



Lincoln Township Public Library

Lincoln Township Public Library Board of Trustees By-Laws

Table of Contents:

Article I: Legal Authority.....	page 2
Article II: Board Membership	page 3
Article III: General Responsibilities	page 4
Article IV: Officers.....	page 5
Article V: Meetings.....	page 7
Article VI: Standing Committees.....	page 8
Article VII: Code of Ethics.....	page 9
Article VIII: Financial.....	page 10
Article IX: Library Director.....	page 10
Article X: Amendments.....	page 11
Appendix A: Code of Ethics Agreement.....	page 12



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Article I Legal Authority

Section 1 Establishment. The Lincoln Township Public Library was authorized and established by Lincoln Township, Berrien County Michigan, in 1959, according to the provisions under Section 10 of the Michigan Public Act 164 of 1877.

Section 2 Board of Directors. As authorized by 1877 P.A. 164, *as amended* the Lincoln Township Public Library is a Board of Directors made up of elected members from Lincoln Township. The Board of Directors is designated in these By-Laws as the “Board of Trustees,” and each director is designated as a “Trustee.”

Section 3 Scope of Authority. Legal responsibility for the operation of the Library is vested in the Board of Trustees. In accordance with its legal authority, the Lincoln Township Public Library may do one or more of the following:

- 3.1** Establish, maintain, and operate a public library for the residents of Lincoln Township.
- 3.2** Establish policies by which the library shall be administered.
- 3.3** Appoint and remove officers from its members.
- 3.4** Appoint, annually evaluate, and remove a Library Director and determine his / her duties and compensation.
- 3.5** Determine the budget, strategic plan, and secure adequate funding for the Library.
- 3.6** Receive, invest, appropriate, and approve the expenditures of all money that Lincoln Township Public Library shall be legally entitled to receive.
- 3.7** Authorize and accept an annual audit conducted by a Certified Public Accountant.
- 3.8** Supervise and control Library property, including the selection, purchase and maintenance of the Library collections, building, and equipment.
- 3.9** Do anything reasonably necessary or appropriate for conducting, maintaining, operating, promoting and advancing the Library and its current strategic plan.

3.10 Enter into contracts necessary or appropriate for the operation of the Library, including to receive Library-related services from, or give Library-related services to, a municipality.

3.11 The Library will comply with pertinent federal and state laws affecting the Library, including the Open Meetings Act, Freedom of Information Act, and USA Patriot Act. In the case of the latter, the Library Director shall receive and reply to a federal search warrant or court order or other directive as designated by the Board.

3.12 The Library endorses the American Library Association’s “Library Bill of Rights” as adopted on June 18, 1948 (amended January 23, 1980) and “Freedom to Read” statement as adopted on June 25, 1953 (revised June 30, 2004).

Article II

Board Membership

Section 1 Members. The Lincoln Township Public Library Board of Trustees shall consist of six members, selected as follows.

Section 2 Terms of Office and Appointments. Every four (4) years, six (6) trustees are elected for four (4) year terms. The candidates shall be nominated and elected on a nonpartisan ballot. The Library Board shall fill a vacancy in a Trustee position by appointment of a person to hold office until the next election (see Article II, Section 7).

Section 3 Orientation. The President shall ensure that all new Board members shall receive an introduction to the Library, its facilities, staff, and services prior to their first Board meeting. Each member shall receive a training manual which includes at least, but not only, the Library’s:

- a. Mission statement
- b. Bylaws and policy statements
- c. Latest audited financial statements and current budget
- d. Organizational chart
- e. Calendar of events
- f. Previous six (6) months of meeting minutes and Director reports
- g. Contact information for members
- h. Board committees and committee membership

Section 4 Meeting Attendance. Members shall be expected to attend all meetings except as they are prevented by a valid reason.

Section 5 Reimbursement of Expenses. Trustees will serve without compensation. However, the Library shall, upon submission of receipts and any other documentation

requested by the Board, reimburse Trustees for proper travel and other expenses incurred in carrying out their assigned duties as members of the Board.

Section 6 Resignation. Resignation from the Board of Trustees shall be by written letter submitted to the President of the Board. The resignation shall be effective upon receipt of such notice by the President.

Section 7 Vacancy. In the event a resignation or other vacancy occurs during the term of any Board member, the Board shall appoint a new member to serve the remainder of the term. The Board shall select the new member from a list of candidates determined by placing a notice as determined by the Board and posted on the Library's website. Candidates must meet the requirements for membership.

Candidates shall be asked to submit a letter of interest to the Board President and shall be interviewed by the Board or an ad hoc board interview committee. The appointment will be considered based on balanced board needs. The names of the approved candidate or candidates shall be submitted to the full board for acceptance. The appointment shall be by majority vote of the remaining board members.

