

# VIGO COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES BY LAWS

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## ARTICLE I IDENTIFICATION

Section 1. The name of this Board is the “Board of Trustees” of the Vigo County Public Library, hereinafter referred to as “the Board”. The VIGO COUNTY PUBLIC LIBRARY will be hereinafter referred to as “the VCPL”.

Section 2. The geographic territory and boundaries of the VCPL and the taxed library district shall consist of the entire County of Vigo, in the State of Indiana.

## ARTICLE II AUTHORITY AND PURPOSE

Section 1. The Board shall govern the VCPL, a municipal corporation separate and distinct from other civil or municipal corporations, and CLASS 1 library organized under the public library provisions, according to the purposes and authority set forth in IC 36-12, as amended, and such other Indiana and federal laws as affect the operation of the VCPL.

Section 2. The purpose of the VCPL is to provide open access for all to information, programs, resources, and services to enrich the quality of life in the Vigo County community. The library services provided by the VCPL are supported by public funds and include collecting and organizing library materials, providing reference and referral, and the provision of related library services to library patrons.

Section 3. Members of the Board shall serve without compensation, except that the Treasurer may be paid, per IC 36-12-2-21 and may be a paid VCPL staff member. A Board member may not serve as a paid employee of the VCPL.

Section 4. The Board may engage legal counsel as needed for legal advice. The President of the Board or the library director may request the legal opinions of legal counsel for any matter which comes within the jurisdiction of the Board, and shall report the opinion to the Board.

## ARTICLE III PERSONNEL

Section 1; The Board shall select a librarian who holds a certificate under IC 36-12-11 to serve as the director of the VCPL. The selection shall be made solely upon the basis of the candidate’s training and proficiency in the science of library administration. The Board shall fix the

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compensation of the director, prescribe his or her powers and duties, and determine the term and tenure in office. The director, as the administrative head of the library, is responsible to the Board for the operation and management of the VCPL, per IC 36-12-2-24(a).

Section 2. The director shall have the authority to write and enforce administrative regulations or procedures governing the VCPL which logically stem from adopted and approved Board policies. Such regulations or procedures shall be consistent with the policies of the Board.

Section 3. Among the duties of the Director, unless otherwise directed by the Board, but not in limitation thereof, are:

- responsibility for the care of the building(s) and equipment
- the supervision, employment and direction of the staff
- the efficiency of the library's provision of service to the public
- the administration of the long range strategic plan and short term goals
- the operation of the library under the financial conditions set forth in the annual budget

Section 4. The Director shall attend all Board meetings, except those at which her/his appointment, salary, or performance is to be discussed or decided. The Director shall report to the Board upon request all activities of the VCPL under his or her direction.

## ARTICLE IV CONFLICTS OF INTEREST

Section 1. Board members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity, and honor. Board members shall promote a high level of service observing ethical standards. Board members shall not use the VCPL for personal advantage or the personal advantage of friends or relatives and shall avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the institution.

Section 2. Board members will declare any conflict of interest between their personal life and their position on the VCPL Board and avoid voting on issues that appear to be a conflict of interest. It is incumbent upon any Board member to disqualify or recuse himself/herself from voting immediately whenever the appearance of a conflict of interest exists.

Section 3. If a long term conflict of interest exists, the Board member shall complete the Uniform Conflict of Interest Disclosure Form annually.

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## ARTICLE V NEPOTISM

Section 1. The VCPL will not employ the spouse, child, parent, or sibling of the Director or these relatives of any member of the Board.

## ARTICLE VI AMENDMENTS

Section 1. These bylaws may be amended or repealed at any regular meeting or special meetings called for that purpose by the Board or its President, with a quorum present, by a majority vote of the members present.

Section 2. Amendments shall be proposed one month in advance of voting and a copy provided to each Board member at least 15 days before the meeting.

Section 3. Amendments may be proposed by any member of the Board.

Section 4. The amendments for each year shall be submitted to the Indiana State Library upon submission of the annual report.

