

# **ADAMS COUNTY PUBLIC LIBRARY**

## **SECTION 1.200 – BYLAWS** (adopted 3/12/2003) (revised 6/23/2010; 7/08/2014)

### **Article I Organization**

#### **A. Name and Address**

The name of the library district shall be the Adams County Public Library (ACPL) with business offices located at 157 High Street, Peebles, Ohio.

#### **B. Legal Status**

The ACPL shall be organized in accordance with Section 3375.22 of the Ohio Revised Code (ORC) as a county library district. Pursuant to those provisions, the Adams County Board of Commissioners shall be the taxing authority for the library district and one of the appointing authorities. The other appointing authority shall be the judge(s) of the Adams County Court of Common Pleas.

#### **C. District Definition** (revised 1/12/05) (revised 6/23/2010)

The boundaries of the library district as defined by the State Library Board [Ohio] in Resolution 10-3, adopted on May 13, 2010, shall encompass the following:

Adams County/Ohio Valley Local School District, that portion within Adams County  
Manchester Local School District, that portion within Adams County  
Eastern Brown Local School District, that portion within Adams County  
Bright Local School District, that portion within Adams County

Within the library district, the Adams County Public Library shall have four service locations, namely: Manchester, North Adams at Seaman, Peebles and West Union.

### **Article II Governance**

The ACPL shall be under the control and management of a board of library trustees (Library Board) consisting of seven members and the exercise of such control shall be governed by ORC Sections 3375.32 to 3375.41 as well as the Bylaws and other policies adopted by the Library Board.

### **Article III Purpose**

The purpose of this organization shall be to provide public library services to the residents of the library district in accordance with the laws of the State of Ohio and in accordance with the mission statements and service plans adopted by the Library Board.

### **Article IV Library Board Members**

#### **A. Qualifications**

In accordance with ORC Section 3375.22, members of the Library Board shall be qualified electors of the library district or Adams County, Ohio.

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### **Article IV Library Board Members ... cont'd**

#### **B. Representation**

All members of the Library Board shall serve as advocates for effective, efficient library service throughout the entire library district. Whenever a vacancy occurs, it shall be the practice of the board to seek trustee candidates who will represent the library interests and concerns of all residents of the district.

#### **C. Number**

The number of trustees shall be seven. Three members of the Library Board shall be appointed by the judge(s) of the Adams County Court of Common Pleas and four shall be appointed by the Adams County Board of Commissioners.

#### **D. Terms**

The term of office of library trustees shall be seven years with the term of one trustee expiring on the first day of July each year.

For the first appointments to the county library district, the terms of those appointed by the judge(s) shall expire in two, four, and six years respectively, and the terms of those appointed by the commissioners shall expire in one, three, five, and seven years respectively.

#### **E. Nominations**

In advance of a trustee appointment, the Library Board shall send to the appropriate appointing authority a recommendation for that appointment as well as a letter from the recommended candidate indicating a willingness to serve. The board president may appoint an ad hoc committee to develop specific guidelines and procedures for the interview, selection and nomination of trustees.

#### **F. Appointments**

The successor of any member of the Library Board shall be appointed by the same board or officer(s) that appointed his/her predecessor. Moreover, any appointment made to fill a vacancy shall be made by the same body which appointed the trustee whose place has become vacant and shall be for his/her unexpired term.

#### **G. Conditions of Service**

Members of the Library Board shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Whenever a new person is appointed to the Library Board, the executive director shall work with the new trustee to develop an appropriate program of orientation, with the expenses of the orientation to be paid from library funds.

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### **Article IV Library Board Members ... cont'd**

#### **H. Meeting Attendance**

Attendance at monthly meetings is vital to the success of the library. In order to promote the regular attendance of all members, the Library Board shall annually reconsider the schedule of regular board meeting dates or whenever requested by a member of the board. Members who are unable to attend a regular meeting of the Library Board should notify the executive director or fiscal officer in advance of the meeting in order to determine the probability of a quorum.

Whenever a library trustee has missed two consecutive, regular board meetings and has not communicated with the Library Board in regard to those absences, the board president may send a written notice to the trustee and request in writing the intent of the trustee regarding continued membership on the Library Board.

