

THE DEWITT DISTRICT LIBRARY BYLAWS  
Updated and Revised September 2018

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**ARTICLE I - Establishment and Purpose of Bylaws**

Section 1. Establishment. The DeWitt District Library ("Library") was established in accordance with 1989 PA 24, the District Library Establishment Act, ("DLEA").

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

Section 3. Purpose of Library. The purpose of the Library will be to operate for educational and scientific purposes, including, for such purposes, supporting other educational or community organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code. Notwithstanding any provision in these bylaws to the contrary, the Board of Directors shall at all times operate the Library in accordance with applicable Michigan law.

**ARTICLE II - Membership**

Section 1. Board Members. Pursuant to the DLEA, the Library Board of the Library ("Library Board") shall consist of seven (7) members ("Board Members") to be appointed as provided in the DeWitt District Library Organizational Plan ("Organizational Plan") as amended. As set forth in the Organizational Plan, Board Members shall serve terms of four (4) years. All terms begin on January 1. All Board Members shall take the oath of office before commencing their terms.

Section 2. Removal. In accordance with Section 8(2) of the DLEA, the Governor of the State of Michigan shall have the power to remove a member pursuant to the provisions of Section 10 of Article V of the State Constitution of 1963, as amended.

Section 3. Vacancy. The office of Board Member becomes vacant when the incumbent dies, resigns, is convicted of a felony, is removed from office by the Governor, ceases to be a resident of the district or ceases to be a resident of the Participating Municipality that appointed the Board Member. In the event of a vacancy, the Participating Municipality that appointed the Board Member whose position has become vacant shall appoint a replacement for the remainder of the unexpired term.

Section 4. Compensation. Library Board Members shall serve without compensation.

**ARTICLE III - Powers of the Board**

Section 1. Powers and Authority. The Library Board may exercise any and all of the powers granted to it by the DLEA, the District Library Financing Act, federal and Michigan law, and the Agreement. 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. Fiscal Year. The fiscal year of the Library shall be the annual period commencing July 1 and ending the following June 30.

Section 3. Budget and Audit. The Library Board shall have the exclusive control of the budget of the Library. The Library Board shall prepare and make available an annual budget and shall obtain an

annual audit by an independent certified public accountant selected by the Library Board, all in accordance with Michigan law.

Section 4. Fiduciary Obligation. Board Members have a fiduciary obligation to represent and act in the best interests of the Library. To that end, Board Members are expected to act ethically, participate, attend meetings and support the Library. A Board Member who is not upholding his or her fiduciary obligation may be asked to resign from the Library Board. This would include Library Board Members who have missed more than four (4) meetings in any twelve (12) month period or ten (10) meetings during any three (3) consecutive years.

#### **ARTICLE IV - Officers**

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

Section 2. Terms. The officers shall be elected for a term of one (1) year at the annual meeting of the Library Board. The term of office shall be June 1 through May 31. An officer shall serve until the appointment of a successor. The President shall serve more than four (4) consecutive terms in that office.

Section 3. Vacancies. Vacancies in office shall be filled by the President at or before the next regular meeting of the Library Board following the occurrence of a vacancy, except for the office of President, in which case the Library Board shall select a new President at the next regular meeting of the Library Board following the occurrence of a vacancy.

#### **ARTICLE V - Duties of the Officers**

Section 1. President. The President shall preside at all meetings, appoint committees, authorize calls for any special meetings, assist with the creation of any agenda, sign and issue checks in the absence of the Treasurer, execute any document authorized by the Library Board (unless otherwise provided by the authorization) 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. The Vice-President has the authority to sign checks.

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 Library Board. With the approval of a majority of the Library Board and if permitted by law, the Secretary may delegate any of these responsibilities to the Library Director. The Secretary shall also have the authority to execute any document authorized by the Library Board (unless otherwise provided in the authorization).

Section 4. Treasurer. The Treasurer shall have charge of the funds of the Library, providing for their safe custody and investment as directed by the Library Board, subject to limitations for investment of public funds as provided by law. The Treasurer shall control expenditures from the Library Fund through a system of vouchers presented by authorized personnel. A record of all moneys received or

deposited to the Library Fund, and all disbursements, sales and transfers from the Library 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 Library Board and if permitted by law, the Treasurer may delegate any of these responsibilities to the Library Director. The Treasurer has the authority to sign and issue checks.

## **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 Library Board at its first meeting in January. 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 regular meeting in May, 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) Board Members, 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. Board Members 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 Board Members at least three (3) days before the meeting.

Section 5. Order of Agenda. The following items will constitute the agenda for regular meetings:

- Call to order and attendance
- Approval of agenda
- Approval of consent agenda (minutes, Treasurer's Report, Directors' Report)
- Public comment
- Committee reports
- Old business
- New business
- Public Comment
- Adjournment

Section 6. Quorum. A quorum for the transaction of business at a meeting shall be four (4) members of the Board, three (3) of which must be physically present. Presence at a meeting can be in person or by conference telephone or any similar communications equipment through which all persons participating at the meeting can communicate with each other.

Section 7. Board Action. Unless otherwise provided in this section or by law, any Library Board action must be approved at a Library Board meeting by a majority of the quorum of the Library Board. Any vote of the Board that involves a revision or adoption of a Library policy requires at least four (4) votes. Any vote for the removal of an officer or for a change of the bylaw requires at least five (5) votes.

## **ARTICLE VII - Committees**

Section 1. Appointment. All committees of the Library shall be appointed by the Library Board President. 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. Committees. The Library may have ad hoc committees. 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 - Library Director**

Section 1. Appointment. The Library Director shall be appointed by the Library Board and shall be considered the 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 Library Board. The Library Administrator shall be responsible for:

- A. Overseeing the care of the building and equipment;
- B. The employment, development, and direction of the staff;
- C. The Library's service to the community;
- D. The annual preparation of a budget proposal in conjunction with the Budget and Finance Committee;
- E. The operation of the Library under the financial conditions set forth in the budget approved by the Library Board;
- F. The submission of the proposed budget to the Library Board by its regular April meeting;
- G. The written annual report of the Library, including the financial statements, when they are made available; and
- H. Any other duty delegated by the Library Board.

Section 3. Attendance at Board Meetings. 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 and Dissolution**

Section 1. Amendments. These Bylaws may be amended at any regular meeting of the Library Board by a majority vote of all Board Members qualified and serving, provided the amendment was presented in writing at the previous regular meeting.

Section 2. Dissolution. In the event of dissolution of the Library, any remaining funds will be distributed in accordance with the provision of the Organizational Plan.

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