7.1 Disqualification and Removal. The Board reserves the right to fill the vacancy of a trustee position. The Board reserves the right to remove a Trustee for any of the following reasons:

- a. The Trustee ceases to qualify as a resident of Lincoln Township.
- b. The Trustee is absent from regular meetings of the Board for three (3) consecutive months without being authorized by the Board President.
- c. The Trustee fails to comply with the Board's ethical standards.

7.2 Ethical Standards. Trustees shall respect the confidential nature of library business while also maintaining compliance with applicable laws governing Freedom of Information. Trustees shall sign a Code of Ethics Agreement at their first board meeting. (Appendix A)

Article III

General Responsibilities of the Lincoln Township Library Board of Trustees

In addition to the responsibilities detailed elsewhere in these bylaws, each Trustee shall:

Section 1 Abide by these bylaws and all Library policies including, but not limited to, the Library's Conflict of Interest statement, Code of Ethics, and signed confidentiality requirement.

Section 2 Understand and support basic Library tenets including, but not limited to, the Library Bill of Rights, Freedom to Read / View, Intellectual Freedom, and Customer Privacy Rights.

Article IV Officers

Section 1 Board Membership. Officers must be members of the Board throughout their term in office.

Section 2 Officers. Officers shall consist of a President, Vice President, Secretary and Treasurer. No member shall hold more than one office at the same time.

Section 3 Nominations. An ad hoc nominating committee shall be appointed biannually by the President at the regular Board meeting in October. The nominating committee shall consist only of Board members. The nominating committee shall present a slate of recommended candidates to the Board at the November regular meeting. Additional nominations may be made by any member at the November regular meeting.

Section 4 Election. The election of officers shall be held during the first regular Board meeting in November of each year.

Section 5 Term. Officers shall serve a term of two years. Terms shall run from December 1st to November 30th of the following year.

Section 6 Removal. Any officer may be removed for any reason, at any time, by a majority vote of the entire Board.

Section 7 Vacancies. Vacancies shall be filled by a vote of the Board at the next regular meeting of the Board. The newly elected officer shall complete the remainder of the term vacated.

Section 8 The Duties of the Officers shall be as follows.

8.1 President

- Shall act on behalf of the Board of Trustees and represent the Library Board at all official functions.
- Shall preside at all meetings of the Board of Trustees.
- Shall appoint all standing and ad hoc committees and participate as an ex-officio member as desired.
- Shall call special or emergency Board meetings.
- Shall prepare meeting agendas in coordination with the Library Director.
- Shall execute or cause to be executed all documents authorized by the Board.
- Shall present, along with the Personnel Committee, the Library Board's annual evaluation of the Library Director's performance to the Library Director.

- Ensure that all Library Board members have the opportunity for fair participation in Library Board meetings and that all sides of an issue are fully considered.
- Speak, deliberate, vote, or abstain from voting on any matter that comes before the Library Board.

8.2 Vice President

- Shall perform all the functions of the President in his/ her absence or disability.
- Work closely with the President and accept responsibilities as delegated by the President.
- Is a signatory on all financial documents and checks.
- Shall fill remaining term of President upon resignation, removal, or death of the President.

8.3 Treasurer

- Shall chair the Finance Committee, and as such, perform duties as delegated by this committee.
- Shall report on the state of the funds at each regularly scheduled board meeting.
- Shall assist the Library Director in preparing yearly audits of Library funds at the direction of the Board. The auditor shall certify their findings to the Board upon completion of the audit.
- Shall have custody of all Library funds, and such funds shall be deposited in such bank or banks as the Board shall direct.
- Shall assist the Library Director in preparing an annual budget, prior to the start of the fiscal year, for approval of the Board.
- Shall review bills as presented for payment each month's meeting.
- Is a signatory on all financial documents and checks.
- Shall be duly bonded by a bonding company acceptable to the board.

8.4 Secretary

- Shall keep a true and accurate account of all proceedings of regularly scheduled Board meetings. This responsibility may be discharged with the assistance of appropriate library personnel.
- Shall present the minutes of the previous regular or special meeting at each Board meeting, and shall make any additions or corrections to the minutes.
- Shall make available Board draft minutes to the public within five (5) business days after the meetings.
- Shall draft minutes for all closed sessions of the Library Board and disseminate those minutes to the Library Board for approval.
- Sign all approved closed session Library Board minutes, and seal and retain those minutes in accordance with Michigan's Open Meetings Act.
- Call the roll for the Library Board as necessary.

Article V Meetings

Section 1 Regular Meetings. Regular meetings of the Board shall be held ten times per year at the Lincoln Public Library. Board meetings shall be open to the public except when dealing with confidential matters.

Section 2 Annual Meeting. The March regular meeting shall be considered the Board's annual meeting.

