

BY-LAWS OF THE HAMILTON EAST PUBLIC LIBRARY BOARD OF TRUSTEES

Article 1

Revocation of Previous By-laws

Sec. 1. Any By-laws previously adopted by the Hamilton East Public Library Board and/or its predecessors are hereby revoked.

Article 2

Authority

Sec. 1. This organization shall be called The Board of Trustees of the Hamilton East Public Library, existing by virtue of the provisions of Indiana Code 36-12 of the laws of the State of Indiana and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute. The Board of Trustees will ensure compliance with Indiana Library Standards as set out in Article 6 of Indiana Administrative Code (590 IAC 6-1-4).

Sec. 2. Individuals who have resided in any of the four townships making up the library district of Hamilton East Public Library for at least 2 years are eligible for appointment as Library Trustees for one four-year term with the possibility of reappointment to three additional terms by statutory governmental appointing authority pursuant to IC 36-12-2-9 and 36-12-2-18.

Sec. 3. The library board is made up of seven trustees. Two each are appointed by the Hamilton County Council, the Hamilton County Commissioners, and the Noblesville School Board, and one is appointed by the Hamilton Southeastern School Board.

Article 3

Meetings

Sec. 1. The regular meeting of the Hamilton East Public Library Board shall be held on the fourth Thursday of each month or other day agreed upon in meeting by a majority of board members.

Sec. 2. The regular meeting in August of each year shall be the annual meeting for election of officers.

Special meetings may be called at the direction of the president, at the request of four members of the Board, or at the request of the library director for the transaction of business as stated in the call for the meeting.

Sec. 3. Meetings shall comply with IC 5-14-1.5 (Open Door Law) with respect to regular meetings, special meetings and executive sessions [IC 5-14-1.5-2(f)].

Article 4

Quorum

Sec. 1. The presence of four members of the board at a meeting shall constitute a quorum. Voting by proxy is not allowed.

Article 5 Officers

Sec. 1. Officers shall be the President, Vice-President, Secretary, Treasurer, and Assistant Secretary/Treasurer each of whom shall be elected at the regular annual meeting in August to serve for one year beginning at 12:01 a.m. on September 1. Each officer shall be a member of the board except the Treasurer does not need to be. In case of vacancy, the board shall, at the next meeting, elect a member to fill the unexpired term.

Sec. 2. The President shall preside at the board meetings, appoint committees, enforce observance of the rules, and perform such other duties as pertain to his/her office and are necessary to carry out the wishes of the board.

Sec. 3. The Vice-President shall perform the duties of the President in the latter's absence.

Sec. 4. The Secretary shall ensure that the following duties are performed:

- Accurate minutes are recorded and maintained of all meetings of the board and its committees and all votes recorded in a manner required by State law.
- Appointing authorities are notified if possible two months before a board position becomes vacant.
- Record is kept of attendance at board meetings
- Attest to the veracity of certain documents created by the board.

If any member is absent without reasonable excuse from four consecutive regular meetings or during one year is absent from a total of seven meetings, it shall be the duty of the Secretary to inform the officer or body that appointed said member that he/she (the member) is not serving the best interests of the public library and should be replaced by someone who will take active part in the work; but this rule may be suspended by the unanimous consent of all members of the board. The President may appoint an Acting Secretary in the event the Secretary or Assistant Secretary/Treasurer is unable to perform his/her duties.

Sec. 5. The Treasurer shall see that detailed accounts are kept of receipts and expenditures, sign all warrants for the payment of money, initial or sign all claim forms, see that an annual report of receipts and expenditures is prepared and make certain that the next year's tax levy has been properly made and recorded.

Sec. 6. The President, Secretary, Treasurer, Assistant Secretary/Treasurer or Acting Secretary shall sign the Budget Submission Letter and Certificate and Resolution of Tax Rates form and the Notice to Taxpayers of Budget Estimates and Tax Levies form and/or others as required by the State of Indiana.

Article 6 Committees.

Sec. 1. The standing committees of the board shall be a Finance Committee, a Buildings and Grounds Committee, a Long Range Planning Committee, and a Nominating Committee, each to consist of three members and to be appointed at or before the second regular meeting of the year (October), or, in the case of vacancies created by resignation, etc. at or before the

second regular meeting after such vacancy occurs. The President shall be an ex-officio member of the Buildings and Grounds Committee.

Sec. 2. The Finance Committee shall monitor the financial affairs of the library generally. It shall also counsel the library director in the preparation of annual budgets of expenditures and recommend to the board at an appropriate meeting the rate of taxation that will be necessary to maintain the library for the ensuing year.

