

# **BY-LAWS BOARD OF TRUSTEES**

## **St.Clairsville Public Library**

### **I. NAME AND LOCATION**

The name of the Library shall be "St. Clairsville Public Library". Where and when appropriate in the publications of the library it shall be indicated that the Library District is the St. Clairsville Richland School District. The main library shall be located at 108 W. Main St, St. Clairsville, Ohio 43950.

### **II. OBJECTIVES**

The St. Clairsville Public Library provides materials and services, which stress and support the recreational, leisure, cultural, historical, social, educational and intellectual needs of the residents of its service area. The library serves as a learning center for all ages and places special emphasis with stimulating the young child's interest and appreciation for reading and learning.

### **III. MEMBERSHIP**

By law, members of the Board of Trustees are appointed by the Board of Education of the St. Clairsville Richland School District upon the recommendation of the Library Board. The library Board of Trustees consists of seven members. Each member shall serve a seven year term, without compensation, which begins on January 1 and ends December 31. Board members shall serve no more than 2 terms without a break in service. Appointments are staggered such that no more than 3 trustee terms are set to expire in the same year. A trustee must reside within the Richland School District. Vacancies on the Board will be given public notice with sufficient opportunity for interested citizens to make their interest known to the Board. An ad hoc Committee of the Board of Trustees shall recommend to the full Board candidates to fill a vacant Trustee position. After review, the Board shall by resolution select a candidate for each vacant position and request that the Board of Education of the St. Clairsville Richland School District appoint that candidate as Trustee. All vacancies on the Board will be filled by appointment for the unexpired term. Trustees are guided in the performance of their duties by the most recent addition of the Ohio Public Library Trustees Handbook. New Board members are encouraged to attend Trustee Training provided by the Ohio Library Council. The insight and attention of each Trustee is a valuable asset to the Board and the Library, therefore regular attendance at Board Meetings is expected.

### **IV. DUTIES AND POWERS OF THE BOARD**

The Board of Trustees has the duties to establish and revise the policies of the library, to direct the overall financial operations of the library, to assist and advise the overall public image of the library, and to act as general governing body for the library. The Board of Trustees is a body politic and corporate and has broad powers under the law as detailed in section 3375.40 of the Ohio Revised Code. The Board shall determine and establish in accordance with the law, the basic policies of the library with respect to:

- The appropriation and budgeting of funds.
- The establishment and maintenance of the library and library services.
- The acquisition, improvement, maintenance, insurance, use, and disposition of properties.

- The hiring, compensation, and responsibilities of, and the personnel policies concerning, library employees.
- The selection, collection, lending, and disposition of library materials.
- The acceptance of gifts.

The policies approved by the Board shall remain in effect until changed or rescinded by further action of the Board. These policies shall be administered by library staff. The Director shall maintain a file of all policies established by the Board for consultation and distribution as directed by the Board and as required by law.

The Board of Trustees shall be responsible for hiring the Library Director and appointing the Library Fiscal Officer and determining their salaries. The Board is responsible for ensuring that the Director and Fiscal Officer carry out the policies of the library in an effective, efficient, and lawful manner.

In order to speak with a consistent voice, all news of Board actions or statements by the Board released to the media shall be made by the Board President or Library Director speaking for the Board. No one Board member, other than the President, shall speak for the Board unless directed to do so by a majority of Board members voting at a scheduled Board meeting.

All powers of the Library Board are vested in it as a Board, and none at all in its individual members. The individual Trustee has no power to act for the Board in any way, unless authorized to do so by the Board itself. The St.Clairstown Public Library will provide reasonable coverage to indemnify trustees in the performance of their duties.

## **V. OFFICERS**

- A. Election: At the regular meeting in January of each year, the Board shall select from its membership a President, Vice President and a Corresponding Secretary who shall serve for a term of one year. The Fiscal Officer will be hired and the Deputy Fiscal Officer, who may be a member of the Board of Trustees, will be appointed. Each of said officers shall have the powers and duties as are prescribed by the Revised Code or by these By-laws or by special action of the Board from time to time to the extent that these By-laws or said action are consistent with the law of Ohio.
- B. President: The President shall preside at all meetings of the Board, shall, in consultation with the Director and committee chairs, determine the agendas for each meeting and shall, with the consent of the Board, determine the order of business thereat. The President shall, with the Vice President, sign the minutes of each meeting of the Board. The President shall appoint all committees and committee chairs with the consent of the Board and shall serve as an ex-officio, voting member of each committee. The President shall execute on behalf of the Board, and when approved by it, all such instruments of conveyance, assignment, transfer, contract, indebtedness, or lease as, in order to be effective, must be executed by an officer or member of the Board other than or in addition to the Fiscal Officer or Library Director, and all written reports, applications, and statements which law or governmental regulations require to be executed and filed on behalf of the Board by an officer or member of the Board other than the Fiscal Officer or Director. The Library Director and the Fiscal Officer may execute, without board approval, contracts up to \$5 ,000 for normal operations of the library.