Section 3 Special Meetings. Special meetings may be called by the President, or upon written request by four (4) members, for the transaction of business stated in the notice or call for the meeting. No business shall be transacted at such special meeting except as stated in the notice or call for the meeting.

Section 4 Notices for Special Meetings. Notices for special meetings shall be given and posted at the Library and Lincoln Charter Township Hall, in accordance with the Open Meetings Act (Public Act No. 267 of 1976) before each such special meeting.

Section 5 Order of Business. The Order of Business at regular meetings may be as follows:

- a. Call to Order
- b. Roll Call
- c. Agenda Revisions
- d. Public Comment
- e. Approval of Secretary's Report
- f. Approval of Treasurer's Report
- g. Report of Committees
- h. Report of Director
- i. Old Business
- j. New Business
- k. For the good of the Library
- l. Adjournment

Section 6 Agendas. An agenda for each regular meeting shall be prepared by the Board President and Library Director. The agenda shall be given or sent electronically to each Trustee at least three (3) days prior to each regular meeting.

6.1 Trustees may place an item on the agenda by contacting the President.

6.2 Additions to the agenda at a regularly scheduled meeting are allowed if approved by at least two of the Board.

Section 7 Public Comment. Members of the public may address the Board during those portions of the agenda specified for public comment. During the public comment of a regular

meeting, a person must provide his or her name and township prior to speaking. The speaker may be limited to three (3) minutes unless the time limit is waived by the President.

Section 8 Schedule. A schedule of regular meetings for the year, including the dates, times, places and locations will be posted in the Library following the November meeting of the preceding year.

Section 9 Quorum. A quorum for the transaction of business shall consist of four (4) members of the board. Where a quorum is not present within twenty (20) minutes after the start time for the meeting, the Secretary shall record the names of the Board members present and the meeting shall stand adjourned until the next regular meeting or until a special meeting is called.

Section 10 Voting. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board. The President may vote upon and may move or second a proposal before the Board.

Section 11 Parliamentary Procedure. All meetings shall be conducted in accord with these by-laws or in accord with Roberts Rules of Order as to any matters not covered by the By-Laws.

Article VI Standing Committees

Section 1 Establishment of Standing Committees. The Board may establish one or more standing committees to address ongoing issues that affect the library. The duties of each standing committee will be as designated by the Board from time to time.

Section 2 Authority of Standing Committees. Each standing committee shall have advisory powers only, unless by appropriate delegation of authority in these By-Laws or by Board resolution, the Board specifically empowers a standing committee to act on its behalf. Each standing committee shall present recommendations to the Board. The Board shall be free to reject, accept, or modify and committee recommendations.

Section 3 Appointment of Members. Each standing committee shall consist of the President (ex officio) and two (2) members of the Board appointed by the President. However, the Board may remove any member from a standing committee by majority vote. Each board member will serve as a chair of one committee and a member of another committee. Committee terms are two years, to align with the officer election cycle.

Section 4 Standing Committees. The following standing committees are established:

4.1 Finance Committee. The duties of this committee shall include assistance in the preparation and presentation of the annual budget to the Board, assistance in seeking adequate support for the budget, monitoring grant possibilities and activity, recommending investments, and monitoring budget activity throughout the fiscal year.

4.2 Patron, Community and Government Relations. The duties of this committee shall be to monitor and recommend positions on Legislation affecting library matters, recommend resolution of patron issues, serve as a liaison with Friends of the Library, and maintain awareness of and communication with library co-op.

4.3 Personnel. The duties of this committee shall include advising the Board in the following areas: policies to govern the operation, collection, and programs of the library; and to direct the annual performance evaluation and compensation of the Library Director.

4.4 Building, Landscape, and Technology. The duties of this committee shall include recommending facility changes, furnishings updates, technology changes and budgets, and landscaping additions or changes.

4.5 Strategic Planning and Marketing. The duties of this committee shall include monitoring the long-range plan to ensure that the Library's goals and objectives are being implemented and to develop and coordinate the marketing plan to support strategy benefitting the library's goals.

Section 5 Committee Schedule. Each standing committee shall meet in accordance with a schedule established by the committee chairperson and the Library Director.

Section 6 Committee Reports. At each meeting of the Board of Trustees, each committee chairperson may deliver a verbal report and / or recommendation to the Board with respect to the activities of the committee. The Secretary shall record the report in the monthly minutes.

Section 7 Ad Hoc Committees. Special committees for the study and investigation of particular problems may be appointed by the President, with the approval of the Board, to serve until the completion of the project for which it was appointed. These committees shall be known as Ad Hoc Committees. All Ad Hoc committees are advisory only and have no decision-making authority.

