



## Henika District Library Board of Trustees

### BY-LAWS

#### ARTICLE I: ESTABLISHMENT AND PURPOSE

**Section 1. Name.** This organization shall be called the Henika District Library and was established pursuant to the District Library Establishment Act, 1989, PA 24, MCL 397.171, *et seq.* (the "Act").

**Section 2. Annual Review.** These Bylaws are rules governing the internal affairs of the Library. The bylaws should be reviewed periodically.

#### ARTICLE II: MEMBERSHIP

**Section 1. Board.** In accordance with Public Act 24 of 1989 ("PA 24") and the Agreement for Library Services dated April 28th, 1998 ("Agreement") the Board of the Henika District Library ("Board") shall consist of eight (8) members to be appointed for four (4) year terms. An individual appointed as a library board member shall be a qualified elector of the participating municipality that appoints such member on the date of the appointment is made. A candidate for appointment to the library board shall also be a resident of the district library district. The City of Wayland shall appoint four members to the library board. The Township of Wayland shall appoint four members to the library board.

**Subsequent Terms:** As the terms of office identified expire, and with each expiration of office thereafter, the respective party that made the appointment of the library board member whose term has expired shall make an appointment to replace the board members whose terms expired to serve a four (4) year term of office beginning on July 1. Nothing therein shall prohibit a participating municipality from reappointing a member whose term has expired to a successive term of office.



**Section 2. Removal.** In accordance with Section 8 (2) of the Act, MCL 397.178(2), the Governor of the State of Michigan shall have the power to remove a Library Board Member for cause, pursuant to the provision of Section 10 of Article V of the State Constitution of 1963, as amended.

**Section 3. Vacancies.** The office of a library board member becomes vacant when the incumbent dies, resigns, is convicted of a felony, is removed from office by the Governor pursuant to Section 10 of Article V of the State Constitution of 1963, or ceases to be a resident of the district. Resignations must be submitted to the Board President in writing at a regular board meeting. In addition, the office of a library board member becomes vacant when the incumbent ceases to be a resident of the participating municipality that appointed the incumbent. In the event of a vacancy, the participating municipality shall appoint a replacement therefore within two (2) months of the vacancy who shall serve until the end of the term of the library board member being replaced.

**Section 4. Individual Authority.** Trustees have no authority as individuals, apart from that specified in these Bylaws or applicable law, but rather exercise their authority collectively with Library Board action.

**Section 5. Attendance.** Attendance at Library Board meetings is critical to fulfilling this responsibility. A trustee who cannot attend a meeting bears the responsibility of notifying the President and Director concerning this absence.

### **ARTICLE III: POWERS OF THE BOARD**

**Section 1. Authority.** The Library Board shall have all the powers enumerated in Section 12 of the Act, MCL 397.182, all the powers enumerated in the District Library Financing Act, MCL 397.281, et seq, and any other powers granted by law, including but not limited to the following:

1. Establish, maintain, and operate a public library for the district
2. Appoint and remove officers from among the Library Board Members
3. Appoint and remove a librarian and necessary assistances and fix their compensation



4. Purchase, sell, convey, lease, or otherwise acquire or dispose of real or personal property, including but not limited to, land contracts and installment purchase contracts.
5. Erect Buildings
6. Supervise and control District Library property
7. Enter into a contract to receive library related services from or give library related services to a library or a municipality within or without the district.
8. Adopt bylaws and regulations, not inconsistent with this Act, governing the Library Board and the District Library
9. Propose and levy upon approval of the electors as provided in this Act a tax for support of the District Library.
10. Borrow money pursuant to the District Library Financing Act, 1988 PA 265, MCL 397.281 to 397.290.
11. Issue bonds pursuant to the District Library Financing Act, 1988, PA 265, MCL 397.281 to 397.290
12. Accept gifts and grants for the District Library
13. Do any other things necessary for conducting the District Library Service, the cost of which shall be charged against the District Library Fund.
14. Any other powers or authority authorized by law.

**Section 2. Budget.** The Library Board shall annually determine and approve the District Library's Budget

**Section 3. Compensation.** The District Library may reimburse Library Board Members for necessary expenses that Library Board Members incur in the performance of their duties and may compensate Library Board Members pursuant to Section 12(2) of the Act, MCL 397.182



## ARTICLE IV: OFFICERS

**Section 1. Officers.** Officers of the Board shall be President, Vice-President, Secretary, and Treasurer.

**Section 2. Term.** The officers shall be elected for a term of two years at the annual meeting of the Board each January unless otherwise agreed by the board.

**Section 3. Vacancies.** Vacancies in office shall be filled by the Board at the next regular meeting of the Board following the occurrence of a vacancy for the unexpired term, except for the office of President, in which case the Vice-President shall assume the duties of the office for the unexpired term. A successor Vice-President shall be elected to fill the vacancy so created in that office.

**Section 4. Term Limits.** No officer shall serve more than 2 consecutive 2-year terms in the same office unless the Board agrees by unanimous vote to an additional term.

## ARTICLE V: DUTIES OF THE OFFICERS

**Section 1. President.** The President shall assist with the preparation of the agenda, preside at all meetings, appoint committees with the approval of the Board, authorize calls for any special meetings and generally perform the duties of a presiding officer.

