

Board of Trustees Wabash Carnegie Public Library
BY-LAWS
2022 Revisions

Article I -- NAME

Section 1

This organization shall be called The Board of the Wabash Carnegie Public Library existing by virtue of the Library Law of 1947 of the State of Indiana, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute.

Section 2

The boundaries of the Library and taxed library district are the city limits of the City of Wabash.

Article II - - AUTHORITY AND PURPOSE

Section 1

The Board shall govern the Library, a municipal corporation and Class B library 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 operations 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 travel 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 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 - - OFFICERS

Section 1

The officers of the Board shall be President, Vice-President, Secretary, and Treasurer elected from the appointed Trustees at the annual meeting of the Board.

Section 2

A nominating committee shall be appointed by the President, one month prior to the annual meeting, who will present a slate of officers at the annual meeting. Additional nominations will be made from the floor.

Section 3

Officers shall serve a term of one year from the annual meeting at which they have been elected and until their successors have been duly elected.

Section 4

The President shall preside at all meetings of the Board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as ex-officio voting member of all committees, and generally perform all duties associated with that office.

Section 5

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

Section 6

The Secretary shall keep a true and accurate record of all meetings of the Board and perform such other duties as are generally associated with that office. The Library Board may appoint another individual such as library employee to take Minutes in place of the Board Secretary. If a library employee, this person shall be compensated **separate** from duties associated with the person's job responsibilities. The Library Board will determine compensation for the taking of Minutes by specific individual.

Section 7

The Treasurer shall be the disbursing officer of the Board, sign all checks, and shall perform such duties as generally devolve upon the office. He or she shall be bonded in

an amount as may be required by a resolution of the Board. In the absence or inability of the Treasurer, this or her duties may be performed by other such members of Board as the Board may designate.

ARTICLE IV – MEETINGS

Section 1

The regular meeting of the Wabash Carnegie Public Library Board shall be held on the second or third Tuesday of each month at 5:30 p.m. in the Wabash Carnegie Public Library Program, Wabash Falls Cemetery Chapel, or designated location in Wabash (per IC 36-12-2-23).

Section 2

The annual meeting, which shall be held for the purpose of election of officers, shall be held at the time of the regular meeting in December of each year.

Section 3

The Order of Business at the regular meeting shall be as follows:

Call to Order

Consensus Agenda

- Approval of Minutes of previous meeting.

- Financial Report for current month

- Claims for current month

- Payroll for previous month

President's Report

Committee Reports

Old Business/New Business

Administrative Updates

Adjournment

Section 4

Special meetings shall be called by the President whenever they may be necessary, or at the written request of two Board members, but only such business shall be transacted as shall be stated in the call.

Section 5

Four members of the Board shall constitute a quorum.

Section 6

Robert Rules of Order, last revised edition shall govern the parliamentary procedures of the Board.

Section 7

Regular, special, and executive meetings will be publicized and conducted with the Open Door Law of Indiana (IC 5-14-1.5).

Section 8

Attendance electronically if not during Disaster or Declared Emergency.

Library Board members may participate in meetings electronically as long as the library uses technology that permits simultaneously attend and observe the meeting. There must be at least four members participate in the meeting in person as a quorum. If attending a meeting electronically, Board members must be both seen and heard to participate in the vote. All votes taken in a meeting with electronic attendees must be taken by roll call vote during a meeting with electronic attendees.

Electronic participation in the meeting is not permitted if the board is taking is attempting to take a final action to adopt a budget; make a reduction in personnel; initiate a referendum; establish or increase fee; establish or increase a penalty; use eminent domain authority; or establish, raise, or renew a tax.

Board members are not allowed to attend more than half of a library board meetings during any given year electronically unless due to the following reasons:

- Military service
- Illness or other medical condition
- Family death
- An emergency involving actual or threatened injury to persons or property

If a board member attends two consecutive meetings by electronic communication, he or she must attend the next meeting in person unless the reason to attend electronically is due to military service; illness, or other medical condition; family death; an emergency involving actual or threatened injury to persons or property.

If the board or member of the public experiences technology failure during the meeting, this won't prevent the meeting from continuing and won't invalidate board actions or votes as long as a quorum of members is still able to participate in person and as long as the voting requirements of the Board bylaws/policies are met.

Minutes of the meeting must identify who attended electronically and the electronic communication mechanism used for the meeting.

Section 9

Attendance electronically during Disaster or Declared Emergency)

Suppose an emergency has been declared by the Governor of the State of Indiana or local government officials. In that case, the board may meet entirely electronically until the disaster or emergency is terminated.

