

Parlin-Ingersoll Public Library

Board of Trustees: By-Laws

The following 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.

Article 1: Name and Authority

Section 1: The name of this organization is the Parlin-Ingersoll Public Library. Our address is 205 W. Chestnut Street, Canton, Illinois. The Parlin-Ingersoll Public Library is a municipal library. The library was originally incorporated in 1892 under the Local Library Act and operates under the statutes of this Act (75 ILCS Act 5). The library stopped requesting tax monies in 1958 when it received income from the Charles D. Ingersoll Trust. However, given financial needs, the library will begin requesting tax monies again starting in fiscal year 2021 (receiving tax monies in fiscal year 2022). The library continues to receive additional income from the Charles D. Ingersoll Trust, a private endowment, which was established and administered by the Ingersoll family, under certain unique conditions.

Article 2: Board Composition and Appointments

Section 1:Composition: The Parlin-Ingersoll Public Library Board of Trustees shall consist of nine members. As an Illinois municipal library, the trustees are appointed by the mayor, usually in May, but not later than the first of July of each year. Appointments are to be from names submitted by the standing Board of Trustees. It is the objective of the board to achieve diversification throughout the community.

Section 2: Terms of Office: The nine Trustees serve three-year terms of office, with the appointments staggered evenly over three year periods (see 75 ILCS 5/4-1.1).

Section 3: Reappointment: Once appointed, the three-year term of office for each Trustee is subject to formal reappointment to the Board by the Mayor, unless the Trustee declines reappointment or resigns; or the Trustee is recommended for replacement by a majority vote of the current Board of Trustees. There is no limitation on the number of terms an individual may serve as an appointed Trustee.

Section 4: Vacancy: If a vacancy occurs on the Board of Trustees, at the option of the remaining Board members, the seat may remain vacant until its expiration, or the board may submit a name to the mayor for appointment to fill the vacancy.

Section 5: City Council Representation: Not more than one member of the city council shall be at any one time a member of the library Board of Trustees (75 ILCS 5/4-1).

Section 6: Residency: Trustees must be city residents as per 75 ILCS 5/4-1.

Section 7: Oath of Office: Trustees will take their oath of office within 60 days after their appointment (75 ILCS 5/4-6).

Article No. 3: Officers of the Board

Section 1: Officers and Elections: The officers of the Board consist of a President; Vice-President; Secretary; and Treasurer. The MidAmerica National Bank Trust Department of Canton serves as an investment agent and custodian for the library's reserve account. . Officers are chosen from the Board of Trustees at the annual reorganization meeting (typically held in May or June). Officers shall hold their respective offices for one year or until their successors are elected. The President shall not serve more than four consecutive terms, unless no other Trustee is willing to serve in this capacity. In the event of a resignation from office, the Board will appoint a successor.

Section 2: Duties of the President: The President presides over all monthly meetings and calls special meetings when deemed necessary. The President appoints all committees, serves as ex-officio member of all committees and performs all other such duties as may be assigned by the Board. The President, as required or deemed appropriate, signs all contracts and authenticates all papers requiring Board approval or signatures. The President and/or the Board may designate the Director to sign various contracts, as deemed appropriate. The President shall be the only spokesperson for the Board of Trustees in all advisory, or disciplinary, action directed to staff; or in all public communications.

Section 3: Duties of the Vice-President: The Vice-President presides at all meetings in the absence of the President and in his/her absence assumes all duties of the President.

Section 4: Duties of the Secretary: The Secretary, as required or deemed appropriate, signs all contracts and authenticates all papers and minutes requiring Board approval or signatures. The Director is authorized to keep minutes of all Board meetings and to maintain all records of the library. The Secretary shall perform all other duties as may be assigned by the Board.

Section 5: Duties of the Treasurer: The Treasurer monitors and provides oversight over the safekeeping and investment of all library income and funds, under the direction of the full Board of Trustees. The Treasurer shall be bonded in the amount stated in statute, currently "not less than 50% of the total funds received" (75 ILCS 4/5-9).

Section 6: Duties of the Investment Agent: MidAmerica National Bank Trust Department serves as the agent and custodian for the library's reserves. The Board is authorized to make policy directing the Investment Agent's activities.

