

# **NILES-MAINE DISTRICT LIBRARY**

## **BYLAWS**

**I. INTRODUCTORY STATEMENT**

All matters of membership, election, duties, powers, etc., of this Board are governed by the Illinois Public Library District Act of 1991, 75 ILCS 16/1-1 et seq., as amended. The Board of Trustees, elected or appointed, is vested with the powers and duties set forth in that Act and these Bylaws. In carrying out its duties, the Board shall always act as a whole, no individual member or committee having power to act except as specifically granted by the Board.

The matters contained in these Bylaws are to serve for further advisement and/or guidance of the Board of Trustees and its Officers, elected or appointed, and are not to be construed as conferring any contractual rights, terms, conditions or privileges of employment upon employees.

**II. NAME**

The name of this body shall be “The Board of Library Trustees of the Niles-Maine District Library, Cook County, Illinois.”

**III. ESTABLISHMENT**

The Niles-Maine District Library was established by passage of an Establishment Referendum of April 18, 1959, under the provisions of “An Act in relation to the creation of Public Library Districts,” approved May 16, 1957, and is therefore deemed to have been established pursuant to the Act of 1991.

**IV. ELECTIONS**

All elections shall be governed by the Illinois Election Code, 10 ILCS 5/1-1 et seq., as applicable to Public Library Districts pursuant to the Illinois Public Library District Act of 1991, and by “An Ordinance Establishing Election Procedures for the Niles-Maine District Library,” dated 15 May 1968, as amended 13 March 1974 or as later amended by ordinance.

**V. MEMBERSHIP**

Consists of seven Trustees. Trustees are elected every two years at the Consolidated Election under the Election Code for six year terms. Trustees’ terms are staggered in accord with the

provisions of Section 30-10 of the Public Library District Act 75 ILCS 16/30-10. Vacancies are filled by appointment of the remaining trustees pursuant to the applicable provisions of the Public Library District Act.

## **VI. ORGANIZATION MEETINGS**

- (A) All meetings shall comply with the provisions of the Illinois Open Meetings Act, 5ILCS 120/1.01 et seq. Members may be permitted to attend meetings by teleconference in accord with the Rules for such participation. See Appendix F.
- (B) Within 74 days after their election or appointment, the incumbent and new trustees shall take their oath of office as prescribed by law and meet to organize the board. This shall normally occur at the next regular meeting in the month of May following the election. The first action taken at this meeting shall be the election of a president, a vice-president, a secretary, and a treasurer from among the trustees. The secretary shall then record the membership of the board.
- (C) The regular meetings of the Board shall normally be held on the third Wednesday of the month at 7:00 p.m. in the Board Room of the main library building, 6960 Oakton Street, Niles, Illinois, or at such other place as may be from time to time designated by the Board in accord with the notice requirements of the Illinois Open Meetings Act. The Board shall establish its schedule of regular meetings each year by ordinance and the Board shall give annual notice of its schedule of regular meetings as required by law.
- (D) Special meetings may be called by the President or the Secretary or by any four trustees.
- (E) An agenda is required for all meetings. The agenda items for regular meetings may include, but not be limited to, the following items:
  - 1 — Call to Order/Roll Call
  - 2 — Pledge of Allegiance
  - 3 — Approval of Minutes
  - 4 — Public Comment
  - 5 — Treasurer's Report
  - 6 — Executive Director's Report
  - 7 — Communications
  - 9 — Secretary's Report
  - 11 — New Business
  - 12 — Unfinished Business
  - 13 — Executive Session

- 14 — Action, if any, on closed session items
- 15 — Other
- 16 — Adjournment

(F) Committees

- (a) The Board may create special committees for the study and investigation of special problems and to deal with special subject. The President shall appoint the members of such special committees unless they are appointed by the vote of the Board. The Board shall discontinue such special committee when it deems it appropriate to do so. The President shall select the Chair and appoint members.
- (b) Committees shall meet on call of their respective chairperson or two members thereof. Meetings of Committees shall comply with the provisions of the Illinois Opens Meetings Act.
- (c) In case of the absence of the chairperson of any committee, or of inability to act, the chairperson's duties shall be assumed by the next member of the committee in order of appointment thereto.
- (d) A majority of any committee shall constitute a quorum for the transaction of business referred to it.

## VII. QUORUM

- (A) Four members of the Board constitute a quorum for the transaction of such business as shall be necessary. Unless otherwise provided by law, when a vote is taken on any measure before the Board, a quorum being present, a majority of the votes of the members present and voting shall be necessary for passage of the measure. A meeting lacking a quorum may be adjourned to a later time.
- (B) All votes on any question shall be by ayes and nays (roll call) and recorded by the Secretary. Absentees and abstentions from voting shall be noted but shall not be counted for or against the question being voted on.
- (C) All votes on any question shall be as follows:
  - Yes – in favor
  - No – not in favor
  - Abstain – to cast neither a positive nor a negative vote

- Pass – to delay casting a vote and be called upon again after everyone else votes. Only one pass vote is allowed per member on a vote.

All votes shall be recorded by the Secretary. Only Yes and No votes will be counted as for or against the question being voted on. Once a vote is called for, no further comments or discussion will be allowed.

