Nepotism

Section 1. The Library will not employ the spouse, child, parent, or sibling of the Director or these relatives of any member of the Board.

Article VI.  
Revisions/Amendments

Section 1. These bylaws shall be reviewed annually at the December meeting with revisions or amendments being approved by majority vote (at least four Trustees).

Section 2. Revisions or amendments may be proposed or suggested by any Trustee or the Executive Director and must be provided via mail or email to all Trustees a minimum of two weeks prior to the December meeting.

Section 3. Revisions or amendments proposed outside of the December meeting shall be made at a regular meeting of the Board and voted on at the ensuing regular meeting.

Section 4. The bylaws as reviewed, revised, or amended shall be sent to the Indiana State Library upon submission of the annual report each year.

Article VII.  
Membership

Section 1. Members of the Board shall be appointed pursuant to IC 36-12-2-9, and as follows:

<b>Class 1 library (town/city, township, multiple townships, county library)</b>	<b>Appointing authority</b>
Trustee 1 – IC 36-12-2-9(1)	County Commissioners
Trustee 2 – IC 36-12-2-9(2)	County Council
Trustee 3 – IC 36-12-2-9(3)	Central Noble School Board
Trustee 4 – IC 36-12-2-9(3)	Central Noble School Board
Trustee 5 – IC 36-12-2-9(3)	Majority vote of the presidents of the East Noble, West Noble, and Smith-Green school boards
Trustee 6 – IC 36-12-2-9(4) IC 36-12-2-11(b1)	County Commissioners
Trustee 7 – IC 36-12-2-9(5) IC 36-12-2-11(b2)	County Council

Article VIII.  
Officers

Section 1. Officers of the Board shall be a President, Vice President, Secretary, and Treasurer, per IC 36-12-2-22 and IC 36-12-2-23.

Section 2. The officers shall be elected by majority vote at the December meeting for the ensuing calendar year and for a term of one year, per IC 36-12-2-23. No officer, except the secretary and/or treasurer shall hold the same office for more than two consecutive years.

Section 3. Vacancies in office shall be filled by majority vote at the next regular meeting of the Board after the vacancy occurs.

Section 4. Any officer may be removed by the Board at any regular or special meeting by a majority vote of the entire membership of the board.

Section 5. The duties of the officers shall be such as by custom and law, including IC 36-12-2-22 et. Seq. and the rules of this Board in accordance with their titles.

Section 6. The President shall preside at Board meetings, appoint committees deemed necessary, certify all claims allowed by the Board, enforce the observance of these rules, and perform such other duties pertaining to the office of the President and are necessary to carry out the wishes of the Board.

Section 7. The Vice-President shall perform the duties of the President in the absence of the latter.

Section 8. The Secretary shall ensure all proceedings of the Board are documented in accordance with Indiana law; shall notify the proper appointing authorities of vacancies on the Board, such notice shall be given when possible, two weeks before the vacancy occurs; shall keep a record of attendance at Board meetings, and if any member is absent without reasonable excuse from six consecutive meetings for any cause other than illness, it shall be the duty of the Secretary to inform the appointing authority that the member is not serving the best interest of the Library and should be replaced by someone who will take an active part in the work.

Section 9. In addition to duties outlined in IC 36-12-2-22, the Treasurer shall be responsible for ensuring the detailed account of receipts and expenditures is captured; that monthly, quarterly, and annual fiscal reports are made as required by the Indiana State Board of Accounts; shall be the signatory on warrants approved by the Board; shall be responsible for the keys to the safety deposit box at the Community State Bank, ensuring that one key shall be kept in the Library safe.

## Article IX. Meetings

Section 1. The Board shall meet monthly. The Board shall set the meeting days and times for the ensuing year at the annual meeting.

Section 2. The full Board and its officers constitute the Board of Finance and shall meet annually in January, after the first Monday and on or before the last day of January to elect a President and Secretary of the Board of Finance and review the annual investment report and investment policy of the Library per IC 5-13-7-6 and IC 5-13-7-7.