Article VII Code of Ethics

Section 1 The Lincoln Township Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library Board, promote public confidence, and further the attainment of library goals. The Board has determined that it is in the Library's

best interests to adopt a code of ethics setting forth the following standards of conduct required of all Library Board members. Board members will sign this Code of Ethics document at the first meeting of each member's term of office. The signed documents will reside in the office of the Library Director. (Article III)

Article VIII Financial

Section 1 Fiscal Year. The fiscal year for the library shall be April 1st to March 31st. The Library shall be funded by, but not limited to: property and other taxes; penal fines; state, township and federal grants; financial interest; and donations. Real and personal library property shall be under the care of the Library Board.

Section 2 Budget. The proposed budget shall be presented to the Board at the regular February meeting. The annual budget meeting shall be held at the March meeting at which time the budget for the previous year shall be reconciled, and the budget for the new year beginning April 1st shall be adopted.

Section 3 Emergencies. The President of the Board of Trustees, in what he or she reasonably believes to be an emergency, may unilaterally contract for expenditures necessary to preserve the Library building and / or contents and the proper functioning thereof. The President may delegate, at his or her discretion, this authority to the Library Director.

Article IX Library Director

Section 1 Appointment. The Board of Trustees shall appoint a qualified Library Director. The Director shall be the chief executive and administrative officer of the Library under the direction and review of the Board and subject to the policies established by the Board.

Section 2 Compensation. The Board of Trustees shall determine the Director's compensation.

Section 3 Duties. Among the duties and responsibilities of the Library Director are those of hiring personnel: directing, supervising, and disciplining of all staff members; monthly and annual reports as required by the Board; and recommending such policy and procedures that will promote the efficiency and services of the library. The Director shall attend all board meetings but shall not have the right to vote.

Section 4 Evaluation. The Director will be reviewed on an annual basis by the Board and the Staff, and additionally as deemed necessary by the Board.

Article X Amendments

Section 1 Amendment. These By-Laws may be amended at any regular meeting of the Library Board with a quorum present, by majority vote of the members present, providing the amendment was stated in the notice or call for the meeting or at the previous meeting. The rules and regulations of the Library may be altered, repealed, or added to at any meeting of the Board, if a majority of the members present vote in favor thereof.

Section 2 Effective Date. Amendments shall become effective immediately upon approval by the Board unless the Board specifies an alternative effective date.

Amended October 29, 1979
Amended December 18, 2006
Amended September 29, 2008
Amended December 16, 2008
Approved March 15, 2011
Amended December 5, 2017
Amended December 2, 2020

Appendix A
Code of Ethics Agreement



**Lincoln Township
Public Library**

**Lincoln Township Public Library
Board of Trustees Code of Ethics**

The Lincoln Township Public Library Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library Board, promote public confidence, and further the attainment of library goals. The Board has determined that it is in the Library's best interests to adopt a code of ethics setting forth the following standards of conduct required of all Library Board members.

1. **Mission and Policies:** A trustee shall abide by and support the mission statement of the Library and the policies adopted by the Board.
2. **Matters before the Board:** A trustee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Library Board of Trustees.
3. **Confidential Information:** No trustee shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in a closed session of the Board of Trustees.
4. **Board Action:** Unless delegated by the Board, a trustee has no individual authority to bind the Board. Board decisions may only be made by a majority vote at an open meeting. A trustee shall abide by a majority decision of the Board even if he/she personally disagrees and shall take no public or private action that compromises or disparages Board decisions and actions.
5. **Participation:** A trustee shall participate in official Board discussions and decisions and reach conclusions after deliberation and full public debate with fellow trustees in a public meeting.
6. **Improper Influence:** A trustee shall not improperly influence or attempt to improperly influence other officials, including fellow trustees, to act at his/her behest. A trustee shall follow only legal and ethical procedures to bring about desired changes.
7. **Cooperation:** A trustee shall work cooperatively and effectively with governmental agencies, political subdivisions, and other organizations in order to further the interests of the Library.
8. **Gifts:** No trustee shall directly or indirectly solicit, accept, or receive any money or gift, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality or any other form, under circumstances in which it could reasonably be inferred that the money or gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

9. Complaints: A trustee shall not act on complaints from the public or staff on library matters but shall refer complaints to the Library Director. Unresolved complaints may be taken up for Board action if a policy revision is necessary or legal consequences result.
10. Investments in Conflict with Official Duties: No trustee of the library shall invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.
11. Private Employment: No trustee of the library shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
12. Use of Library Property: No trustee shall use or permit the use of property, owned or leased by the Library, for anything other than official purposes or for activities not otherwise officially approved by the Library Board of Trustees.

I have read the Lincoln Township Public Library Board of Trustees Code of Ethics (LTPL Policy 5.12), which was provided to me. I understand that the purposes of this code are to increase the effectiveness of the library's decision-making process, to enable library constituents to have confidence in the library's integrity, and to further library goals.

I understand that this code is meant to be a supplement to good judgment, and I will respect its spirit as well as its wording.

Signature

Print Name

Date