Section 7: Checking Account: The four officers of the board are authorized to co-sign all checks, along with the Director. As a general rule, an officer and the Director will co-sign checks. In the absence of the Director, the signatures of two officers may be used to authorize payment of library expenses.

Section 8: Library Reserves Account: MidAmerica National Bank Trust Department serves as the agent and custodian for the library reserves. Any transactions in this account must be signed by two or three authorized persons: Board President, Board Treasurer, or Library Director.

The Director maintains all financial records and reports on the budget at each meeting. The Director is authorized to approve and submit payment for all necessary operating expenses, which have been approved by the Board of Trustees within general budget guidelines. The Director is authorized to order and purchase capital equipment, which falls within the parameters of the general budget, when the cost of each individual item does not exceed \$2,500. The Director needs the approval of the Board for all individual purchases exceeding \$2,500.

The checking account monthly bank reconciliation, bank statements and cancelled checks shall be reviewed by the Treasurer and/or Director.

Article 4: Board Meetings

Section 1: Regular Meetings: The Board of Trustees holds a minimum of 10 monthly meetings at the Parlin-Ingersoll Public Library (or another designated location), as per the recommendation of Illinois Library Association's *Standards for Illinois Public Libraries*. The regular meeting time is on the third Wednesday of each month beginning at 4 p.m. Meetings are open to the public and the notification of meetings follows requirements of the Open Meeting Act (ILCS Act 120). A tentative agenda will first be sent to the Board President at least one week prior to the meeting. The final agenda and/or information packet will be distributed to the Board by the Director at least three days prior to the meeting. Any board members wishing items to be added to the agenda should call the Director in sufficient time to have the items placed.

Section 2: Quorum: Five members of the Board of Trustees constitute a legal quorum to transact business.

Section 3: Attendance: To be effective, trustees must attend a majority of the board meetings in order to remain members in good standing. As a general rule, Board members should have an average annual attendance of six meetings per year over a three year appointment. Under State law, a vacancy will be declared when a Trustee is absent without cause from all regular Board meetings for a period of one year (75 ILCS 5/4-4).

Section 4: Annual Meetings: An annual meeting shall be held in May or June of each year for the purpose of hearing the annual reports of the Director. The report includes a summary of the year's work with detailed accounts of the receipts and expenditures and other information according to statute.

Section 5: Special Meetings: Special meetings may be held at any time, when called by the President or another Officer or any three Trustees, provided that notice of 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 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 at the meeting. Notice and agenda will be posted at the library 48 hours in advance of the meeting, absent a bona fide emergency (see Open Meeting Act for details (5 ILCS 120).

Section 6: Public Comment: These rules apply to all our meetings. The monthly agenda will include a place for public comment at the beginning of the board meeting. Individuals must wait until they are recognized by the board chairman before they are permitted to address the board. The following limitations to public comments apply:

- Each individual is limited to three minutes of speaking time;
- Comments or behavior that becomes disruptive is not permitted.
- Total public comments at a single meeting will be limited to 30 minutes

The board president may curtail the comments of any individual violating the above guidelines.

After the public comments portion of the meeting is over, individuals must refrain from making comments from the audience.

Article 5: Board Committees

Section 1: Committee Appointments: As a general rule, the Board shall function as a committee of the whole. Special committees may be appointed as needed by the Board President. The terms of these appointments will be for one year, until a new appointment is made or for the life of the committee. A Trustee will be appointed every two years to preside over an evaluation of the Director, conducted by the full Board.

Article 6: Powers and Duties

Section 1: Legal Powers and Duties: The Board of Trustees has the same powers and duties designated Trustees of public libraries, as outlined in the Local Library Act (75 ILCS 5/4-7). These powers include, but are not limited to:

- To make and adopt such bylaws, rules and regulation, for their own guidance and for the government of the library as may be expedient, not inconsistent with this Act;
- To have the exclusive control of the expenditure of all moneys collected for the library and deposited to the credit of the library fund;
- To have the exclusive control of the construction of any library building and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose;
- To purchase or lease real or personal property, and to construct an appropriate building or buildings for the use of the library;
- To sell or otherwise dispose of any real or personal property that it deems no longer necessary or useful for library purposes;
- To appoint and to fix the compensation of a qualified librarian, who shall have the authority to hire such other employees as may be necessary, and to fix their compensation, and to remove such appointees, subject to the approval of the board;
- To exclude from the use of the library any person who willfully violates the rules prescribed by the board;
- To extend the privileges and use of the library to persons residing outside of the city, under guidelines established by this law.
- To invest funds pursuant to the Public Funds Investment Act.