- C. Vice President: In the absence or unavailability of the President or President's declination to act, the Vice President shall have all powers and duties of the President, except as otherwise provided by law. The Vice President will coordinate the annual performance summary of the Director.
- D. Fiscal Officer (abbreviated as FO): The FO shall prepare and sign the minutes of the meetings of the Board and certificates evidencing resolutions or actions of the Board and, when required, shall attest to the signatures and authority of the President, Vice President, or Director and co-sign instruments and writings executed by any of them. The FO shall be responsible for the safekeeping and preservation of the minutes and official records of the Board. The FO shall be the treasurer of the library funds. Before assuming the duties, a bond shall be executed in an amount and with a surety to be approved by the Board, payable by the Board and conditioned for the faithful performance of the official duties required by the FO. The Fiscal Officer is the Library's chief financial officer and acts as the Board's financial agent in library matters. The Fiscal Officer shall administer and manage the funds of the Library in accordance with law and with the objectives and policies adopted by the Board and under the direction and review of the Board with guidance from the Director. The Fiscal Officer has the authority to administer, and is responsible for, the receipt, deposit, and expenditure of, funds; the internal control of library expenditures; and the documenting and reporting of financial activity. The FO serves at the discretion of the Board. The FO employment shall be governed by the language of the FO job description and the personnel policies of the library as adopted by the Board of Trustees. In the absence or unavailability of the FO, the Deputy FO shall act for and perform the indications of the FO for which duties the Deputy FO shall have executed a bond in an amount and with a surety in the same amount that required of the FO.
- E. Corresponding Secretary: The Corresponding Secretary shall preside at the Board meeting in the absence of the President and Vice President. The Secretary manages correspondence on behalf of the board.
- F. Checks: The Board of Trustees reviews and approves financial statements at each board meeting. These statements include a list of checks paid during the month. The President of the Board approves the memo of expenditures for each month via signature. All checks paying out funds of the Library shall be signed by one of the following; the FO, the Deputy FO, the Board President, the Board Vice President or the Library Director. Any conveyance of real property must be signed by the FO, Director and President.

## **VI. COMMITTEES :**

The standing committees of the Board shall be (a) Building/Grounds (b) Community Relations ( c) Finance/Audit ( d) Foundation ( e) Friends of the Library Liaison (f) Legal/Legislative (g) Library Improvement (h) Policy and (i) Personnel / Personnel Policy. There shall be in addition such special committees, ad hoc or temporary committees which may be appointed and charged with specific tasks by the Board; such committees will be dissolved upon completion of the assigned tasks. The President of the Board shall be an ex-officio voting member of each committee, and the chair of each committee shall be a member of the Board appointed by the President with the consent of the Board. The Board will appoint other committee members who need not be members of the Board.

## **VII. DIRECTOR :**

The Board shall appoint and fix the compensation of the Director who shall be the chief administrator and the librarian of the library. The Director shall have full charge of the administration and operations of the library in accordance with the objectives and policies adopted by the Board and under the direction and review of the Board. The Director shall be held responsible for the care of all building and equipment, for public relations, for the employment and directions of the library staff, for the selection, acquisition and disposition of books and non-book materials within the annual appropriations adopted by the Board and subject to the general policies from time to time adopted by the Board. The Director shall keep the Board informed as the program needs, plant needs, the desirable expenditures of library funds and any special achievements or problems requiring action or approval of the Board. The Director shall present at each meeting a report concerning the work of the library and submit for consideration with recommendations all matters requiring action by the Board, and to that end, shall consult with the President and chairs of the standing committees as to the agenda for each meeting of the Board. The Director shall attend all Board meetings, except those executive sessions at which the Director's appointment or salary is to be discussed or decided. The Director shall serve at the discretion of the Board. Evaluations of the Director will be made by the Board of Trustees. The Vice President will lead the annual performance review process of the Director on behalf of the Board.

