

Board of Trustees Bylaws

Article A: Establishment and Legal Authority

1.1 The Sherrard Public Library District was established and operates as a Library District in accordance with Illinois Library Law and the Illinois Public Library District Act (75 ILCS 16/), for the use and benefit of the inhabitants of Rock Island and Mercer Counties, in the township of Richland Grove, and parts of the townships of Preemption, Rural and Bowling. The Library is commonly known as the “Sherrard Public Library District.” The District is financed primarily by property taxes, levied by the Library District, and collected by the counties on taxable property within the District, pursuant to said statutes. Unless indicated to the contrary, where reference is made to state statutes these by-laws repeat the requirements of the statute for reference, and it is the intent of this Board that any future amendments to state statutes are incorporated herein by present reference to such statutes.

Article B: Board of Trustees

1.2 Board. As provided by statute, the Board of Trustees shall consist of seven (7) Trustees elected pursuant to statute.

1.3 Terms. As provided by statute, the terms of the Trustees shall be six years.

1.4 Organizational Meeting. As provided by statute, a new Board will meet after an election to organize the new Board.

1.5 Elections. Elections of Trustees shall take place as provided by statute, and shall be conducted by the District in accordance with the provisions of the Library District Act and the Illinois Election Law.

1.6 Vacancies. Vacancies in the office of Trustee shall be filled by the Board as described in the Library District Act. The Board of Trustees may give notice or publicity to the existence of a vacancy or election in an effort to secure the most interested applicants and candidates.

1.7 Compensation and Expenses. Trustees shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties from District funds.

1.8 Ethics Statements. All Library District Trustees are required to file the “Ethics Statement” as required by statute.

1.8.1 Library District Trustees may not, in their private capacity, negotiate, bid for, or enter into a contract with the Sherrard Public Library District, in which they have a direct or indirect financial interest.

1.8.2 Library District Trustees shall withdraw from Board discussion, deliberation, and vote on any matter, and make full disclosure to the Board in which an immediate family member of the Trustee or an organization with which the Trustee is associated has a substantial financial interest in the matter. In the event a Library District Trustee may have any financial interest in a matter involving the library which is permitted by an exception in the Conflicts of Interest Law the Library District Trustee shall withdraw from Board discussion, deliberation and vote on such matter and make full disclosure thereof. Where a Trustee has any financial interest and an exception is not provided by the Conflicts of Interest Law, the Trustee must resign immediately, or the Library may not enter into any such contract or both.”

1.8.3 Library District Trustees may not receive anything of value that could reasonably be expected to influence his/her vote or other official action and no gift other than as provided for by the Public Officials Ethics Act may be accepted.

1.9 Powers. This Board shall have such powers as are set forth in the Library District Act.

1.10 Amendments. Amendments to these By-laws, the Library Policy or any other policy or procedural document may be proposed at any regular meeting of the Board, and if the item is specifically listed on the Meeting Agenda, it will become effective if and as adopted by a majority of those members voting provided that a quorum is present.

1.11 Officers. The officers of the Board of Trustees shall be a President, a Vice President, a Treasurer, and a Secretary. Each office shall be held by a different Trustee, except that the Vice President may also be Secretary or Treasurer. In the event of a tie vote for any officer, the winner shall be determined by seniority of service. The same Board member may not hold the office of President for more than two successive two year terms. An assistant Treasurer and an assistant Secretary may be appointed by the President with the approval of the Library Board. Officers shall serve a term of two years from the last previous organizational meeting. A vacancy in any office shall be filled by the Board as provided by statutes. Officers shall have such obligations and duties as set forth by statute, and to the extent that they do not conflict with statutes, the additional duties set forth herein.

1.12 Duties of the President. The President shall preside over all meetings, and shall be an ex officio voting member of all committees. The President shall appoint the chair and all members of committees. The President shall call any special meetings. The President shall execute all documents authorized by the Board. The President shall not have or exercise veto powers. The President shall perform other such duties as may be assigned by the Board.

1.13 Duties of the Vice President. The Vice President shall preside over meetings and otherwise exercise the powers of the President in the absence, unavailability, or incapacity of the President. The Vice President shall perform such other duties as may be assigned by the Board.

1.14 Duties of the Secretary. The Secretary shall keep at the Library the corporate seal of the District and affix it to all documents, the execution of which on behalf of the District under its seal is duly authorized in accordance with ordinances of this District and as required by law. Copies of all papers filed with the Secretary, and transcripts from the journals and other records and files of this office, certified by the Secretary under the corporate seal of the District, shall be evidence in all courts in like manners as if the original were produced. The Secretary shall keep and maintain appropriate records for the term of office and shall include therein a record, including an audio recording pursuant to statute, of the minutes of all meetings, the name of those in attendance, the ordinances enacted, resolutions, policies, bylaws, rules and regulations adopted, and all other pertinent written matters as affect the operation of the District. All such records shall be filed in a minute book which is to be kept in accordance with the law at the administrative office of the Library. Ordinances shall be numbered serially and identified by such serial number and the date of enactment, and shall be posted or published within three (3) days of adoption and kept posted at for at least fourteen (14) days in accordance with the Library District Act. An additional and separate book shall be maintained containing certified copies of all ordinances and resolutions passed by the Board. The Secretary shall be responsible for publishing and posting notices of elections, budgets, tax levies, and other documents as required by law. The Secretary shall administer a written and oral oath of office to newly elected or appointed Board members, and on or before the first day of July each year file a certificate with the County Clerks and the Illinois State Library, listing the names and addresses of the Trustees and officers and their respective terms of office. The Secretary shall have the power to administer oaths and affirmations for the purposes of the District Library Act. The Secretary shall perform other such duties as may be assigned by the Board.

