



**THE BOARD TRUSTEES OF THE
ST. CHARLES PUBLIC LIBRARY DISTRICT
KANE AND DUPAGE COUNTIES, ILLINOIS**

ORDINANCE 2019/2020 – 3

**AN ORDINANCE ESTABLISHING PROCEDURES FOR
THE ST. CHARLES PUBLIC LIBRARY DISTRICT**

BE it ordained by the Board of Trustees of the St. Charles Public Library District as follows:

I. TRUSTEES

Section 1. Election

Trustees shall be elected every two years at the regular election scheduled for public library district trustees under the Election Code. Seven trustees shall constitute a Board (75 ILCS 16/30-10).

Section 2. Term of Office

Trustees serve for six-year terms and until their successors are elected and qualified. Terms shall be staggered according to state law. The terms of all trustees shall begin on the third Monday of the month next following the month of the election (75 ILCS 16/30-10).

Section 3. Duties and Powers

The Board of Trustees shall carry out the spirit and intent of the Illinois Public Library District Act in establishing, supporting, and maintaining a public library or libraries within the district and for providing library service. In addition, and without limiting other powers set forth in the Act, the Board shall have the powers set forth by law (75 ILCS 16/30-55 - 55.100).

Section 4. Vacancies

All vacancies shall be filled forthwith in accordance with law.

Section 5. Removal from Office

Vacancies shall be declared in the office of trustee by the Board in accordance with law.

Section 6. Indemnification

Trustees and Officers acting in good faith in any capacity at the request of the Library and for the benefit of the Library shall be indemnified by the Library against judgments, fines and other liabilities unless covered by insurance, according to the terms of the Library's Resolution of Indemnification.

Section 7. Conflict of Interest

No Officer or Trustee of the St. Charles Public Library District may be in any manner interested, either directly or indirectly, in his own name or in the name of any person,

association, trust or corporation, in any contract or the performance of any work in the making or letting of which such officer or Trustee may be called upon to act or vote. No such officer or Trustee may represent, either as agent or otherwise, any person, association, trust or corporation, with respect to any application or bid for any contract of work in regard to which such officer or Trustee may be called upon to vote. Nor may any such officer or Trustee take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value as a gift or bribe or means of influencing his vote or action in his official character. Any contract made and procured in violation thereof is void. However, any officer or Trustee may provide materials, merchandise, property, services, or labor, if under appropriate conditions, as enumerated in 50 ILCS 105/3. Further, all actions, votes, and performances of any officer or Trustee of the St. Charles Public Library District shall be in compliance 50 ILCS 105/3-4.5 and are subject to such penalties as the law provides.

Section 8. Ethics Statement

The Board subscribes to the ALA Ethics Statement for Public Library Trustees. The Board also enacted Ordinance 2003/2004-9: Ethics Ordinance in accordance with the State Officials and Employees Ethics Act (Public Act 93-615, as amended by Public Act 93-617) and appointed a Library Ethics Commission.

Section 9. Compensation of Trustees

The trustees shall be compensated for their actual and necessary expenses incurred in the performance of their duties from District funds. (75 ILCS 16/30-30)

II. OFFICERS

Section 1. Officers

The officers of the Board shall be a President, Vice-President/Secretary and Treasurer.

Section 2. Duties

PRESIDENT: The President shall be the executive Officer of the Board. The President shall preside at all meetings, sign all contracts and other papers authorized by the Board, see that all Ordinances and other actions of the Board are enforced; and exercise general supervision of all elected and appointed officers and employees, and over the business and property of the Library District, subject to such regulations as may be adopted by the Board of Trustees. The President shall not have veto powers.

VICE-PRESIDENT/SECRETARY: The Vice-President, in the absence of the President, or in the event of the President's refusal or inability to act, shall be vested with the powers and perform the duties of the President.

