

ELK RAPIDS DISTRICT LIBRARY

BYLAWS

ARTICLE I - Establishment and Purpose of Bylaws

Section 1. Establishment. The Elk Rapids 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.

ARTICLE II - Membership

Section 1. Board Members. Pursuant to the DLEA, the Library Board of the Library (“Library Board”) shall consist of eight (8) members (“Board Members”) to be appointed as provided in the Elk Rapids District Library Organizational Plan, as amended. As set forth in the Plan, Board Members shall serve terms of four (4) years. All terms begin on March 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.

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 March 1 and ending the following February 28, or 29 in a Leap Year.

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.

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 regular meeting in February of the Library Board. The terms shall begin on March 1. 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 President, in which case the Vice-President shall assume the duties of the office for the remainder of the unexpired term. A successor Vice-President shall be elected to fill the vacancy so created in that office.

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, execute any document authorized by the Library Board (unless otherwise provided by the authorization), is the official spokesperson for the Board, 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.

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. 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.

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 of the fiscal year. 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 first regular meeting in March of each calendar year, 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 Director to all Board Members at least three (3) days before the meeting.

Section 5. Quorum. A quorum for the transaction of business shall consist of the majority of Library Board Members appointed and serving.

Section 6. 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.

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 committees as follows:

- A. *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.
- B. *Standing Committees*. The standing committees of the Library Board shall consist of less than a quorum of the Library Board. Committees shall convene on the call of its President or Library Director and, when ready or requested by the President, report their findings at a regular or special Library Board meeting.

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 Treasurer;
- 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 January 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

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.