## **VIII. MEETINGS**

### **A. Time and Notice:**

1. Regular meetings of the Board shall be held at the Library, at 5:15 pm, on the third Monday of each month. In the event that a holiday falls on that Monday the Board will choose another date. As necessary, infrequently, to facilitate a quorum, the Board may choose an alternate date to meet. Special meetings of the Board may be called at any time by vote of the Board or by the President or Vice President. The annual meeting of the Board shall be held in January and shall be the regular meeting of the Board that month. At this meeting, the Board shall elect officers, hire the Fiscal Officer and Director, appoint the Deputy Fiscal Officer, and the newly appointed Board members shall take the oath of office.
2. Posted Notice - The Director shall cause a written notice of the time and place of each Board meeting and standing committee meeting to be posted on a prominent bulletin board in the library at least 24 hours before the meeting, except in the event of an emergency requiring immediate official action, the notice shall be posted promptly after the meeting is called. Each posted notice of a special meeting of the Board shall state the purpose(s) of the meeting. Whenever the place or time of a Board meeting is changed, the Director shall cause a written notice of the change or adjournment to be promptly placed on the same bulletin board. No notice of a meeting so posted shall be removed until the meeting is either concluded or canceled. Notices will be sent to the newspaper or posted on social media as appropriate.
3. Request for Notice to News Media:
  - (a) Any news media may request and receive advance notification of any special meeting or meetings of the Board by filing with the Director a written request for such notice, indicating whether notice is desired of all special meetings or of

which kind or kinds of special meetings, and including the name of the requesting medium, the address to which the notices are to be sent, and the name and telephone number of the person (and alternate, if any) to whose attention the written notification may be given during or outside business hours. By like filing with the Director, the news medium may cancel or from time to time modify its filed request, or the names, addresses, and telephone numbers thereon.

(b) The Director shall maintain and keep up to date a file or list of all news media requests filed under (a) above and shall cause a written notice of the time, place and purpose of each special meeting to be mailed or delivered to the news medium as requested at such time and in such manner as will reasonable provide for its receipts, at least 24 hours before the meeting, except that in the event of an emergency requiring immediate official action. The officer of the Board calling the meeting shall give notice of the same to the requesting news media in such manner and as immediately as the condition of the meeting shall reasonably permit.

4. Notice to Other Persons: Any person desiring to obtain reasonable advance notification of Board meetings at which any specific type of public business is scheduled to be discussed may file with the Director a written request stating the person's name, address and telephone number (or numbers) at which the person can be reached during or outside business hours and stating the specific type of public business the discussion of which is the person's concern together with a stamped, self-addressed envelope(s) in which the request notice can be mailed. Any such persons may likewise file with the Director a modification or cancellation of such a request. This shall be the duty of the Director to comply with each such request by mailing written notice.
5. Placing an item on the agenda: Anyone wishing to address the Board of Trustees must present in writing their name, address, phone number, and topic to be presented. This notification is to be received by the library director or board president on Monday, one week prior to the scheduled board meeting, in order to be included on the agenda before the agenda is sent to the board.
6. Executive Session: The Board may hold an executive session only after a majority of a quorum of the Board determines, by a roll call vote, to hold such a session and only at a regular or special meeting. The purpose(s) for holding such an executive session shall be as specified in Section 121.22(g), as amended, Ohio Revised Code and the purpose(s) shall be included in the motion to hold the session.
7. Committee meetings: Meetings of standing committees, because of the potential of having a quorum of the full Board present, shall be open to the public in accordance with Section 121 .22 of the Ohio Revised Code, and notice of the time, place and purpose of the meeting shall be posted and the reason given for the special meeting.

B. Quorum:

Four persons, a majority of the full membership of the board, shall constitute a quorum for the transaction of business, but in an emergency the membership may vote and then report to the full Board of the emergency and the action taken.