The Secretary shall keep and maintain appropriate records for his or her term in office and shall include therein a record of the minutes of all meetings, the names of those in attendance, the ordinances enacted, resolutions, rules and regulations adopted, and all other pertinent written matter as affect the operation of the district. The records shall be subject to an audit by two other Trustees appointed by the President and shall be conducted each fiscal year, and the audit report filed not later than the 30th day of September in each year. Such report shall certify as to the accuracy of the records of the Secretary, their completeness, and list the discrepancies, if any.

TREASURER: The Treasurer shall receive and safely keep all monies belonging to the Library District in depositories approved and designated by the Board, in the name of the Library District or in such other investments as may be authorized by law, and shall disburse the same only upon the authority of the Board. He/she shall make monthly reports to the Board of all receipts and disbursements and shall submit at the Annual Meeting of the Board a detailed statement showing all receipts and disbursements during the preceding year. Before entering upon his/her duties as Treasurer, the Treasurer shall give a bond with sureties to be approved by the Board. The amount of the bond shall be based upon a minimum of 50% of the total funds received by the District in the last previous fiscal year. The Board of Trustees shall order an independent audit of the Treasurer's accounts to be filed with the Board not later than September 30 of each year for the prior fiscal year. Annual audit and financial report requirements shall conform with Section 3 of the Government Account Audit Act (50 ILCS 310).

Section 3. Additional Duties of Officers

In addition to the duties herein before specified, each officer shall perform such other duties as may be required of him or her by law or by the Ordinance or the Resolutions of the Board.

Section 4. Election and Appointment of Officers

All Officers shall be chosen by the Trustees at the Organizational Meeting hereinafter provided for, and at such other times as a vacancy occurs, and following the election procedure in Addendum B.

Section 5. Terms of Office

Officers shall take office immediately and hold office until the next Organizational meeting and until their successor is chosen and has qualified according to law.

Section 6. Vacancies

Vacancies may be filled at any regular or special meeting of the Board, and in case of the temporary absence or inability of any Officer to act as such, the Board may fill the office pro tempore.

III. COMMITTEES

Section 1. Appointing of Ad Hoc

The President shall appoint ad hoc committees of two (2) or more members each for such specific purposes as the business of the Board may require from time to time. The Committee shall be considered to be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board.

Section 2. Standing Committees

There are four (4) standing committees:

Audit: By law, the Board President must appoint two trustees to audit the Secretary's records each year and upon change of Secretary. The Audit committee also reviews closed minutes of executive sessions twice a year and recommends action to the Board.

Facilities: Deliberates and makes recommendations concerning building and grounds maintenance and improvement, as well as acquisition and maintenance of major equipment. Recommends and reviews capital development plan.

Finance: Makes recommendations concerning financial policies and salaries. Oversees maintenance of accurate and complete financial records. Monitors financial condition. Evaluates financial conditions of, and makes recommendations for, Library depositories. Recommends and monitors investments according to Library investment policy. Monitors insurance coverage. Recommends budget, appropriation, levy and relevant documents. Recommends and reviews financial resource goals and development, including funding to support capital development plan. Recommends and evaluates auditor.

Policy: Reviews and makes recommendations concerning Board development and Library non-financial policies such as bylaws, personnel, and selection. Identifies Board membership needs, identifies and recruits prospective candidates, orients new Trustees, and encourages Board education and involvement in public library trustee organizations. Makes recommendations concerning staff development. Responsible for Board self-assessment and evaluation of Library Director.

The standing committees are appointed at the organizational meeting by the President and shall consist of three (3) members and the Director. The committees at their first meeting shall appoint a chairperson.

Section 3. Powers

No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.

IV. MEETINGS

Section 1. Definition

All meetings shall comply with the Illinois Open Meetings Act, which defines a meeting as a gathering of a majority of a quorum of the Trustees for the purpose of discussing Library business.

Section 2. Quorum

A quorum shall consist of four (4) Trustees. A majority of those present shall determine the vote taken on any question unless a larger majority is required by law.

