

THE DEWITT PUBLIC LIBRARY
BYLAWS

Approved 4/10/08 by the DeWitt Public Library Board of Trustees

ARTICLE I LEGAL AUTHORITY

The DeWitt Public Library is established in accordance with Michigan Public Act 24 of 1989, Sections 397.171 through 397.196, also known as THE DISTRICT LIBRARY ESTABLISHMENT ACT.

1. Establish, maintain and operate a public library for the district.
2. Appoint and remove officers from among its members.
3. Appoint and remove a librarian and necessary assistants and fix their compensation.
4. Acquire real or personal property for library purposes.
5. Erect buildings.
6. Supervise and control library property.
7. Enter into a contract to receive library-related service from or give library-related service to a library or municipality within or without the district.
8. Adopt bylaws and regulations, not inconsistent with The Act, governing the Board and the Library.
9. Borrow money pursuant to the District Library Financing Act.
10. Issue Bonds.
11. Accept gifts and grants for the Library.
12. Do any other thing necessary for conducting the Library service, the cost of which shall be charged against the district library fund.

ARTICLE II OPERATION OF THE LIBRARY

Operating Principles. The DeWitt Public Library formally endorses the principles set forth in the American Library Association Bill of Rights as amended in January of 1980 and its accompanying Statements of Interpretation. In the operation, care and maintenance of the Library our actions will be guided by these fundamental precepts.

Compliance with State and Federal Law. The DeWitt Public Library shall comply with all State and Federal laws, specifically including:

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d)

Title VII of the Civil Rights Act of 1964 (P.P.88-352)

Title IX of the Education Amendments of 1972 as amended

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)

The Age Discrimination Act (42 U.S.C. 6101 et seq.)

The American Disabilities Act (U.S.C.)

The Michigan Handicappers' Civil Rights Act (P.A. 220 of 1976)

The Elliot-Larson Civil Rights Act (P.A. 453 of 1976)

The Employment Discrimination Executive Order 79-4

Section 5 of the Library services and Construction Act of 1990

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ARTICLE III THE BOARD OF TRUSTEES

The DeWitt Public Library Board of Trustees shall consist of six members. The governing bodies of the City of DeWitt and DeWitt Charter Township shall each appoint three members. Vacancies shall be filled in like manner for unexpired terms.

For the Board to function effectively all trustees must fulfill certain responsibilities. The principles set forth in the Ethics Statement for Public Library Trustees, by the Michigan Library Association, shall be the guiding document used in assessing proper behavior for the Trustees of the DeWitt Public Library. Further, each trustee must attempt to attend and actively participate in all meetings, support all Board decisions and constantly work to be an advocate for the library.

In recognition of the importance of their role in the ultimate success of the library, a trustee whose actions are found to be contrary to the above guiding principles, or whose attendance record shows 4 absences during any 12-month period, or 10 total absences during any three consecutive years, shall be asked to resign.

Trustees will serve without compensation, however each shall receive the sum of \$15.00 per meeting attended of the Board. These stipends will be capped to two (2) per month unless otherwise approved by the Board.

ARTICLE IV OFFICERS

Officers shall be elected by the Board members at their annual meeting and shall be as follows: President, Vice President, Treasurer, and Secretary. Terms shall run from June 1 through May 31. An officer may succeed himself or herself. The President shall not serve more than four consecutive terms.

When an officer leaves the Board before the end of his or her term, the President may appoint a replacement to fulfill the unexpired term. In the event a vacancy occurs in the office of President, an election shall be held to allow the current Library Board to select its new President.

The duties of the officers shall be as follows:

President: Shall preside at all meetings, appoint and discharge all committees, prepare an agenda for meetings, authorize calls for any special meetings, act in the absence of the Library director or Treasurer in signing checks for the payment of bills, and generally perform the duties of a presiding officer.

Vice President: Shall assume all duties of the President in the President's absence.

Treasurer: Shall keep an accounting of the library funds and report on the state of the funds at each meeting. Shall make a physical verification that CD certificates are in the library safe. Shall sign and issue checks in the absence of the Library Director.

Secretary: Shall keep a true and accurate account of all proceedings of Board, conduct Board correspondence and shall oversee Library compliance with the provisions of the Michigan Open Meetings Act.

