

# By-Laws of the Bartholomew County Public Library Board of Trustees

## Article I - Identification

Section 1. The name of this Board is the "Board of Trustees of the Bartholomew County Public Library", hereinafter referred to as "the Board." The Bartholomew County Public Library will be hereinafter referred to as "the Library".

Section 2. Geographical boundaries of the Library and taxed library district include all of Bartholomew County, Indiana with the exception of the town of Edinburgh, Indiana.

## Article II - Authority and Purpose

Section 1. The Board shall govern the Library, a municipal corporation 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 Library.

Section 2. Members of the Board (Trustees) shall serve without compensation, except that the Treasurer may be paid, per IC 36-12-2-21. A Board member may not serve as a paid employee of the public library.

Section 3. Necessary travel and/or meal expenses of any Board member incurred in the interest and business of the library may be reimbursed out of library funds, per policy or board resolution. Such expenses on behalf of the Library shall be approved by the Board.

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 library board shall select a librarian who holds a certificate under IC 36-12-11 to serve as the director of the library. 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 compensation of the director. The director, as the administrative head of the library, is responsible to the board for the operation and management of the library, per IC 36-12-2-24(a)

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

Section 3. The director shall be held responsible for the care of the buildings and equipment, for the employment and direction of the staff, for the efficiency of the library's service to the public, for the administration of the long range plan and short term goals, and for the operation of the library under the financial conditions set forth in the annual budget.

Section 4. The director shall attend all library Board meetings, except those at which her/his appointment, salary, or performance is to be discussed or decided.

## 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.

Section 2. Board members shall promote a high level of service while observing ethical standards.

Section 3. Board members 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 4. Board members will not use the library for personal advantage or the personal advantage of friends or relatives.

Section 5. Board members will declare any conflict of interest between their personal life and their position on the Library 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 6. If the possibility of a long-term conflict of interest exists, the Board member shall complete the Uniform Conflict of Interest Disclosure Form annually.

## Article V – Nepotism

Section 1. The Library will not employ the spouse, child, parent, or sibling of the Director.

Section 2. The Library will hire employees based on their experience, skills and merit. If a family member of a Board member or current staff member is interested in a position with the Library, that person will apply through standard channels.

Section 3. No immediate family member of a current staff member will be considered for a position wherein one member would have supervisory duties over the other.

## Article VI – Amendments

Section 1. These bylaws may be amended at any regular meeting of the Board by majority vote of the members.

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 sent to the Indiana State Library upon submission of the annual report.

## Article VII – Membership

Section 1: Members of the Board are appointed for staggered 4-year terms beginning on April 18 of the appointment year.

Section 2. Members of the Board shall be appointed pursuant to IC 36-12-2-9 for a Class 1 library (county library), and are as follows:

two (2) by the Bartholomew County Council

two (2) by the Bartholomew County Commissioners

two (2) by the board of the Bartholomew Consolidated School Corporation

one (1) by the board of the Flat Rock-Hawcreek School Corporation

## 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.

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

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

Section 4. Any officer may be removed by the Board at any regular or special meeting by a majority vote of the entire membership of the Board.

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 Board meetings, appoint committees, 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.

Section 7. The Vice-President shall perform the duties of the President in the absence of the latter.

Section 8. The Secretary shall record all proceedings of the Board and countersign all warrants on the Treasurer for the payment of money; shall certify the rate of taxation as determined by the Library 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 notify the board if any member is absent without reasonable excuse from six consecutive meetings.

Section 9. In addition to duties outlined in IC 36-12-2-22, the Treasurer shall sign all warrants approved by the Board.

## Article IX – Meetings

Section 1. The Board shall meet monthly. The Board shall set the meeting days for the coming year during the first annual meeting. The December meeting shall be the annual meeting, per IC 36-12-2-23.

Section 2. 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 3. 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 4. 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 IC 5-14-1.5-5

Section 5. A quorum for the transaction of business shall consist of a simple majority, which is equal to 4 of the 7 appointed board members, regardless of any current vacancies on the library's board.

**Sec.6. In accordance with IC 5-14-1.5-3.5, Library board members may participate in meetings electronically as long as the Library uses technology that permits simultaneous communication between**

Board members and that also permits the public to simultaneously attend and observe the meeting. The Library is not required to permit the public to attend executive sessions held electronically.