Section 2: Financial Authority: Under State law, the Board of Trustees has “the exclusive control of the expenditures of all moneys collected for the library.” Under the stipulations of the will of Charles Ingersoll, the Board of Trustees is granted sole authority and discretion in the administration of the Ingersoll Trust income for library purposes.

Section 3: Policy: All Board of Trustee business will concern the establishment of library policy and governance. The implementation of library policy and the administration of library operations and services are the sole responsibility of the Director. The Board hires, evaluates and establishes compensation for the Director, who serves at the discretion of the Board, as stipulated in the employment contract, if one exists, and who performs all such duties as may be assigned by the Board. As a general rule, all policies will be reviewed in a systematic fashion at an interval not to exceed three years.

Article 7: Conflict of Interest

Section 1: Trustees of the Parlin-Ingersoll Public Library are subject to the same laws governing conflict of interest and private inurement, which apply to other governmental and public agencies in Illinois (65 ILCS 5/3.1-55-10).

Article No. 8: Compensation

Section 1: Trustees will serve without compensation, but they will be reimbursed for their actual and necessary expenses (75 ILCS 5/4-5).

Article No. 9: Fiscal Years

Section 1: The fiscal year of the library will begin on May 1 and end on April 30 (change made in fiscal year 2020).

Article No. 10: Reports

Section 1: The library will file an annual report with the State Library and City of Canton, in accordance with State law (75 ILCS 5/4-10).

Article No. 11: Indemnification

Section 1: Library trustees and employees are indemnified and held harmless for acts committed in the scope of running the library. (See indemnification document adopted by the Board of Trustees).

Article No. 12: Amendments

Section 1: Amendments to library by-laws, or any other policy or procedural document, may be proposed at any regular meeting of the Board and will become effective if and as adopted by a majority vote of the nine member Board of Trustees at any regular or special meeting.

Article No. 13: Order of Business

The typical order of business will be as follows:

- Call to Order
- Approval of Minutes
- Public Comments
- Communications
- Consent Agenda
- Agenda Items
- Adjournment

Article No. 14: New Trustees

The Director will give new trustees a tour of the library and grounds as well as a copy of the policy manual, budget, financial reports, past minutes, and other pertinent information.

Article No. 15: Parliamentary Procedure

Section 1: Robert's Rules of Order. Revised shall govern the parliamentary procedure of the Board, unless otherwise specified in the by-laws.

Article No. 16: Duties of the Librarian

Section 1: The library director shall administer the policies adopted by this Board. Among the duties and responsibilities of the director shall be the hiring, directing, supervising, and disciplining of all staff members, as specified in the Personnel Policy; the preparation and oversight of all monthly and annual reports, as required by the Board; the development, recommendation and implementation of all library policy and operational procedures; and other duties as assigned.

Article No. 17: Administrative Records

Section 1: 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.

The library conforms to the requirements of the Local Records Act (50 ILCS 205) and Freedom of Information Act (5 ILCS 140).

Staff personnel records are confidential and shall be kept in a secure place; and only the Library or any person authorized by the Director shall have access to these records.

Confidential records of the Board, such as personnel records concerning the Director, shall be kept in the library and only members of the Board shall have access to these records.

Article No. 18: Circulation Records

Section 1: Circulation records or 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 the 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 discovery 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 President of the Board and the Library 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 Library Attorney, the Library will resist its issuance or enforcement until any such defects have been cured.

An Emergency Release of Information Identifying Individuals Pursuant to Public Act 95-0040 form must be completed by law enforcement in case of immediate danger of physical harm.

Article No. 20: 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. It will post prominently all required notices regarding the copying of any materials in the library.