During an emergency disaster, a quorum of the board participates in the meeting, whether in person or electronically; the public can simultaneously attend and observe the meeting unless an executive session and votes are taken by roll call vote.

Minutes of the meeting must identify who attended electronically and the electronic communication mechanism used for the meeting.

Article V – LIBRARY DIRECTOR AND STAFF

Section 1

The library Director shall be considered the executive officer of the Board and shall have sole charge of the administration of the library under the direction of the Board. The library director shall be held responsible for the care of the buildings and the equipment, for the employment and direction of the staff, for the operation of the library under the financial conditions set forth in the annual budget. In case of part-time or temporary employees, the director shall have interim authority to appoint with out prior approval of the Board provided that such appointment shall be reported to the Board at the next regular meeting. The director, as 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) and holds a certificate under IC 36-12-11.

It shall be the director's duty to submit to the Board monthly and annual reports and to write and recommend such policies and procedure which, in his or her professional judgment will promote the effectiveness of the library in its service to the community.

The library director shall attend all Board meetings except at which the director's appointment or salary is to be discussed or decided. The library director has no vote in meeting, but acts in an advisory capacity only.

ARTICLE VI – COMMITTEES

Section 1

The President shall appoint committees of one or more members 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 has been made to the Board.

Section 2

All committees shall make progress reports to the Board at each of its meetings.

Section 3

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

ARTICLE VII -- General

Section 1

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.

Section 2

The by-laws may be changed or amended at any meeting of the Board when a quorum of Library Trustees is present.

Section 3

Any rule or resolution of the Board, whether contained in these by-laws or otherwise, may be suspended temporarily in connection with business at hand. Such a suspension is valid, if taken at a meeting at which four or more members of the Board are present and two-thirds of those present approve.

Section 4

An appointee to the Board may not serve more than four (4) consecutive terms on the library board.

Section 5

An appointee to the Board must have resided in the library district served by the Wabash Carnegie Public Library for at least two years.

Section 6

The seven members of the Wabash Carnegie Public Library of Trustees shall be appointed as follows: one member appointed by the Wabash City Council; one member by the Wabash City Mayor; one member by the School Board of the Metropolitan School District; two members by the School Board of the Wabash City Schools; one member by the Wabash County Council; one member by the Wabash County Commissioners.

Section 7

A Board member may be removed at any time by the appointing authority, after a public hearing, for any cause that interferes with the proper discharge of his or her duties as a member of the Board; for any cause that jeopardizes public confidence in any manner.

Section 8

A vacancy occurs on the Board whenever a member is absent from six consecutive regular board meetings for any cause other than illness. The appointing authority shall be notified by the Secretary of the Board of a vacancy.

ARTICLE VIII - - REVIEW OF BYLAWS

The Bylaws will be reviewed at the January Board meeting each year.

ARTICLE IX - - CONFLICT OF INTEREST

As a member of the library board I will:

Listen carefully to the Board members who are my teammates.

Respect the opinion of the other Board members.

Respect and support the majority decisions of the Board.

Recognize that all authority is vested in the board when it meets in legal session and not with individual Board members.

Keep well-informed of developments that are relevant to issues that may come before the Board.

Participate actively in Board meetings and actions.

Call to attention of the Board any issues that I believe will have an adverse effect on the library.

Attempt to interpret the needs of the community to the library and interpret the action of the library to the community.

ARTICLE X - - NEPOTISM

Individuals who are relatives may not be employed by the library in a position that results in one relative being in the direct line of supervision of the other relative.

As used in this chapter, “relative” means any of the following:

- (1) A spouse.
- (2) A parent or stepparent.
- (3) A child or stepchild.
- (4) A brother, sister, stepbrother, or stepsister.
- (5) A niece or nephew.
- (6) An aunt or uncle.
- (7) A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms “brother” and “sister” include a brother or sister by the half blood.

“Employed” means an individual who is employed by the library on a full-time, part-time, temporary, intermittent, or hourly basis.

A person is in the “direct line of supervision” of an employee if the elected officer or employee is in a position to affect the terms and conditions of the individual’s employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation.

Adopted 11/11/91

Revised 02/08/94; 09/11/01; 04/12/11; 01/13/12; 9/17/13, 1/19/16; 12/13/16; 1/17/17;
1/15/19; 12/15/20; 1/19/21; 5/18/21; 7/14/22