



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

ORDINANCE 2022/2023 –6

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

BE it ordained by the Board of Library Trustees of the St. Charles Public Library District (the Board) 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. Terms shall be staggered according to state law. The terms of all Trustees shall begin no earlier than 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 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 Library District (the Library) 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 in accordance with the law.

Section 5. 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 6. Conflict of Interest

No Officer or Trustee of the Library may be in any manner interested, either directly or indirectly, in their 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 their vote or action in their 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 Library shall be in compliance 50 ILCS 105/3-4.5 and are subject to such penalties as the law provides.

Section 7. Ethics Statement

The Board subscribes to the ALA Ethics Statement for Public Library Trustees. The Board also enacted Ordinance 2003/2004-8: Ethics Ordinance in accordance with the State Officials and Employees Ethics Act (ILCS 430/1-1) and appointed a Library Ethics Commission.

Section 8. Compensation of Trustees

The Trustees shall be compensated for their actual and necessary expenses incurred in the performance of their duties from Library 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, subject to such regulations as may be adopted by the Board. 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 their 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 Library. 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 in depositories approved and designated by the Board, in the name of the Library or in such other investments as may be authorized by law, and shall disburse the same only upon the authority of the Board. They shall make monthly reports to the Board of all receipts and disbursements.

Before entering upon their duties as Treasurer, either a bond or insurance policy must be secured in the Treasurer's name which provides coverage for negligent or intentional acts. The coverage, whether bonded or insured, shall be in the amount equal to at least 50% of the Library's annual operating fund. The Board shall order an independent audit of the Treasurer's accounts to be filed with the Board in accordance with applicable state statutes. Annual audit and financial report requirements shall conform with the Governmental Account Audit Act (50 ILCS 310).

Section 3. Additional Duties of Officers

In addition to the duties specified, each Officer shall perform such other duties as may be required of them by law or by the Ordinances or Resolutions of the Board.

Section 4. Election and Appointment of Officers

All Officers shall be chosen by the Trustees at the Organizational Meeting and at such other times as a vacancy occurs.

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. Officer 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 three (3) or more Trustees for such specific purposes as the business of the Board may require from time to time. A 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. 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 an external 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. Responsible for Board self-assessment and evaluation of the Library Director.

The standing committees are appointed at the Organizational Meeting by the President and shall consist of three (3) Trustees 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 of the Board 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 monthly, except August. The meetings of the Board shall be held at the Library. Meetings may be held at another location convenient to the public 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. 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 7. 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 8. 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 9. 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 10. Rules of Order

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

Section 11. Meeting Agenda

The following items should be included in the regular meeting agenda:

- 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. Approve the Form and Content of Closed Session Minutes
- G. Approval of Invoices
- H. Approval of Library operational reports
- I. Approval of Committees' reports
- J. Communications and citizens' comments – On Agenda Items
- K. Trustee Comments
- L. Unfinished business
- M. New business
- N. Communication and citizen's comments – On Non-Agenda Items
- O. 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 the Board's review and direction. Job duties of the Director are outlined in the Board approved job description. The Director serves at the will of the Board.

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. Certain contracts may be exempt from competitive bidding requirements (75 ILCS 16/40-45).

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 signatories. The three authorized signatories are: President, Treasurer, and Director.

Section 4. Authorization to Pay Expenditures

The Board shall approve all expenditures of Library funds. 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:

- a. Items pre-approved when the annual Budget and Appropriation is passed
- b. Salaries of employees
- c. 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
- d. Routine and ordinary minor 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
- e. 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 proposed amendment or rescission has been submitted in writing at the previous regular meeting.

IX. ELECTRONIC PARTICIPATION AT BOARD MEETINGS

Section 1. Rules Statement

Any Trustee 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 Bylaws and any applicable laws.

Section 2. Prerequisites

A Trustee may attend a meeting electronically if they meet the following conditions: A quorum is physically present throughout the meeting; and, a majority of the Trustees present vote to approve the electronic attendance at the meeting.

- a. The Trustee 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 Trustee must assert one of the following three reasons why they are unable to physically attend the meeting:
 1. The Trustee cannot attend because of personal illness or disability; or
 2. The Trustee cannot attend because of employment purposes or the business of the Library; or
 3. The Trustee 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 Trustee may not attend electronically more than half of the regularly scheduled meetings held in a calendar year without a physician's attestation that the Trustee 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 Trustee may be permitted to attend the meeting electronically after specifying the reason. The motion must be approved by a vote of a majority of Trustees present.

Section 4. Adequate Equipment Required

A Trustee participating electronically and other Trustees 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 Trustee attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting. The meeting minutes shall reflect whether each Trustee is physically present or present by electronic means.

Section 6. Rights of Remote Trustee

A Trustee permitted to attend electronically will be able to comment during the meeting and participate in the same capacity as those physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. A Trustee attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any Trustee attending electronically shall be called during any vote taken, and their vote counted and recorded by the Secretary and placed in the minutes for the corresponding meeting. A Trustee attending electronically may leave a meeting and return, provided the Trustee attending electronically shall announce their 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.

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.

Ordinance 2022/2023 –6: Establishing Bylaws for the St. Charles Public Library District, adopted this 12th day of April, 2023 pursuant to a roll call vote as follows:

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

NAYS: None


ABSENT: None

ABSTAINING: None



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

ATTEST:



Karen L. Kaluzsa, Secretary
Board of Library 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 Bylaws 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

April 12, 2023 by a vote of:

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

NAYS: None

ABSENT: None

ABSTAINING: None



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

(SEAL)