1.15 Duties of the Treasurer. The Treasurer shall be bonded in an amount to be set by the Board, equal to or in excess of that required by statute. The cost of such bond shall be paid by the Board. The Treasurer shall keep and maintain accounts and records of the District indicating a record of receipts, disbursements and balances in any funds. The Treasurer shall, at every Board meeting, present an account of the status of the treasury at the date of such accounting and the balance of money in the treasury. The Treasurer shall be responsible for obtaining the annual financial audit as required by statute. The Treasurer shall be responsible for publishing the annual financial statement. The Treasurer shall be the chief investment officer. The Treasurer shall perform such other duties as may be assigned by the Board.

1.16 Depositories. The Treasurer shall deposit all the monies belonging to the District in the name of the District in such banks, trust companies, or other depositories as shall be selected by the Board of Library Trustees. The Treasurer is authorized to sign checks for the District.

1.17 Budget and Finance

1.17.1 Pursuant to the Library District Act, the budget and appropriate ordinance should be prepared in tentative form. After passage in tentative form, the ordinance should be made conveniently available for public inspection prior to final action thereon, as prescribed by statutes.

1.17.2 A public hearing shall be held as to such budget and appropriation ordinance as provided by law prior to final action thereon.

1.17.3 After the budget and appropriation ordinance has been passed in final form, a certified copy of the ordinance shall be published, posted, and filed with the county clerks as required by law, along with an estimate, certified by the Library's chief fiscal officer, of revenues anticipated to be received by the District in the following fiscal year.

1.17.4 Truth in Taxation Act. The Library shall disclose by publication and hold a public hearing to the extent required by the Truth in Taxation Act.

1.17.5 Levy. The levy ordinance shall be enacted and a certified copy thereof shall be filed with the county clerks and posted as required by law.

1.17.6 Statement of Receipts. A Statement of Receipts, Disbursements, and Operations shall be filed with the county clerks and published as required by law. An Annual Financial Report shall be filed with the Comptroller of the State of Illinois as required by law.

1.18 Special Trustee of Gift Funds. The Board shall receive financial or other gifts as a special trustee thereof, to be used for library cultural and educational purposes, broadly conceived, for the residents of the District.

Article D: Meetings.

1.19 Open Meetings. All meetings of the Sherrard Public Library District Board of Trustees shall conform to the provisions of the Open Meetings Act (5 ILCS 120). Specifically, any regular, special, or committee meeting of the Board shall be open to the public as required by statute.

1.19.1 Applicable Meetings. The Open Meetings Act applies whenever a majority of a quorum of the Board or a majority of a quorum of any Board committee discusses public business. The Act applies equally to in-person, phone, or electronic communication; thus, phone and e-mail discussions, unless a meeting has been scheduled, notice posted and minutes taken, are prohibited for discussion of library business whenever a majority of the quorum is involved or exceeded."

1.19.2 Public Notice. Public notice of any Board meeting is posted in the Library at least 48 hours prior to the meeting. The public notice includes the date, time, and place of the meeting and the agenda. The agenda must include all items on which action will be taken.

1.19.3 Closed Meetings. The Board may vote, by a majority of the quorum present, to close the public meeting for exception specifically authorized by statute. The vote to close must be taken and recorded in an open meeting, with the minutes reflecting the vote of individual Trustees and citing the authorized exception. Authorized exceptions include personnel matters related to an identified employee; litigation or evidence relating to litigation; the purchase, lease, or sale of property; and security issues related to the safety of staff, public, or public property. Discussion in the closed session is limited to the matter of the exception, and no final action may be taken in closed session. Per statute, any closed session will have a verbatim recording made of the entire closed session.

1.19.4 Minutes. Minutes shall be kept of all meetings. Minutes will include the meeting's date, time, and place; the members present and absent; a summary of discussions and decisions; and a record of any votes taken. Minutes of open meetings will be available to the public within seven days of approval. Minutes of closed meetings will be reviewed by the Board in accordance with statute and made available to the public when the need for confidentiality has passed.

1.20 Regular Meetings. The regular meeting of the Board shall be held monthly as set by the Board at the beginning of the Fiscal Year.

1.21 Special Meetings. Special meetings may be called as provided by statute by the Secretary at the direction of the President, or at the request of four (4) trustees, for the transaction of business as stated in the call for the meeting. Notice of special meetings shall be as provided by law.