Section 3. Time and Place of Regular Meetings

Regular meetings of the Board shall be held on the 2nd Wednesday of each month, except August, at 7:00 o'clock in the evening. The meetings of the Board shall be held at the St. Charles Public Library unless otherwise noted in the annual notice. Meetings may be held at any other place with the consent of not less than four (4) Trustees following public notice as required by law. At the beginning of each calendar year the Board shall, by ordinance, specify regular meeting dates and times.

Section 4. Special Meetings

Special meetings may be called by the President or the Secretary or by any four (4) Trustees with notice to all Trustees within reasonable time.

Section 5. Public Notice

Public notice of all meetings shall be given in accordance with the Illinois Open Meetings Act (5 ILCS 120/1 et seq).

Section 6. Annual Meeting

The Annual Meeting of the Trustees shall be held in September for the purpose of approving the annual reports and audit.

Section 7. Organizational Meeting

An Organizational Meeting shall be held within seventy-four (74) days after the election of Trustees or such other time as set by state law, for the purpose of electing Officers and appointing standing committees (75 ILCS 16/30-40).

Section 8. Minutes

Written minutes shall be kept for all meetings, whether open or closed. Such minutes shall include the date, time and place of the meeting; the names of all Trustees recorded as absent or present; a summary of discussion on all matters proposed, deliberated, or decided; and a record of any votes taken.

Section 9. Ordinances and Reports

All Ordinances, regulations, and Resolutions (orders, reports and proceedings) shall be in writing. The handling of an Ordinance shall be processed (published, posted, etc.) according to statute (75 ILCS 16/1-40).

Section 10. Manner of Vote

The ayes and nays shall be taken upon the passage of Ordinances and upon all propositions to create any liability or for the expenditure or appropriation of money, and in all cases at the request of any Trustee, and shall be entered upon the journal of the proceedings. All votes on any question shall be ayes and nays and spread of record by the Secretary. Absentees and abstentions from voting shall be noted.

Section 11. Rules of Order

Robert's Rules of Order shall govern in all questions of procedure not herein provided for.

Section 12. Order of Business

The order of business at the regular meetings shall be as follows:

- A. Call to order
- B. Roll call, recording both present and absent.
- C. Welcome of guests
- D. Additions or corrections to the Agenda
- E. Approval of Consent Agenda
 - a. Minutes
 - b. Treasurer's Report
- F. Approval of Invoices
- G. Trustee Recognition
- H. Approval of Director's report
- I. Approval of Committees' reports
- J. Communications and citizens' comments – On Agenda Items
- K. Trustee Comments

- L. Unfinished business
- M. New business
 - a. Communication and Citizen's Comments – On Non-Agenda Items
- N. Monthly Reports
- M. Adjournment

V. LIBRARY DIRECTOR

The Board shall appoint a qualified Director who shall be the executive and administrative officer of the Library on behalf of the Board and under its review and direction. Refer to the approved Job Description reviewed annually by the Board. The Director serves at the will of the Board and may be terminated for cause at any time.

VI. CONTRACTS AND DISBURSEMENTS

Section 1. Contracts

All contracts for supplies, materials, or labor involving an expenditure in excess of Twenty Five Thousand dollars (\$25,000) shall be let to the lowest responsible bidder after publication of notice and according to the Library's Public Bidding Policy. One copy shall be kept in the Library's Administration office and the other shall be given to the contractor.

Section 2. Financial Liability

No Trustee, Committee, Officer, or employee shall be authorized to create any financial liability on behalf of the Board unless it shall first be approved in nature and amount by the Board.

Section 3. Orders for Payment

All orders for the payment of money shall be signed by two of three authorized signers. The three authorized signatures are: President, Treasurer, and Director.

Section 4. Authorization to Pay Expenditures

The Board shall approve all expenditures of library funds. In all cases, a list of individual checks shall be submitted to the Board for approval. Approval shall be prior to payment of obligations with the following exceptions:

Items pre-approved when the annual Budget and Appropriation is passed.

Salaries of employees, whose employment and salary rate have previously been approved by the Board.

Recurring expenditures of a set amount or consumables for which the rate of payment has been set by the Board, including the following recurring expenses: utility bills, lease or rent payments, mortgages, and subscriptions to periodicals and like recurring payments, the original purchase of which has been approved by the Board.