Board members attending electronically may be counted present for quorum purposes and may vote on matters presented before the board. However, the Board member must be able to be both seen and heard in order to participate in any final action (vote). All votes taken at during a meeting with electronic attendees must be taken by roll call vote.

At least four Board must be present in person at each meeting.

Board members may not attend more than half of the library board meetings during any given year electronically unless the reason is due to:

- a. military service;
- b. illness or other medical condition;
- c. death of a relative; or
- d. an emergency involving actual or threatened injury to persons or property.

Electronic participation in meetings is not permitted if the Board is attempting to take final action to:

- a. Adopt a budget;
- b. Make a reduction in personnel;
- c. Initiate a referendum;
- d. Establish or increase a fee;
- e. Establish or increase a penalty;
- f. Use eminent domain authority; or
- g. Establish, raise, or renew a tax.

Technology failures during the meeting will not prevent the meeting from continuing and will not invalidate board actions or votes as long as there is a quorum of Board members still able to participate and as long as the voting requirements of the Board by-laws are met.

Meeting memoranda (minutes) for a meeting where a Board member attends electronically must:

- a. state the name of each Board member
- b. who was present in person;
- c. who attended the meeting by electronic means; and
- d. who was absent, and
- e. identify the electronic communication mechanism used for the meeting.

In accordance with IC 5-14-1.5-3.7, during Disaster Emergencies declared by the Governor or Local Government Officials, the Board may meet completely electronically until the disaster or emergency is terminated. During such disaster emergencies, the Board may meet using any form of electronic communication as long as the meeting meets the following criteria:

- a. At least a quorum of the board are participating in the meeting either in person or electronically;
- b. the public is able to simultaneously attend and observe the meeting (unless it is an executive session); and
- c. votes are taken by roll call vote.

Meeting memoranda for an electronic meeting during a disaster emergency must:

- a. state the name of each board member who attended electronically and who was absent; and
- b. identify the electronic communication mechanism used for the meeting.

Section 6. If a statute requires a manual signature for attesting or authenticating an obligation issued by the library (bond, note, warrant, or other obligation), an electronic signature will have the same force and effect as a manual signature.

Section 7. Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Board.

## Article X – Committees

Section 1. Committees may be appointed by the President, with the approval of the Board. Committees may include but are not limited to: Scholarships, Director Annual Review.

Section 2. Special committees for the study of special problems may be appointed by the President, with the approval of the Board, to serve until the final report of the work for which they were appointed has been filed at a regular library Board meeting.

Section 3. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act. All committee reports and/or recommendations shall be submitted in writing upon request. Reports of committees shall be signed by at least two members thereof.

Section 4. Committees may have citizen members, as deemed appropriate for their purpose by the Board.

## Article XI - Indemnification of Board Members

Section 1. Member of the Board are covered by insurance including: Blanket Bond, Treasurer's Bond, Crime coverage, Directors, Officers, Trustees, and Organization Liability, and Employment Practices Liability

## Article XII - Policies, Plans, Rules, and Regulations

Section 1. 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 Library, as required by 590 IAC 6-1-4(d), 590 IAC 6-1-4(e) and 590 IAC 6-1-4(h) .

Section 2. Bartholomew County Public Library adheres to applicable federal, state, and local laws including, but not limited, to the following:

- a. Americans with Disabilities Act
- b. Federal employment law
- c. Indiana laws governing municipal corporations
- d. Indiana library law (IC 36-12)
- e. Indiana public library standards (590 IAC 6)
- f. Indiana public librarian certification (590 IAC 5)
- g. Indiana Library and History Department law (IC 4-23-7)
- h. Local building, health, and safety codes

Section 3. The Board adopts library policies including, but not limited to collection development, principles of access and employment.

Section 4. The library's long-range plan and technology plan are adopted by the board according to the schedules in the public library standards (590 IAC 6-1-4(h)).

Section 5. Policies, plans, rules, and regulations shall be compiled and organized in a electronic file

known as "Bartholomew County Public Library Policies and Procedures".

Section 6. Selected policies may be published on the Library's web site.

## Article XIII - Review of Bylaws

Section 1. The bylaws are reviewed every three (3) years beginning in 2014 as required by 590 IAC 6-1-4(g).

Section 2. The updated bylaws will be forwarded to the Indiana State Library.

Adopted July 14, 2014  
Reaffirmed February 12, 2018  
Revised June 14, 2021