#### **I. Declaration of Vacancy**

Whenever a library trustee has missed three consecutive, regular board meetings and has not communicated with the Library Board in regard to those absences, the board president may notify the appropriate appointing authority of such absences and request that the position be declared vacant. The board president may also request that the appointing authority officially notify the person of such action.

### **Article V Library Board Duties**

#### **A. Powers**

The Library Board shall have all the powers granted to it under ORC Section 3375.40 and shall, in open meeting, determine and establish, in accordance with law, the basic policies of the library including, but not limited to (a) the appropriation and budgeting of funds; (b) the establishment and maintenance of libraries and library services; (c) the acquisition, improvement, maintenance, insurance, use, and disposition of properties; (d) the hiring, compensation and responsibilities of staff as well as the personnel practices concerning all employees; (e) the selection, collection, lending, and disposition of library materials; and (f) the acceptance of gifts.

#### **B. Policies**

The policies so determined and established by the Library Board shall remain in effect and shall be administered by the library staff until changed or rescinded by further action of the board. The executive director shall cause a compilation of all policies established by the Library Board to be prepared, kept up-to-date and to be distributed to the members of the board as well as library staff and to be kept available for the public.

# **ADAMS COUNTY PUBLIC LIBRARY**

## **SECTION 1.200 – BYLAWS**

### **Article V Library Board Duties ... cont'd**

#### **C. Hiring**

The Library Board shall be responsible for the hiring of a fiscal officer and an executive director as well as a deputy fiscal officer who has been recommended by the fiscal officer. Other staff shall be hired upon the recommendation of the executive director.

#### **D. Oversight**

The Library Board shall require regular reports from the executive director and fiscal officer and other employees as needed to assure that the library is being operated in accordance with the law and board-adopted mission statements and service plans.

#### **E. Performance Reviews**

The Library Board shall conduct annual performance reviews of the executive director and fiscal officer, and shall conduct a board self-evaluation at least every other year.

#### **F. Indemnification**

Members of the Library Board shall be insured with respect to their duties with the library organization by liability insurance in an amount and a surety approved by the Library Board.

### **Article VI Library Board Officers**

#### **A. Number and Powers**

Officers of the Library Board shall be a president, vice president and secretary. Each of the officers shall have such powers and duties prescribed by the Ohio Revised Code as well as these Bylaws or other actions of the Library Board to the extent that the Bylaws or said actions are consistent with the Ohio Revised Code.

#### **B. Elections** (revised 7/08/2014)

At the organizational meeting in December of each year, the Library Board shall select from its membership, officers who shall each serve for a term of one year or until the board's next organizational meeting. A nominating committee appointed by the president shall present a slate of officers at the December meeting. Additional nominations may be made from the floor.

# **ADAMS COUNTY PUBLIC LIBRARY**

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### **Article VI Library Board Officers ... cont'd**

#### **C. President**

The president shall preside at all meetings of the Library Board, authorize calls for special meetings, appoint committees and committee chairs with the consent of the board, serve as an ex officio member of all committees, and generally perform all duties associated with that office.

The president shall execute on behalf of the Library Board, and when approved by it, all such instruments of conveyance, assignment, transfer, contract, indebtedness, or lease as, in order to be effective, must be executed by an officer or member of the board other than or in addition to the fiscal officer and all written reports, applications, and statements which law or governmental regulations require to be executed and filed on behalf of the board by an officer or member of the board other than or in addition to the fiscal officer or the executive director.

#### **D. Vice President**

In the absence or unavailability of the president or the president's declination to act, the vice president shall have all the powers and duties of the president, except as otherwise provided by law.

#### **E. Secretary**

The secretary shall preside in the absence of the president and vice president. In the absence or unavailability of the fiscal officer, the secretary shall prepare and sign the minutes of the meetings of the library board and certificates evidencing resolutions or actions of the board and, when required, shall attest to the signatures and authority of the president, vice president, or executive director and cosign instruments and writings executed by any of them.

### **Article VII Library Board Committees**

#### **A. Number (revised 1/12/05)**

The standing committees of the Library Board shall be an Executive Committee, a Planning Committee, an Audit Committee, and a Records Commission. In addition there shall be such temporary (ad hoc) committees as the board shall determine to be necessary or advisable. The president of the board shall be an ex officio member of each committee and the chair of each committee shall be a member of the board appointed by the president with the consent of the board.