Routine and ordinary minor and petty expenses of individual amounts under \$5,000 each, which shall be listed for the Board's after-the-fact approval at the next Board meeting.

Emergency expenditures of a good faith nature necessary for public safety, preventing hardship, or protecting property and guarding against individual injury.

VII. REVIEW OF BYLAWS

These Bylaws will be reviewed by the Board at least every three years.

VIII. AMENDMENT OF BYLAWS

These bylaws may be amended or rescinded at any regular meeting of the Board by a majority vote of all Trustees, provided the amendment or rescission has been submitted in writing at the previous regular meeting.

IX. WHEN ORDINANCE TAKES EFFECT REPEAL OF PRIOR ORDINANCES

This Ordinance shall be in full force and effect from and after its passage and approval according to law, and any resolutions or ordinances in conflict therewith are hereby repealed; and should any part of this ordinance be adjudged invalid or unconstitutional, such adjudication shall affect only the part of this act specifically covered thereby and shall not affect any other provisions or parts of this act, which shall be severable therefrom.

BYLAW ADDENDUM A

Re: Electronic Participation at Board Meeting Rules

Section 1. Rules Statement. It is the decision of the Board of Library Trustees, St. Charles Public Library District, Kane and DuPage Counties, Illinois (“the Board”) that any member of the Board may attend any open or closed meeting of the Board via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.

Section 2. Prerequisites. A member of the Board may attend a meeting electronically if the member meets the following conditions: A quorum is physically present throughout the meeting; and, a majority of the members present votes to approve the electronic attendance at the meeting.

(a) The member should notify the Library Director at least 24 hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for electronic attendance.

(b) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting,

(1) The member cannot attend because of personal illness or disability; or

(2) The member cannot attend because of employment purposes or the business of the St. Charles Public Library District; or

(3) The member cannot attend because of a family or other emergency.

(c) The Library Director, after receiving the electronic attendance request, shall inform the Board President of the request for electronic attendance.

(d) A member may not attend electronically more than half of the regularly scheduled meetings held in a calendar year without a physician’s attestation that the member is physically unable to attend.

Section 3. Voting Procedures. After a roll call establishing that a quorum is physically present, the presiding officer shall call for a motion that a member may be permitted to attend the meeting electronically after specifying the reason entitling the absent member to attend electronically. The motion must be approved by a vote of a majority of the members present.

Section 4. Adequate Equipment Required. The member participating electronically and other members of the Board must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the Board shall provide equipment adequate to accomplish this objective at the meeting site.

Section 5. Minutes. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.

Section 6. Rights of Remote Member. A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the Secretary and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

Section 7. Committees, Boards and Commissions. These rules shall apply to all committees, boards and commissions established by authority of the Board.

ELECTRONIC ATTENDANCE REQUEST

I hereby request to electronically attend the meeting of the Board of Library Trustees, St. Charles Public Library District, Kane and DuPage Counties, Illinois on _____, 20__, at _____ p.m.

I am eligible to participate electronically because of [check one]:

- _____ (1) personal illness or disability
- _____ (2) employment purposes or business of the public body
- _____ (3) a family or other emergency

During the meeting, I will be at the following location:

and reachable at the following phone number:

Signature of Member

Date

OR

Request received by: _____ phone _____ email _____ fax _____ other

Signature of Library Director

Date

BYLAWS ADDENDUM B

Procedures for the Nomination and Election of the Officers of the Board of Trustees

Officers

Officers of the Board of Trustees of the St. Charles Public Library District shall be chosen at the organizational meeting of the Board at such other times as a vacancy occurs, and shall be as follows: President, Vice-President/Secretary, and Treasurer.