1.22 Quorum. As provided by statute, a quorum shall consist of four (4) Trustees, and majority of those present shall determine the vote taken on any question, unless otherwise specified herein or by law.

1.23 Voting. As provided by statute, all votes on any question shall be ayes and nays and spread of record by the Secretary. Absentees and abstentions from voting shall be noted. All motions dealing with the approval of the budget shall be in accordance with statutory notice, and with the hiring and dismissal of the Library Director must be pursuant to notice given at least one meeting prior to the meeting on which a vote is taken, and motions approving the budget and the hiring or dismissal of the Library Director shall be approved with a minimum of four votes.

1.24 Order of Business. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit and which may be modified by the Board: (1) Call to Order (2) Roll Call, recording both present and absent members (3) Call for the Agenda (4) Approval of the Agenda (5) Minutes of Previous Meeting(s) (6) Committee Reports (7) Treasurer's Reports (8) Consent Agenda (9) Director's Report (10) President's Report (11) Correspondence (12) Old Business (13) New Business (14) Calls from the Floor (15) Items To Be Placed on the Next Meeting's Agenda (16) Adjournment. No item of business shall be voted on unless it has been itemized in the agenda.

1.25 Conduct of Meeting. Proceedings of all meetings shall be governed by Robert's Rules of Order, most recent edition.

1.26 Electronic Communication. Board information may be communicated by e-mail, to the extent permitted by law. All Board members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a physical quorum is present, but their votes shall be recorded by the Secretary as done by electronic attendance.

1.27 Attendance at Meetings. Members of the Board are expected to attend every meeting. Notification must be given to the Library administrative office if a member is unable to attend a meeting.

1.28 Public Participation. Anyone who wishes to comment in a public hearing must sign in at the public hearing, providing full name and address.

1.28.1 Although the public has the right and is invited to attend Board Meetings of the Sherrard Public Library District, no individual or group has the right to enter into the deliberations of the Board. Unless input is solicited by the Board, visitor communication will be limited to the agenda item, "Calls from the Floor".

1.28.2 Comment Procedures. When called upon, the person should come to the podium or designated speaking area; state his/her name and address; and, if speaking for an organization or other group, identify the group represented. No person may speak without first being recognized by the Presiding Officer. All remarks should be addressed to the Board of Library Trustees as a whole, not to individual Trustees or Staff. Questions, if any, should be directed to the Presiding Officer who will determine whether, or in what manner, an answer will be provided.

1.28.3 Time Allocation for Comments. Each individual shall have five minutes to present his/her comments. If a person is unable to complete comments in the allotted time, he/she may submit comments in written form. There shall be a cumulative limit of sixty minutes for public comments. A majority vote of the Board of Library Trustees may alter the enumerated time allocations for individuals or for the cumulative limit based on the number of persons wishing to speak.

1.28.4 Speakers may offer such objective criticisms of library operations and programs as concern them. In open session, the Board of Trustees will not hear personal complaints of library personnel nor complaints against any person connected with the library. Other channels provide for Board consideration and disposition of legitimate complaints involving individuals.

1.28.5 Questions of Speakers. Members of the Board of Library Trustees who wish to ask clarifying questions of the speaker or each other during the Public Hearing may do so, but only after first being recognized by the Presiding Officer. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue.

1.28.6 Orderly and Civil Hearings. The Presiding Officer may take such actions as are required to maintain an orderly and civil hearing. Discourtesy or disorderly conduct shall be deemed a breach of order, and such misconduct shall be dealt with as appropriate.

Article E. Committees

1.29 Standing Committees. There shall be at least the following standing committees:

1.29.1 Finance Committee. The Finance Committee shall be comprised of two members of the Library Board of Library Trustees including the Treasurer and the 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.

1.29.2 Personnel Committee. The Personnel Committee shall be comprised of two members of the Library Board of Library Trustees including the President and the Library Director. The Personnel Committee's responsibilities include, but are not limited to, preparation of the annual review of the Library Director for discussion among the full board prior to the formal review, assisting the Library 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 Library Director. The Library Director is responsible for the annual review of all other library employees.

1.29.3 Policy Committee. The Policy Committee shall be comprised of two members of the Library Board of Library 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.

1.29.4 Building and Grounds Committee. The Building and Grounds Committee shall be comprised of two members of the Library Board of Library 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.

1.29.5 Technology Committee. The Technology Committee shall be comprised of at least two members of the Board of Library Trustees and the Library Director. The technology committee's responsibilities include, but are not limited to, conducting an annual assessment of the technology utilized by the library in order to determine which technology is no longer needed, which technology needs to be upgraded, and which technology needs to be added; and based on this assessment, developing the library's technology plan for the approval of the full Board.

1.30 Special Committees. Special Committees (Ad Hoc) shall be set up for specific purposes as the Business of the Board may require from time to time. The special committee shall be considered discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board.

1.31 Appointment of Committees. The chair and members of all committees shall be appointed by the President with the approval of the Board. Terms of all committee members shall expire on the date of the Board meeting electing officers.

1.32 Powers of Committees. No committee will have other than advisory powers; therefore they have no legal power to either act on behalf of the Board or enter into binding agreements.