

MACDONALD PUBLIC LIBRARY

BYLAWS

ARTICLE I – Establishment and Purpose of Bylaws

Section 1. Name. The MacDonald Public Library was established by virtue of the provisions of Section 10a of the City, Village and City Libraries Act, 1877 PA 164, (“PA 164”).

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

ARTICLE II – Membership

Section 1. Board. The Board shall consist of six (6) Members elected pursuant to the requirements of PA 164. All six (6) members shall be elected for six (6) year terms and shall be a qualified elector of New Baltimore. Unless otherwise provided in PA 164, a Board Member shall hold office until a successor is elected and qualified.

Section 2. Vacancies. The office of a Board Member becomes vacant when the incumbent dies, resigns, is convicted of a felony, is removed from office by the governor under Section 10 of Article V of the State Constitution of 1963, or, ceases to be a qualified elector of New Baltimore. In the event of a vacancy, the Board shall appoint a qualified person to hold the vacant office until the next general November election.

Section 3. Individual Authority. Board Members 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 4. Attendance. Election to the Library Board is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Library Board activities and represent the patrons of the Library. Attendance at Library Board meetings is critical to fulfilling this responsibility. A Board Member who cannot attend a meeting bears the responsibility of notifying the President and Director concerning this absence.

ARTICLE III – Powers of the Board of Trustees

Section 1. Authority. The Library Board may exercise any and all of the powers granted to it by PA 164 and federal and Michigan law. If permitted by law, the Library Board may delegate such powers to the Officers of the Board and/or the Library Director as it deems necessary.

Section 2. Budget. The Library Board shall have the exclusive control of the budget of the Library. The fiscal year of the Library shall be the annual period commencing July 1 and ending the following June 30. The Library Board shall prepare and make available an annual budget.

Section 3. Audit. The Library Board shall obtain an annual audit by an independent certified public accountant selected by the Board, all in accordance with Michigan law. The Library Board may authorize an audit of the Library Fund to occur at the same time and along with the audit of the City's funds generally.

Section 5. Millage Certification. The Board shall certify to the City Clerk and City on or before the first Monday of September in each year the amount of money necessary for the support and maintenance of the Library for the ensuing year not exceeding the authorized millage rate.

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 (2) years at the annual meeting in January of each year. An officer shall serve until the appointment of a successor.

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, except for the office of President, in which case the Vice-President shall assume the duties of the office for the remainder of the unexpired term. A successor Vice-President shall be elected to fill the vacancy so created in that office.

ARTICLE V – Duties of the Officers

Section 1. President. The President shall preside at all meetings, appoint committees, authorize calls for any special meetings and generally perform the duties of a presiding officer. The Board President shall also review and prepare the agenda. The President also has the authority to sign on behalf of the Board all instruments, contracts or documents necessary or proper to be executed as approved by the Board or as provided by law.

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 Library 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 of all special meetings, and shall have the custody of the minutes and other records of the Board of Trustees. With the approval of a majority of the Board and if permitted by law, the Secretary may delegate any of these responsibilities to the Library Director.

Section 4. Treasurer. The Treasurer shall control expenditures from the Library Fund through a system of vouchers presented by authorized personnel. The Treasurer shall work with the City Treasurer to ensure that the Library Fund is being maintained and the moneys received by the Library are deposited into the Library Fund. 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 Library Board 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 Bylaws. With the approval of a majority of the Board and if permitted by law, the Treasurer may delegate any of these responsibilities to the Library Director.

ARTICLE VI – Meetings

Section 1. Regular Meetings. The regular meeting of the Library Board shall be held at the dates and times to be set by the Board at the first meeting of the calendar year. Within ten (10) days following the meeting, a notice shall be posted in a public place at the Library setting forth the dates, times, and places of all regular meetings scheduled for the ensuing year. If there is a change in the schedule of regular meetings of a public body, there shall be posted within three (3) days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.

Section 2. Annual Meeting. The Annual Meeting of the Library Board shall be the January regular meeting, and shall be for such organizational matters as may be required.

Section 3. Special Meetings. Special meetings may be called by the President or upon written request of two (2) Trustees, provided eighteen (18) hours of notice, in the format and manner as provided by the Michigan Open Meetings Act, is given of the time, place and purpose for which such meeting is called. Trustees not present at the time of announcement of such special meeting shall be notified by the Secretary.

Section 4. Agenda. The proposed agenda shall be distributed by the Secretary to all members. The following items will constitute the agenda for regular meetings.

- Call to order and attendance
- Approval of agenda
- Approval of minutes
- Citizens' comments
- Financial report, including approval of bills
- Library Director's report
- Committee reports
- Old business
- New business
- Adjournment

Section 5. Quorum. A quorum for the transaction of business shall consist of the majority of Library Board members appointed or elected and serving.

Section 6. Board Action. Any Board action must be approved at a Library Board meeting by a majority of the quorum of the Library Board, unless otherwise provided by law.

Section 7. Minutes. Minutes of all meetings of the Board are required to be kept and must contain at least the following information: date, time, place, members present, members absent,

decisions made, purposes for which a closed meeting is called and all roll call votes taken. Minutes of the public meetings are subject to the following rules regarding public inspection:

- A. Proposed minutes must be available for public inspection not more than eight (8) business days following the meeting which is the subject of the minutes.
- B. Approved minutes must be available for public inspection not later than five (5) business days following the meeting at which they are approved.

ARTICLE VII – Committees

Section 1. Committee Appointments. All committees of the Library shall be appointed by the Library Board and given the power and authority granted by the Library Board. As directed by the Library Board, the Library Director may serve as resource person to any committee.

Section 2. Purposes. The Library may have committees as follows:

- A. Ad hoc committees of the Library shall exist until their specified purpose is completed or unless otherwise disbanded by the Library Board. The Library Board shall provide specific purposes and duties of the ad hoc committee and shall state whether the committee is purely advisory. At the time of the formation of the ad hoc committee, the Library Board shall determine how many members, how they are appointed, the purpose of the committee and a timeline for any reports back to the Library Board.
- B. The standing committees of the Library Board shall have at least two (2) board members but at all times shall consist of less than a quorum of the Library Board. Committees shall convene on the call of its President or Library Director and, when ready or requested by the President, report their findings at a regular or special Library Board meeting. The following standing committees shall have the powers and responsibilities prescribed:
 - 1. Finance Committee: The Committee shall consist of two trustees. The committee shall review the financial reports, budgets and accounts and make recommendations to the Library Board with respect thereto. This committee is purely advisory.

ARTICLE VIII – Library Director

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

Section 2. Duties. The Library Director shall be in charge of the administration of the Library under the direction and review of the Board. The Library Director shall be responsible for:

- A. Leading the creation and implementation of the Library’s strategic plan;
- B. Overseeing the care of the building and equipment;
- C. The employment, development and direction of the staff;
- D. The Library’s service to the community;
- E. The annual preparation of a budget proposal;
- F. The operation of the Library under the financial conditions set forth in the budget approved by the Board;
- G. The submission of the proposed budget to the Board on or before its regular July meeting;
- H. The written annual report of the Library, including the financial statements, when they are made available; and
- I. Any other duty delegated by the Library Board.

Section 3. Meeting Attendance. The Library Director or the Library Director’s representative shall be expected to attend all meetings of the Library Board unless otherwise directed by the Library Board President.

ARTICLE IX – Amendments

These Bylaws may be amended at any regular meeting of the Board by 2/3 majority vote of all members elected or appointed and serving, provided that notice of the amendment and a copy of the proposed amendment was provided to all members of the Library Board at least ten (10) days prior to the meeting at which the bylaw is proposed to be amended.