## ARTICLE VII MEMBERSHIP

Section 1. Members of the Board shall be appointed pursuant to IC 36-12-2-9, and as follows:

CLASS 1 Library (County Library)	Appointing Authority
Trustee 1 IC 36-12-2-11	Vigo County Council
Trustee 2 IC 36-12-2-11	Vigo County Council
Trustee 3 IC 36-12-2-11	Vigo County School Corporation School Board
Trustee 4 IC 36-12-2-11	Vigo County School Corporation School Board
Trustee 5 IC 36-12-2-11	Vigo County School Corporation School Board
Trustee 6 IC 36-12-2-11	Vigo County Commissioners
Trustee 7 IC 36-12-2-11	Vigo County Commissioners

## ARTICLE VIII OFFICERS

Section 1. Officers of the Board shall be a President, Vice President, Secretary, and Treasurer, per IC 36-12-2-22 and IC 36-12-2-23.

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Section 2. The officers shall be elected by ballot at the August meeting for a term of one year, per IC 36-12-2-23.

Section 3. Vacancies in any office shall be filled by election at the next regular meeting of the Board after the vacancy occurs.

Section 4. Any officer may be removed from office before the expiration of the term of office for cause by the affirmative vote of at least a majority of the members of the Board then in office, at any regular meeting of the Board or at any special meeting of the Board called for that purpose.

Section 5. The duties of the officers shall be such as by custom and law, including IC 36-12-2-22 et seq. and the rules of this Board usually devolve upon such officers in accordance with their titles.

Section 6. The President shall preside at all Board meetings, appoint committees deemed necessary, certify all bills allowed by the Board, sign all warrants on the Treasurer for the payment of money, enforce the observance of these rules, and perform such other duties as pertain to the office of the President and are necessary to carry out the wishes of the Board, subject to the public library laws, as amended.

Section 7. The Vice-President shall perform all duties incumbent upon the President during the absence or disability of the President, and shall perform such other duties as may be required by law, these Bylaws or as prescribed by the VCPL Board, and in general shall have all the powers and duties customarily vested in the office of Vice-President, subject to the public library laws, as amended.

Section 8. The Secretary shall record all proceedings of the Board and countersign all warrants on the Treasurer for the payment of money; shall notify the proper appointing powers of vacancies on the Board, such notice shall be given when possible, two weeks before the vacancy occurs; shall certify the rate of taxation as determined by the Board to the County Auditor, and see that the levy is properly made and recorded; shall keep a record of attendance at Board meetings, and if any member is absent without reasonable excuse from six consecutive meetings for any cause other than illness, it shall be the duty of the Secretary to inform the appointing authority that the member is not serving the best interests of the VCPL and should be replaced by someone who will take an active part in the work.

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Section 9. In addition to duties outlined in IC 36-12-2-22, the Treasurer shall be responsible for and keep a detailed account of receipts and expenditures and be responsible for monthly reports and an annual report of receipts and expenditures; shall deposit all funds in accordance with the provisions of law and as may be directed by the Board and its Board of Finance, shall sign all warrants approved by the Board; in general shall have all the powers and duties customarily vested in the office of Treasurer, subject to the public library laws, as amended; will be responsible for and keep one key to the lock box at Terre Haute First Financial Bank, and the second key shall be maintained in the VCPL safe. The Treasurer shall provide a corporate surety bond in the amount prescribed by the Board for the faithful execution of duties and the accurate accounting of all funds and securities, the cost of which bond, including the cost of filing and recording, shall be paid from the VCPL operating fund.

## ARTICLE IX MEETINGS

Section 1. The Board shall meet monthly on the third Monday of each month at 5:30 PM in the meeting room complex of the main library facility at One Library Square.

Section 2. The August meeting of the Board shall be the annual meeting, per IC 36-12-2-23.

Section 3. The full Board and its officers constitutes the Board of Finance and shall meet annually in January, after the first Monday and on or before the last day of January, to review finances and depositories, per IC 5-13-7-5 et seq.