Section 3. Regular, special and executive session meetings will be publicized and conducted in accordance with the Open Door Law of Indiana (IC 5-14-1.5)

Section 4. Special meetings may be called by the President, or upon written request of two (2) Trustees, for the transaction of business as stated in the call, per IC 36-12-2-23. Notice stating the time and place of any special meeting and purpose for which called shall be given to each Board Trustee at least 2 days in advance of such meeting and to the local media 48 hours in advance, excluding holidays and weekends, per IC 5-14-1.5-5.

Section 5. A quorum for the transaction of business shall consist of a simple majority, which is equal to 50% of the seats established by law plus one, regardless of any current vacancies on a library's board (i.e. 4 Trustees).

Section 6. Order of business shall be:

1. Call to order
2. Roll Call
3. Public Comments
4. Reading and approval of the minutes
5. Inspection and approval of the bills
6. Review of the financial reports
7. Report of the Director
8. Committee reports
9. Communications
10. Unfinished business
11. New business
12. Adjournment

Section 7. Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Board.

Section 8: Public comments will be allowed in accordance with the Library policy concerning Public Comments at board meetings.

Section 9: Library board members may participate electronically in Library board meetings, so long as the Library uses technology that permits simultaneous communication between board members and also permits the public to simultaneously attend and observe the meeting. No less than four (4) members must be physically present for any meeting in which any board members are participating electronically. A board member shall not attend more than two (2) consecutive meetings via electronic means and only half of the regularly scheduled board meetings during any given year, unless the reason to attend electronically is due to:

- military service;
- illness or other medical condition;
- death of a relative; or
- an emergency involving actual or threatened injury to persons or property.

Board members who are attending electronically shall be counted towards a quorum and, except as otherwise provided, may vote or otherwise take action on agenda items. A board member electronically participating in a meeting must be able to be both seen and heard using the designated electronic communication platform in order to take any final action. Notwithstanding the foregoing, a board member electronically participating in a meeting is not permitted to take final action if such action is an attempt to:

- adopt a budget;
- make a reduction in personnel;
- initiate a referendum;
- establish or increase a fee;
- establish or increase a penalty;
- use eminent domain authority; or
- establish, raise or renew a tax.

All votes taken during a meeting with electronic attendees shall be taken by roll call vote. Board members attending any meeting electronically shall notify the Library Director and the Board President no later than seventy-two (72) hours prior to such meeting so that it can be confirmed that the appropriate amount of board members will be present at the meeting and that proper notice of electronic access to, and participation in, the meeting is posted. The minutes for meeting with electronic attendees shall reflect which board member(s) were attending in person and which were attending via electronic means, as well as identify the electronic communication platform or mechanism utilized for the meeting.

## Article X. Committees

Section 1. Standing committees may be appointed by the President with the approval and confirmation of the Board at the January meeting of each year

Section 2. Special committees for the study of special problems may be appointed by the President, with the approval and confirmation of the Board, to serve until the final

report of the work for which they were appointed has been filed at a regular Board meeting.

Section 3. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act. All committee reports and/or recommendations shall be submitted in writing upon request. Reports of committees shall be signed by at least two members thereof.

Section 4. Committees may have citizen members, as deemed appropriate for their purpose by the Board.

Article XI.  
Indemnification of Board Members

Section 1. The Library will maintain Directors & Officers Liability/Entity Liability & Employment Practices Liability Coverage at the minimum amount or higher deemed appropriate by the Indiana State Library and/or suggested by the Indiana State Board of Accounts.

Article XII.  
Policies, Plans, Rules, and Regulations

Section 1. In addition to operating in accordance with these Bylaws and the laws of the State of Indiana, the Board shall adopt policies, plans, rules, and regulations to govern its operations and may affirm policies, plans, rules and regulations proposed by the Library Director for the management and administration of the Library, as required by 590 IAC 6-1-4(d), 590 IAC 6-1-4(e) and 590 IAC 6-1-4(h).