# **ADAMS COUNTY PUBLIC LIBRARY**

## **SECTION 1.200 – BYLAWS**

### **Article VII Library Board Committees ... cont'd**

#### **B. Powers**

Except by the express approval or action of the Library Board, no committee shall have authority to make any decision upon any matter, business or policy, within the power or responsibility of the board itself.

Any report or recommendation of a committee to the Library Board shall be deemed advisory only, and no member of the board, whether or not a member of the committee, shall be bound or controlled by any action, report, or recommendation of a committee.

A report of all committee meetings shall be presented to the Library Board at its next regular meeting, and a copy of the minutes of said committee meeting shall be filed with the fiscal officer.

#### **C. Executive Committee**

The Executive Committee shall be comprised of the officers of the Library Board. The committee shall be responsible for overseeing the effective operation of the board, setting trustee performance standards, and designing and conducting the recruitment, interview process and orientation of new trustees, the executive director and the fiscal officer.

#### **D. Planning Committee**

The Planning Committee shall be responsible for working closely with the executive director and management staff in reviewing a planning process that meets the needs of the library and in general recommending to the full board strategic directions, plans and services of the library.

#### **E. Records Commission**

The Records Commission shall be responsible for reviewing and recommending the disposal of records according to provisions of the Ohio Revised Code and policies adopted by the Library Board (See Library Policy Sections 1.510 and 1.520)

#### **F. Audit Committee (revised 1/12/05)**

The Audit Committee shall serve as a focal point of communication between the Library Board, auditors and management. The Audit Committee shall assist the board in fulfilling its responsibilities relative to accounting policies and reporting practices of the ACPL and the sufficiency of auditing relative thereto. [See Audit Committee Charter in Library Policy Section 1.43]

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### **Article VIII Executive Officers**

#### **A. Fiscal officer**

The fiscal officer shall be the chief financial officer of the library and shall be legally accountable for the proper maintenance of financial records, bookkeeping procedures, and legal expenditure of all library funds.

The fiscal officer shall also be responsible for the receipt, investment and disbursement of library funds and for seeing that expenditures are properly encumbered or earmarked.

#### **B. Executive Director**

The executive director shall be the chief administrative officer of the library and accountable to the Library Board for the design and implementation of library services and programs within board policies and available appropriations.

The development of program goals, budget requests and appropriation recommendations shall be the executive director's responsibility. The executive director shall continually advise the fiscal officer regarding program and planning information so that informed financial decisions can be made.

The executive director shall be authorized to hire temporary help, substitute employees and entry-level personnel without prior approval of the board.

The executive director shall be authorized to dispose of obsolete equipment and adjust library inventory accordingly.

### **Article IX Library Board Meetings**

#### **A. Organizational Meeting** (revised 7/08/2014)

The Library Board shall hold an organizational meeting in December of each year, at the West Union Public Library and at a date and time agreed upon by a majority of the members. At the organizational meeting, the board shall elect its officers, appoint its fiscal officer and deputy fiscal officer and fix the bonds thereof, fix the date and time for its regular monthly meeting, and conduct such other business of an organizational nature as may come before the board.

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### **Article IX Library Board Meetings ... cont'd**

#### **B. Regular Meetings**

The regular meetings shall be held each month, the date and hour to be set by the Library Board at its organizational meeting or subsequent meetings as necessary. The locations for regular meetings shall be rotated in the following order: Manchester, North Adams, Peebles and West Union, with the January meeting being held at Manchester. The order of business shall be set by the executive director and board president and shall provide for public participation.

#### **C. Special Meetings**

Special meetings of the Library Board may be called at any time by vote of the board or by the president or vice president.

#### **D. Meeting Notices**

Meeting date(s) shall be posted in the libraries at least one week in advance, except that in the event of a special or emergency meeting the notice shall be posted as soon as possible after the meeting is called.

#### **E. Quorum**

Four persons, a majority of the full membership of the Library Board, shall constitute a quorum for the transaction of business, provided that in the absence of a quorum those present may adjourn the meeting until such time as a quorum is present.