## VIII. DUTIES OF OFFICERS

- (A) Officers of the Board shall be a President, a Vice-President, a Secretary and a Treasurer. Officers shall be elected by the members present at the next regular meeting in the month of May following the biennial election of members of the Board. They shall hold office for a two-year period. Trustees may only hold one office at any given time.
- (B) In the case of a vacancy in one of the offices, the Board shall elect a trustee to temporarily fill the officer vacancy. The Board shall elect an officer to permanently fill the vacancy for the unexpired term when all trustee vacancies have been filled.
- (C) President—The President of the Board shall preside at all meetings of the Board and may vote on motions before the Board. He or she shall sign such documents on behalf of the Board as required, shall appoint committee members as required to carry out specific duties, authorize calls for special meetings, and generally perform the duties of a presiding officer.
- (D) Vice-President—The Vice-President of the Board shall, in the absence of the President, preside at meetings of the Board, in which case he or she shall generally perform the duties of the President.
- (E) Treasurer—The Treasurer shall keep and maintain accounts and records of the District Library during his or her term of office. To assist in these duties, the Board shall utilize the services of a qualified accountant who is responsible to the Board for maintenance of financial records and reports as required by governmental agencies, e.g. tax reports, audits, etc. The Board shall annually employ a certified public accountant to perform an audit of the treasurer's records.
- (F) Secretary—The Secretary shall keep an accurate record of all Board business. The Secretary shall also serve as Clerk of Elections. The Secretary may delegate duties, but shall retain final responsibility. The Secretary's responsibilities shall include certifying and submission of reports, ordinances, etc., as required by law.
- (G) Executive Director—The Board shall appoint an Executive Director, who as the technical expert, will have full responsibility for services, programs, book selections and personnel

management. The Executive Director shall attend all Board meetings, including all executive sessions, unless specifically excluded, as advisor to the Board on professional Library matters, and shall be responsible for recommending policies and for bringing to the attention of the Board the desirability of formulating policies.

The Executive Director shall not be a voting member of the Board, but may be appointed by and authorized by the Board to act for the Board under its specific instructions. For example: The Executive Director may be authorized to sign contracts dealing with day to day operations; may be appointed to serve as assistant clerk of elections; may be appointed as recorder of minutes of meetings, etc.

The Executive Director shall prepare an agenda for each meeting, bringing before the Board such items as may require Board action and any information which may be of need to the members in their governance of the Library. Any information which may require advance study shall be furnished by the Saturday prior to the meeting at which the matter is to be acted upon.

## **IX. BI-ANNUAL STATEMENT OF POLICY VIA RESOLUTION**

The Board shall approve via Resolution a written statement of policy for the selection of materials and the use of library materials and facilities for the governance of the Library, public notice of which shall be given as required by law. Every two years, the Board shall review this document with a view to revising or adding to it as may be necessary. The final document shall be put before the Board for approval by a majority vote. However, nothing in the above shall prevent revisions of the statement of policies at any time required.

## **X. BIDS AND CONTRACTS**

The Executive Director shall present recommendations for advance approval of purchases in excess of \$5,000 to the Board. (Normal purchases of books, periodicals and other library materials are not included in this requirement of advance approval.)

Any purchase or contract in excess of \$25,000 shall be subject to call for sealed bids and a satisfactory evidence of ability to furnish materials and/or services in compliance with required specifications and all applicable law. The Board of Trustees may, by a majority vote of all its members, authorize its officers to enter into a contract without advertising for bids when the Board of Trustees deems that there is insufficient time to solicit bids or that the regular bidding process is otherwise not feasible, applicable or practical under the circumstances, except when bidding is required under Article 40 of the Illinois Public Library District Act of 1991.

When bidding is required under Article 40 of the Illinois Public Library District Act of 1991, contracts may be let without public advertisement when a majority of all members of the Board of Trustees declares at a Board meeting that an emergency exists which affects public health or safety, to the extent necessary to resolve such emergency. The resolution declaring the emergency shall set forth the nature of the danger to the public health or safety and specify the date upon which the emergency shall terminate, which date may be changed as the Board of Trustees deems necessary under the circumstances.

## **XI. AMENDMENTS**

Changes to the Bylaws may only be made at a regular meeting of the Board of Trustees with five or more Trustees voting in favor of the changes.

## **XII. MISCELLANEOUS**

The fiscal year of the Library shall be from the first day of July to the last day of June, inclusive.

The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the proceedings of the board in all cases to which they are applicable, and in which they do not conflict with these Bylaws provided, however, that the Board reserves the right to waive Robert's Rules of Order when deemed necessary and desirable.

Any liability or monetary damage assessed or adjudicated against a Library Trustee and not fully compensated by insurance or any other source shall be reimbursed by the District to such Trustee or Trustees, so long as the liability or monetary damage was incurred while the Trustee was acting in his or her capacity as Library Trustee. Further, to the maximum extent permitted by law, board members shall be indemnified and protected against all claims and suits brought against them for any act or failure to act in their capacity as members of the Board.

*Revised 10.19.94; 6.19.96; 9.15.99; 12.17.03; 8.20.08; 2.18.09; 8.18.10; 6.20.2012; 6.27.12; 3.12.15; 8.19.15; 11.18.15; 9.18.19*