Nomination

The method of nomination shall be from the floor, or “open nomination,” and shall proceed as follows:

1. The Chair (President) shall call for nominations for different offices in the order in which the offices are listed in the bylaws by saying “Nominations are now in order for the office of President.”
2. A member need not be recognized by the Chair to make a nomination:

Member: “I nominate Mr. A.”
Chair: “Mr. A is nominated. Are there any further nominations?”
3. No second is required, although a nomination is an assumed motion “that _____ be elected” to the specified position.
4. The Chair repeats each nomination in this way until all nominations for the office have been made.
5. No one can nominate more than one person for a given office, if any objection is made, until every member wishing to nominate has had an opportunity to do so.
6. If there are no more nominations, the Chair declares that nominations are closed without waiting for a motion to that effect:

Chair: “Are there any further nominations for President? If not . . . nominations are closed.”
7. After nominations have been closed, a majority vote is required to reopen them.
8. Voting for that office shall take place after the nominations for the office have been closed.

Election

Election shall be by responding with ayes and nays, with the majority determining the results. The following procedure shall be observed:

1. Following the close of nominations for an office:

Chair: “As many as are in favor of Mr. A (the first nominee) for President say aye . . . Those opposed say nay . . . The ayes have it and Mr. A is elected President.”

2. When one of the nominees receives a majority vote, the Chair declares him elected and nays are taken on the remaining nominees for that office.
3. If the nays are in the majority:
Chair: “The nays have it and Mr. A is not elected. Those in favor of Mr. B (the next nominee) say aye . . . Those opposed say nay . . .”
4. When only one nominee is put up, the Chair can take a voice vote, or he can declare that the nominee is elected, thus affecting the election by general consent or “acclamation.” The motion to close nominations should not be used as a means of moving the election of the candidate in such a case.

(These procedures are based upon Robert’s Rules of Order, Newly Revised [Robert’s Rules Assn., 1970], from which portions of the above are taken verbatim).

Time at which an election takes effect

An officer-elect shall take possession of his office immediately upon his election’s becoming final if the candidate is present and does not decline, or absent and has consented to his candidacy.

If the candidate is absent, his election becomes final when he is notified of his election, if he does not immediately decline. If the candidate does decline, the election to fill the vacancy will take place immediately or at the next regularly scheduled board meeting.

Appointment of committee members

The Treasurer shall be the Chairman of the Finance Committee. Other members of the Finance Committee are to be appointed by the President.

The President shall have the duty to appoint all other committee chairperson and members.

Authorization to sign checks and bank withdrawals

Immediately after the officers take possession of their offices, they are authorized to sign checks and bank withdrawals on the following library financial accounts.

The necessary authorization forms shall be filled out at this time.

The Treasurer, who retains permanent authority to sign checks and bank withdrawals, also shall sign the necessary authorization forms at this time.

ORDINANCE 2019/2020 – 3

Ordinance 2019/2020 – 3: Establishing Procedures for the St. Charles Public Library District

Adopted this 9th day of October, 2019 pursuant to a roll call vote as follows:

AYES: Hill, Steimle, Hampton, Gobel, Gephart, Kaluzsa, Frost

NAYS: None

ABSENT: None

ABSTAINING: None

Robert T. Gephart, President
Board of Trustees
St. Charles Public Library District

ATTEST:

Karen L. Kaluzsa, Secretary
Board of Trustees
St. Charles Public Library District

CERTIFICATE

I, Karen L. Kaluzsa, DO HEREBY CERTIFY that I am the duly elected, qualified, and serving Secretary, and as such am keeper of the books and records of THE BOARD OF LIBRARY TRUSTEES OF THE ST. CHARLES PUBLIC LIBRARY DISTRICT, KANE AND DUPAGE COUNTIES, ILLINOIS; and

I DO FURTHER CERTIFY that the above attached Ordinance for “Establishing Procedures for the St. Charles Public Library District” is a true and correct copy of said ordinance which was presented, passed, and recorded by said Board at their Board meeting on October 9, 2019 by a vote of:

AYES: Hill, Steimle, Hampton, Gobel, Gephart, Kaluzsa, Frost

NAYS: None

ABSENT: None

ABSTAINING: None

Karen L. Kaluzsa, Secretary
Board of Trustees
St. Charles Public Library District

(SEAL)