Section 4. Regular, special and executive session meetings will be publicized and conducted in accordance with the Open Door Law of Indiana (IC 5-14-1.5).

Section 5. Special meetings may be called by the President, or upon written request of two (2) members, for the transaction of business as stated in the call, per IC 36-12-2-23. Notice stating the time and place of any special meeting and the purpose for which called shall be given each member of the Board at least 2 days in advance of such meeting and to the local media 48 hours in advance, excluding holidays and weekends, per ID 5-14-1.5-5.

Section 6. A quorum for the transaction of business shall consist of a simple majority, which is equal to 50% of the seats established by law plus one, regardless of any current vacancies on a library's boards.

Section 7. The order of business shall be:

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Call to order  
Public input on agenda items  
Reading and approval of minutes  
Reading and approval of financial report and approval of claims (bills)  
Reports to the Board from staff or outside individuals  
Report of the Library Director  
Old Business  
New Business  
Public input (optional)  
Adjournment

Section 8. Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Board.

## ARTICLE X COMMITTEES

Section 1. Special committees for conducting projects undertaken or adopted by the Board, and for study and investigation of proposed projects, may be appointed by the President as occasion demands, such Committee to serve until completion of the tasks for which it was appointed or until sooner terminated by the President or the Board. Committees shall have such powers and duties as may be prescribed to them by the Board, subject to the limitations of the public library laws. All committee members need not be members of the Board, but such committee shall have at least one (1) Board member serving on that committee.

## ARTICLE XI INDEMNIFICATION OF BOARD MEMBERS

Section 1. The VCPL shall maintain an adequate level of liability insurance coverage for Board members and Board officers. Each Board member and Board officer of the VCPL now or hereafter serving as such, shall be indemnified by the library against any and all claims and liabilities to which said person has or shall become subject by reason of serving or having served as such board member or officer, or by reason of any action alleged to have been taken, omitted or neglected by such person as such board member or board officer; and the VCPL shall reimburse each such person for all legal expenses reasonably incurred by said person in connection with any such claim or liability, provided, however, that no such person shall be indemnified against or be reimbursed for any expense incurred in connection with or any claim or liability arising out of said person's own willful misconduct or gross negligence. The right of indemnification herein above provided shall not be exclusive of any rights to which any Board member or officer of the VCPL may otherwise be entitled by law. The VCPL's obligation to

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indemnify any person shall be conditioned upon that person giving timely written notice to the library of the claim or action for which the indemnification is sought. Failure to give such notice releases the VCPL of all obligation of indemnification.

## ARTICLE XII POLICIES, PLANS, RULES, AND REGULATIONS

Section 1. The Board complies affirms and complies with all applicable federal, state, and local laws including but not limited to the following:

- Americans with Disabilities Act
- Federal employment law
- Indiana laws governing municipal corporations
- Indiana library law
- Indiana public library standards
- Indiana public librarian certification
- Indiana library and historical department law
- Building or health and safety codes

Section 2. In addition to operating in accordance with these Bylaws and the laws of the State of Indiana, the Board shall adopt policies, plans, rules, and regulations to govern its operations, and may affirm policies, plans, rules and regulations proposed by the Library Director for the management and administration of the VCPL, as required by 590 IAC 6-4(d), 590 IAC 6-1-4(e) and 590 IAC 6-1-4(h).

## ARTICLE XIII REVIEW OF BYLAWS

Section 1. The bylaws shall be reviewed at the August meeting and the secretary shall affix the date of review to the bylaws for audit as well as indicating the action in the minutes.

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Duly adopted by unanimous vote of the Vigo County Public Library Board of Trustees at their meeting held on March 17, 2014, as evidenced by each member's signature below.

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**Henry J. Metzger**

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**Terry W. Jones**

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**William R. Bruce**

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**Beth Christ**

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**Patricia J. Minnis**

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**Valentine K. Muyumba**

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**Christi A. Fenton**