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ARTICLE V MEETINGS

Regular meetings of the Board shall be held each month. A schedule of regular meetings for the year, including date, time and location, shall be posted in the library no later than January 15 of each year. A quorum for the transaction of business shall be four members of the Board. Meetings may be canceled or rescheduled by the President if a poll of the Board shows a quorum will not be present. Regularly scheduled meetings may be canceled or rescheduled by action of the Board.

The annual meeting shall be the regularly scheduled meeting in May of each year. The business of the annual meeting shall include the adoption of a budget for the next fiscal year, the election of officers, a general review of library bylaws and procedures, and staff evaluation.

The Library Director shall present a proposed budget to the Board at OR BEFORE the regular meeting in April. The budget shall be developed according to the requirements contained in the Uniform Budgeting and Accounting Act, ACT 2 OF THE PUBLIC ACTS OF 1968, AS AMENDED, MCL 141.421, ET SEQ. At this meeting the Board shall discuss with the Library Director the proposed budget and take action to direct that notice of the public hearing on the proposed budget be published in the local paper according to requirements contained in the Budget Hearings of Local Governments Act, 1963 PA 43 MCL 141.411-141.415. The notice of the public hearing shall appear in the local paper at least six days prior to such hearing. The notice shall include the time and place of the hearing as well as stating a place where a copy of the budget is available for public inspection. . The notice shall also include the following statement printed in 11-point boldfaced type: "The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing".

With the adoption of the budget the Board shall establish a tentative millage rate to support the budget. The tentative millage rate shall be within the Library's voter authorized millage, as reduced by Headlee AMENDMENT. At OR BEFORE the regular meeting in September of each year the Board shall adopt a final millage rate to support the adopted budget. Upon setting the final millage rate the Library Director shall promptly inform the City Treasurer, Township Treasurer and County Treasurer of such action

Minutes from the previous meeting and an agenda for the forthcoming meeting shall be distributed to all Board members at least four days prior to the next scheduled meeting.

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Board members and the Library Director shall have the right to have any item placed on the agenda by contacting the President. Additional items may be presented by Board members, the Library Director, or members of the public at a meeting if approved by a majority of the Board.

Robert's Rules of Order shall be Small Boards shall be the governing authority for any issues not covered by these bylaws.

Members of the public may address the board during that portion of the agenda specified for Public Comment. Length of comments may be limited by the Board.

The order of business conducted at a regular meeting shall be as follows:

1. Call to order
2. Approval of the agenda
3. Approval of the last meeting's minutes
4. Public Comment
5. Treasure's Report
6. Committee Reports
7. Director's Report
8. Old Business
9. New Business
10. Public Comment
11. Adjournment

Meeting minutes shall include date, time, place and members present and absent, any decisions made, purpose of any closed session and tallies of all votes. The minutes shall list how each member voted, unless the vote was unanimous.

Special Meetings may be called by the President, or upon the request of four members of the Board. The nature of the business to be conducted shall be clearly stated in the call for the special meeting. Notice of the meeting shall be posted at least 18 hours prior to the meeting on the front door or other location visible to the public 24 hours a day. All business transacted in a special meeting shall be duly recorded by the secretary.

All meetings and business of the Board shall be conducted in accordance with the provisions of the Michigan Open Meetings Act (Act No. 267 of Public Acts of 1976, MCL 15.261-15.275).

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ARTICLE VI AMENDING THE BYLAWS

The Bylaws may be amended at any regular meeting of the Board. Suggested amendments must be placed on the agenda for discussion at two successive meeting prior to a vote to amend taking place.

ARTICLE VII VOTES

A quorum for the transaction of business at a meeting shall be four members of the Board.

The revision of library policy shall require 4 votes.

Removal of an officer shall require 5 votes.

Changes to the bylaws shall require 5 votes.

General business of the Board, not otherwise described in this section, shall be decided by a majority of any members unless a quorum is present.

Ethics Statement for Public Library Trustees

“Government is a trust, and the officers of government are trustees; and both the trust and trustees are created for the benefit of the people.”

So postulated Henry Clay in 1879 in a speech in Kentucky.

Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity and honor.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the situation.

It is incumbent upon any trustee to disqualify himself/herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.

A trustee must respect the confidential nature of library business while being aware and in compliance with applicable laws governing freedom of information.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept library board responsibilities are expected to perform all functions of library trustees.

Adopted by the Michigan Library Association Executive Board
June 19, 1989