Sec. 3. The Buildings and Grounds Committee shall work with the director on all matters pertaining to the general care of the building and grounds including heating, lighting, insurance, etc. and submit major items for the approval of the full Board.

Sec. 4. The Long Range Planning Committee shall work with the director to develop a plan of goals and objectives for library service which shall be submitted for board approval.

Sec. 5. The Nominating Committee shall work each year to present a slate of officers for consideration at the July meeting to be officially elected at the August meeting.

Article 7 Expenditures

Sec. 1. All bills for library purchases shall be itemized and submitted on official claim forms as prescribed by the State.

Sec. 2. No bill shall be recommended to the board for payment until it has received the approval of the library director and has been reviewed by the Treasurer or his/her substitute.

Sec. 3. Bills when allowed shall be paid by a warrant signed by the Treasurer of the library board. All bills paid shall be receipted and filed in the library as permanent records. In the event the Treasurer shall be unable to perform his/her duties, the Assistant Secretary/ Treasurer or other such person as designated by the Board shall be authorized to sign and review warrants and other official documents.

Article 8 Reports

Sec. 1. When practical, all reports, recommendations, and resolutions shall be submitted to the board in writing.

Sec. 2. When practical, reports of committees shall be signed by at least two members thereof.

Article 9 The Library Director

Sec. 1. The library board shall hire a library director who shall be responsible for the operation of the library.

Sec. 2. Subject to the direction of the board, the library director shall have supervisory charge, control, and management of the library building(s) and all of its appurtenances, as well as of all the employees in and about the same.

Sec. 3. He/she shall be held strictly responsible for the care and preservation of the property in the charge of the board; the classifying, cataloging, and shelving of books and materials; the enforcement of the rules; the accuracy of the records; and responsible handling of library accounts.

Sec. 4. He/she shall attend the meetings of the board and assist the Secretary and Treasurer in keeping the official records of the library.

Sec. 5. He/she shall keep an itemized account of all his/her receipts and expenditures on behalf of the library and report the same to the board monthly.

Sec. 6. He/she shall cause to be made a monthly report of the operation of the library, including such recommendations as in his/her opinion will promote its efficiency.

Sec. 7. He/she shall prepare an annual report showing fully the operations of the library.

Sec. 8. He/she shall supervise the placement of all orders for books and supplies ordered in the name of the library. He/she shall supervise the submission of all bills and preparation of a monthly register of claims to be submitted, with the bills, to the Treasurer prior to each monthly meeting.

Sec. 9. He/she shall perform other duties as deemed appropriate and directed by the board of trustees.

Article 10 Order of Business.

Sec. 1. The normal order of business shall be as follows. The President may approve changes in the order to promote efficient use of board time as permitted by Indiana law.

1. Approval of minutes from previous meeting.
2. Approval of claims and bills.
3. Reports of committees.
4. Reports from the director.
5. Unfinished and new business.

Article 11 Indemnification.

Sec. 1. Since there are certain responsibilities or duties required of the members of the governing body and employees of the Library, out of which lawsuits may arise, and since The Indiana Code provides that in certain circumstances the Library may defend the member of the governing body or employee being sued, therefore, the Board of Library Trustees of Hamilton East Public Library may decide to defend the same in any suit arising out of the performance of his or her duties or employment with the Library, provided that he or she was acting in good faith.

Any member of the governing body or employee of the corporation would be saved harmless from any liability, cost or damage (including but not limited to attorney's fees) in any suit arising out of the performance of his or her duties, except where such liability cost or damage is predicated on, or arises out of the bad faith of such member or employee or is a claim or judgment based on his malfeasance in office or employment.

In each instance where the Library is to defend and save harmless a member of the governing body or an employee, a resolution to that effect must first be adopted directing such action. The failure of the Library to adopt a resolution shall not invalidate any indemnification made by the Board which is authorized by law.

Article 12 Nepotism and Conflict of Interest

Conflict of Interest

Board members shall comply with IC 35-44.1-1-4 governing Conflict of Interest. If a conflict of interest is determined to exist, proper notice will be filed in accordance with the above statute.

Nepotism

The Library's goal is to ensure that the most qualified and appropriate candidate for any open position is hired. Because the Board's role is governance rather than daily operations and thus no supervisory relationship exists, family members of Library Trustees are not excluded from employment at the library, and will be considered using the same criteria as any other applicant.

Because the Board does supervise the Library Director, family members of trustees are ineligible for that position. Trustees with family members employed by the library will abstain from votes directly affecting employee compensation.

Article 13 Amendments

Sec. 1. Amendments hereto shall be made only at regular meetings of the board, and must be proposed at least one month previous to the final action on the same unless all board members unanimously waive the second reading. This provision requires the vote of all board members not just those in attendance.