

LAPEER DISTRICT LIBRARY

BYLAWS

ARTICLE I - Establishment and Purpose of Bylaws

Section 1. Establishment. The Lapeer District Library (“Library”) was established on January 1, 2003 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.

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 to four (4) year terms as provided in the Lapeer District Library Agreement (“Agreement”). Four members are appointed by Lapeer County; one member is appointed by each of the remaining participating municipalities: Lapeer and Mayfield Townships and the City of Lapeer. 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. MMLC. The Board appoints an individual to serve at the pleasure of the Lapeer District Library Board as its representative on the Board of the Mideastern Michigan Library Cooperative (MMLC) in compliance with the MMLC Plan of Service. Unless that individual is already a current library board member with all rights and privileges thereof, that representative is invited to attend the meetings of the Lapeer District Library Board, participate in discussion, report on MMLC activities, but is not a voting member. He/she is expected to act in the best interests of the Lapeer District Library Board at the MMLC Board meetings.

Section 5. Friends of the Library. The Board encourages the Friends in their advocacy and fund-raising endeavors. Current Library Board members may not serve on the Friends of the Library board, as doing so can create a conflict of interest.

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 January 1 and ending the following December 31.

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. Board members are expected to notify the Library Director of any expected absence from any meeting as soon as possible but no later than 10:00 am on the day of the meeting.

ARTICLE IV - Officers

Section 1. Officers. Officers of the Library Board shall be Chairperson, Vice-Chairperson, 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 February 1 through January 31. An officer shall serve until the appointment of a successor.

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

ARTICLE V - Duties of the Officers

Section 1. Chairperson. The Chairperson shall preside at all meetings, appoint committees, authorize calls for any special meetings, assist with the creation of any agenda, 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-Chairperson. In the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. In the case of the resignation, disability, death or other vacancy in the office of the Chairperson, the Vice-Chairperson 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 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 (“Library Fund”), 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 January, and shall be for such organizational matters as may be required.

Section 3. Special Meetings. Special meetings may be called by the Chairperson or upon written request of three (3) 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, Director's and Assistant Director's Reports)
Public comment
Committee reports
Lapeer County Report
Unfinished business
New business
Staff reports
Communications
Board Comments or Requests for Information
MMLC report
Public Comment
Adjournment

Section 6. Quorum. A quorum for the transaction of business shall consist of the majority of Library Board Members appointed and serving.

Section 7. Board Action. Any Library 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 8. Expenses. Each Library Board member may receive \$30 per meeting as authorized by District Library Law for up to 52 meetings per year. The members of the Lapeer District Library Board may be reimbursed for registrations, dues and mileage expenses incurred in performance of Board-authorized Library business.

ARTICLE VII - Committees

Section 1. Appointment. All committees of the Library and the committee chairs shall be appointed by the Library Board Chairperson. The Chairperson 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. No committee shall include a quorum of Library Board members.

Section 2. Standing Committees. The standing committees of the Library Board shall consist of less than a quorum of the Library Board, and advisers from outside the Library Board may be asked to attend as needed. Committees shall convene on the call of its Chair or Library Director and, when ready or requested by the Chair, report their findings at a regular or special Library Board meeting. The following standing committee shall have the powers and responsibilities prescribed:

Finance Committee: The Committee shall include both the Treasurer, who shall serve as the Chair of the Committee, and at least one Library Board Member. The committee shall review the budgets and accounts and make recommendations to the Library Board with respect thereto. The Committee shall assist in the creation of a proposed budget annually. The Finance Committee shall also review and make recommendations on bills to be paid.

Section 3. Ad Hoc 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 Chairperson. The Chairperson 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. The employment, development, and direction of the staff;
- B. Overseeing the care of the building and equipment;
- 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 September meeting;
- G. The written annual report of the Library, including the financial statements, when they are made available;
- H. Conducting the general correspondence of the Board and keep same on file for future reference; and
- I. 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 Chairperson.

ARTICLE IX - 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.

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Major revisions from 2018 by-laws in consultation with attorney Anne Seuryneck

Motion 19R.10.11