**Section 2. Vice-President.** In the absence of the President, the Vice-President shall perform the duties of the President. In the case of the resignation, disability or death of the President, the Vice-President shall assume the office for the remaining term.

**Section 3. Secretary.** The Secretary of the Board shall ensure that minutes of the Library Board meetings and other library records are kept in accordance with Michigan law. In compliance with any requirements of state law regarding the holding of meetings, the Secretary shall issue notices of all regular meetings, and on the authorization of the President or written request of two Trustees, of all special meetings, and shall have custody of the minutes and other records of the Board of Trustees. With the approval of a majority of the Board, the Secretary may delegate any of the responsibilities to the Library Director.



**Section 4. Treasurer.** The Treasurer shall control expenditures from the Library fund by approving documentation presented by authorized personnel. A record of all moneys received or deposited to the Library fund, and all disbursements, sales and transfers from the fund shall be kept by the Treasurer, and reported monthly to the Board of Trustees at its regular meeting. In addition the Treasurer shall perform such other duties as may be prescribed for him or her by State or Federal law and these by-laws. With the approval of a majority of the Board, the Treasurer may delegate any of these responsibilities to the Library Director. The Treasurer shall also be the Chairperson of the Finance Committee.

## **ARTICLE VI: MEETINGS**

**Section 1. Regular Meetings.** The regular meeting of the Library Board shall be held on each month, the date and time to be set by the Board at its annual meeting (first meeting of the fiscal year). Within ten (10) days following the annual meeting, the Library shall post in a public place a notice setting forth dates, times, and places of all regular meetings scheduled for the ensuing fiscal year. If there are any changes in this schedule, as required, the Library shall post a public notice stating the new times, dates and places of its regular meetings. This notice shall be posted within three (3) days after the meeting at which the change is made and shall be posted in the monthly announcement of the regular meeting.

**Section 2. Annual Meeting.** The Annual Meeting of the Library Board shall be the regular meeting in the month of January and shall be for the purpose of the election of officers and consideration of such other organizational matters as may be required.

**Section 3. Special Meetings.** Special meetings may be called by the President or upon written request of two Trustees. Notice must be provided (as required by the Open Meetings Act), at least eighteen (18) hours before the special meeting. Trustees not present at the time of announcement of such special meeting shall be notified by the Secretary.

**Section 4. Agenda.** The agenda shall be posted in a public place and shall be distributed by the Secretary to all members at least three (3) days before a regular meeting.



**Section 5. Quorum.** A quorum for the transaction of business shall consist of the majority of Board Members appointed and serving.

**Section 6. Board Action.** Any Board action to be official must be approved at an official Board meeting by a majority of the quorum, unless otherwise required by law.

**Section 7. Approval Procedure.** The procedure for action at the meeting shall be as follows:

- a. All actions, whether by resolution or by motion, shall be moved and supported before discussion. If a motion is not supported, it shall not be taken up for discussion.
- b. After an action is moved and supported, it shall be open for discussion by members of the Board.
- c. Members shall seek recognition by the President before speaking.
- d. Any motion or resolution under discussion may be amended prior to adoption by the following action:
  - (1) The proposed amendment is moved and supported.
  - (2) The proposed amendment is open for discussion.
  - (3) Following discussion, or upon request by a member of the Board, the President shall call the amendment for approval.
  - (4) If the amendment passes by majority vote, the originally proposed action shall be considered as amended.
- e. Following discussion, or upon request by a member of the Board, the President shall call the action for approval.
- f. Unless otherwise requested by a member of the Board or required by law, all actions shall be taken by voice vote signifying “Aye” or “Nay”.

**Section 8. Public Comment.** During any public comment period at an open meeting, there may be time limits placed on individual comments to keep the meeting moving at an appropriate pace. Additionally, all public comments must be made respectfully. Inappropriate behavior towards trustees, library staff, or other guests will not be tolerated.



## ARTICLE VII: LIBRARY DIRECTOR

**Section 1. Director.** The Library Director shall be considered the executive officer of the Library.

**Section 2. Duties of Director.** The Library Director shall have sole charge of the administration of the Library under the direction and review of the Board. The Library Director shall be responsible for the care of the building and equipment; for the employment, development, and direction of the staff; for the annual preparation and submission of the proposed budget to the Board; for the operation of the Library under

the financial conditions set forth in the budget approved by the Board; for the submission to the Board the audited financial statements at the first meeting after such report is received and for any other duty delegated by the Library Board.

**Section 3. Attendance at Meetings.** The Library Director or the Library Director's representative shall attend all meetings of the Board, unless otherwise directed by the Library Board President.

## ARTICLE VIII: COMMITTEES

**Section 1. Committee Appointments.** All committees of the Library shall be appointed by the Library Board President with the approval of the Library Board. The President may decide to appoint himself or herself an ex-officio member of any committee. As directed by the Library Board, the Library Director may serve as resource person to any committee.

**Section 2. Purposes.** The Library may have ad hoc committees. The ad hoc committees of the Library shall exist until their specified purpose is completed or unless otherwise disbanded by the President. The President shall provide specific purposes and duties of the ad hoc committee.



## **ARTICLE VIII: AMENDMENTS**

**Section 1.** These by-laws may be amended at any regular or special meeting of the Board by a majority vote of a quorum of all members appointed and serving, provided the amendment was presented in writing at the previous regular meeting.