C. Order of Business:

The business conducted at any special meeting of the board shall be limited to the purpose stated in the written notice of such meeting, unless transaction of other business shall be approved by all of the members present at the meeting. The monthly Board agenda is as follows:

- Meeting called to order
- Announcements or Correspondence
- Approval of the Minutes of the previous meeting
- Treasurer's Report and acceptance
- Director's Report
- Old Business
- New Business
- Committee Reports
- Other Business
- Public Comment
- Adjournment

D. Voting:

Except when a larger vote is required by law, all actions of the Board shall require the affirmative vote of a majority of the full membership of the Board. When a motion is made and seconded to adopt a resolution authorizing the purchase or sale of real or personal property, the appointment of an officer, the payment of money or the transfer of or payment for property, the adoption of the annual budget or appropriation, or upon request of any member of the Board, the FO of the Board shall call the roll of the members of the Board and enter into the minutes of the meeting the names of those voting "aye", those voting "ney", and those abstaining.

E. Rules of Order:

Where not otherwise governed by law or by these By-laws, the proceedings of the meetings of the Board shall be in accordance with Roberts Rules of Order.

F. Records of the Library - Public Information:

It shall be the policy of the Board of Trustees to release for public information from the Directors Office the official minutes and financial reports upon approval by the Board. All documents, which are public records, shall be available for review and inspection by any person upon reasonable request to the Director. Official reports of the Board required by the Ohio Revised Code and the Auditor of the State shall be maintained in the Business Office and available to the public upon request to the Director if viewing these records does not infringe on privacy rights of individuals. Copies of the Policies of the Board of Trustees shall be available to the public and the staff from the Director's Office. Working papers of committees and correspondence received by the Board are not considered public documents.

**IX. FINANCES**

- A. Introduction: The St. Clairsville Public Library shall observe the Federal, State, County, and local requirements regarding the finances of the library. This includes receipt expenditures and

investment of funds, preparation and presentation of budgets, bank depositories, insurance's, contracts, records and reports, and bidding.

- B. Authorization to Transfer Inactive, Interim and Active funds and to Invest or Reinvest Funds: The FO of this library is authorized, upon maturity of any funds of this library held as interim or inactive funds, to determine the extent to which the needs of the library reasonably require that such funds be transferred to the status of active funds and the extent to which such funds may remain as interim or inactive funds and to deposit, invest or reinvest any such funds remaining as interim or inactive funds in an authorized depository or other qualified investment provided that any such deposit, investment or reinvestment shall be in compliance with the authorizing resolutions of this Board for deposit or investment of interim or inactive funds.
- D. Use of Building Funds The use of the Building Fund shall be limited to major planned expenditures or emergency repair expenditures, each of which shall be individually submitted to the Board for approval.
- E. Approval of General Fund Annual Appropriation Resolution empowers the FO to expend the funds required for operation of the library. However, any expenditure not allotted for and approved by the Board in the annual budget in excess of \$5,000.00 must be presented to the board for prior approval. The Board shall be notified of all new staff members, date of hire and salary, and any resignations at the following board meeting.
- F. Bid Openings: Section 3 3 7 5. 41 of the Ohio Revised Code states that bids for library construction " ... shall be opened at the next meeting of the board .. " However, the Board of Trustees has determined it to be in the best interest of the library, pursuant to public bidding, for the Board to provide for the public opening and reading of such bids by the FO, immediately after the time for filing such bids has expired, and not wait until the next scheduled meeting of the Board. All bids will be tabulated and a report of such tabulations will be provided to the Board of Trustees at the next meeting. At that time, a decision shall be made as to which bid, if any, to accept.
- X. Conflict of Interest: No member of the Board of Trustees shall have any pecuniary interest in any contract entered into by the Board. (ORC 3375.35). The Board subscribes to the tenants contained in "A state of Ethics for Library Trustees" of the American Library Association. (Attached) XI.

## **X. ETHICS:**

The Board of Trustees subscribes to the statement of principles promulgated by the American Library Trustee Association as listed below, and is bound by the applicable statutes of the Ohio Ethics Law and the rulings of the Ohio Ethics Commission.

## **PUBLIC LIBRARY TRUSTEE ETHICS STATEMENT**

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community. Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.
- Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws
- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.
- A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict of interest exists.
- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.
- Trustees shall not interfere with the management responsibilities of the director or the supervision of library staff.
- Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals

Approved by the United for Libraries Board in January 2012

## **XI. AMENDMENTS :**

These By-laws may be amended at any meeting by the affirmative vote of a majority of the full membership of the Board of Trustees, provided that a notice of the proposed amendment shall have been given with the notice of the meeting



## **XII. INDEMNIFICATION:**

Members of the Board of Trustees are covered by the Director's and Officer's Liability Policy, including their liability resulting from either institutional or individual lawsuits.

Adopted: