

Board of Trustees Wabash Carnegie Public Library
BY-LAWS

Article I -- NAME

Section 1

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

Section 2

The boundaries of the library and taxed library district are the 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 other Indiana and federal laws that affect the library's operations.

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 public library employee.

Section 3

Necessary travel and 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. The Board shall approve such travel on behalf of the library.

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 within the Board's jurisdiction 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 before 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 an 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 Board meetings and perform other duties generally associated with that office. The Library Board may appoint another individual, such as a library employee, to take Minutes instead of the Board Secretary. If a library employee, this person shall be compensated **separately** from duties associated with the person's job responsibilities. The Library Board will determine compensation for taking Minutes by a 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 members of the 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 or a designated location within the boundary of the City of Wabash (per IC 36-12-2-23).

Section 2

The annual meeting, which shall be held for the 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 the previous meeting.

Financial Report for the current month

Claims for the current month

Payroll in the prior month

President's Report

Committee Reports

Old Business/New Business

Administrative Updates

Adjournment

Section 4

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

Section 5

Four members of the Board shall constitute a quorum.

Section 6

Robert's Rules of Order, the 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

Electronic Attendance At Regular Meetings

Library Board members may participate in meetings electronically if the library uses technology that permits simultaneous attendance and observation of the meeting. There must be at least four members participating 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 that includes electronic attendees must be taken by roll call vote.

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

Board members can attend up to half of library board meetings during any given year electronically. Exceptions can be made for the following:

- 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 will not 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 by-laws/policies are met.

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

Section 9

Electronic Attendance During A Declared Disaster or Emergency

If a disaster or an emergency has been declared by the Governor of the State of Indiana or local government officials, then the Board may meet entirely electronically until the disaster or emergency is terminated. The public can simultaneously attend and observe the meeting unless it is an executive session and votes are taken by roll call.

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

Article V – LIBRARY DIRECTOR AND STAFF

The Library Director shall be considered the Board's executive officer and shall have sole charge of the library's administration under the Board's direction. The library director shall be held responsible for the care of the buildings and the equipment, for the employment and direction of the staff, and for the library's operation under the financial conditions outlined in the annual budget. In the case of part-time or temporary employees, the director shall have interim authority to appoint without prior approval of the Board, provided that such appointment shall be reported to the Board at the next regular meeting. 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), and holds a certificate under IC 36-12-11.

It shall be the director's duty to submit monthly and annual reports to the Board and to write and recommend such policies and procedures that, 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 when the director's appointment or salary is to be discussed or decided. The library director has no vote in meetings but only acts in an advisory capacity.

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 discharged upon the completion of its appointed purpose and after the final report has been made to the Board.

Section 2

All committees shall make progress reports to the Board at each meeting.

Section 3

No committee shall have powers other than advisory 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 Board meeting 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 the 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 their duties as a member of the Board; for any reason 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 of a vacancy by the Secretary of the Board.

ARTICLE VIII - - REVIEW OF BY-LAWS

The By-laws will be reviewed at the January Board meeting each year.

ARTICLE IX - - CONFLICT 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. It is incumbent upon any Board member to immediately disqualify or recuse himself/herself from voting whenever the appearance of a conflict of interest exists.

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 X - - NEPOTISM

The library may not employ individuals who are relatives 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.

"Employed" means an individual the library employs 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; 12/17/2024