#### **F. Voting**

Except when a larger vote is required by law, all actions of the Library Board shall require the affirmative vote of a majority of those members present. When a motion is made and seconded to adopt a resolution authorizing the purchase or sale of real or personal property or the adoption of the annual budget or appropriations, or upon the request of any member of the board, the fiscal officer shall call the roll of the members of the board and enter into the minutes of the meeting the names of those voting “yea”, those voting “nay” and those abstaining.

#### **G. Rules of Order**

Where not otherwise governed by law or these Bylaws, the proceedings of Library Board meetings shall be in accordance with *Roberts Rules of Order* as currently revised and published at the time of the meeting.



# **ADAMS COUNTY PUBLIC LIBRARY**

## **SECTION 1.200 – BYLAWS**

### **Article IX Library Board Meetings ... cont'd**

#### **H. Meeting Minutes**

Only minutes approved by the Library Board shall be released for public information. Upon request, the fiscal officer may release a copy of uncorrected minutes with such copies clearly marked as “Unofficial Copy.”

### **Article X Finances**

#### **A. Appropriations**

The Library Board shall approve annual appropriations to the object level of all appropriation accounts. The executive director and fiscal officer shall be authorized to assign funds to cost centers within specific object levels for purposes of management and control.

The fiscal officer shall be authorized to make appropriation amendments as necessary and report those amendments to the board for approval at the next regular meeting of the board.

#### **B. Investments**

The fiscal officer shall be authorized to make investments and deposits in accordance with the Investment Policy adopted May 16, 2002 and annually reviewed thereafter by the Library Board. [See Investment Policy – Section 1.41]

#### **C. Expenditures**

The Annual Appropriation Resolution approved by the Library Board empowers the fiscal officer and executive director to expend the funds required for operation of the library. However, the following shall be submitted individually to the board for prior approval:

1. Non-recurring or initial expenditures in excess of \$2,500.00;
2. Reassignment or creation of responsibilities, which results in the addition of staff positions; or
3. Any special circumstances, at the discretion of the executive director. (revised 1/10/07)

Cash-drawer and petty cash box allowances for each building shall be set as necessary by the executive director who shall develop staff procedures for reconciling and reporting fund activity as required by the fiscal officer. (revised 2/14/2007 retroactive to 1/10/2007)

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### **Article X Finances**

#### **C. Expenditures ... cont'd**

The executive director shall be authorized to approve reimbursements for lodging, meals, and incidental expenses using the current Per Diem Rate guidelines set by the U.S. General Services Administration. Mileage reimbursement shall be according to rates as set periodically by the Internal Revenue Service (revised 6/08/05) or as set by action of the board.

After appropriate reconciliation of invoices, the fiscal officer may pay all invoices when received. A report of all such payments shall be presented to the board at the next regular meeting for purposes of review. (revised 2/09/05)

#### **D. Bonding**

A bond in the amounts and with a surety approved by the Library Board shall be executed covering the fiscal officer, deputy fiscal officer and all other employees.

#### **E. Checks**

All checks drawn upon the accounts of the Adams County Public Library shall bear the signature of the fiscal officer or the deputy fiscal officer and the facsimile signature of the board president. The fiscal officer shall develop appropriate procedures for limiting access to the facsimile signature. (revised 10/13/04)

### **Article XI Conflict of Interest**

No member(s) of the Library Board shall have any pecuniary interest in any contract entered into by the board (ORC 3375.35).

This Library Board subscribes to the tenets contained in “A Statement of Ethics for Library Trustees” developed by the American Library Trustee Association. (See Appendix A)

### **Article XII Amendments**

These Bylaws may be amended at any meeting by the affirmative vote of a majority of the full membership of the Library Board, provided that a notice of the proposed amendment shall have been given with the notice of the meeting.

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### ***APPENDIX A***

#### **A STATEMENT OF ETHICS FOR LIBRARY TRUSTEES**

Trustees must promote the highest level of library service while observing ethical standards.

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

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.

A trustee must respect the confidential nature of library business while being aware of and in compliance with that particular state's freedom of information act.

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 appointment to a library board are expected to perform the duties and responsibilities of a trustee.

***Endorsed by the Board of Directors of the American Library Trustee Association and the Public Library Association, July 1985.***