

adopted June 8, 1987; amended 8/21/ 2000, 2/18/2002, 5/19/03, 5/17/04., 5/16/05; reviewed 5/15/06, amended 12/18/06, reviewed 5/21/07, 5/19/08, 5/18/09, 5/17/10, amended 6/21/10, 5/16/11, reviewed 5/21/12, 5/20/13, 5/19/14, 6/15/15, amended 5/16/16, reviewed 5/15/17, amended 5/21/18, reviewed 5/20/19

BY-LAWS

Delphi Public Library Board of Trustees

IDENTIFICATION

The name of this board is the “Board of Trustees of the Delphi Public Library,” hereinafter referred to as “the board.” The Delphi Public Library will be hereinafter referred to as “the library.”

It is the policy of the board to serve the residents of the city of Delphi and the townships of Jefferson, Adams, Rock Creek, and Deer Creek.

AUTHORITY AND PURPOSE

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.

Members of the board (trustees) shall serve without compensation, except that the treasurer may be paid, per IC 36-12-2-21. 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.

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 that comes within the jurisdiction of the board, and shall report the opinion to the board.

MEETINGS

The regular monthly meeting of the library board shall be held on the third Monday of each month, at a time agreeable to a quorum of the members, at the library.

An annual closeout meeting shall be held at the regular monthly meeting for January, following the close of the fiscal year on December 31.

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.

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).

Special meetings may be called by the president, or upon the written request of two members, for the transaction of business stated in the call for meeting. All meetings will be open to the public with the exception of properly announced closed sessions.

Board members and news media will be notified at least 48 hours before any meeting.

A quorum for the transaction of business shall consist of four members of the board.

Any member of the public wishing to address the board for the purpose of encouraging any board action is requested to contact either the board president or the library director at least 48 hours before the time of the meeting to ensure inclusion on the agenda.

OFFICERS

Officers of the board—president, vice-president, secretary, and treasurer—shall be chosen at the December meeting of the board and shall take office in January.

The president shall be elected first, vice-president second, secretary third, and treasurer fourth. Nominations for each office shall be put forward by the nominating committee. Nominations for each office may also be made from the floor. If only one nominee is put forward for each office, the board may vote to elect the entire slate of officers. Voting will be oral, unless a motion to have written ballots is accepted. A majority is required to elect each officer. The secretary shall count the votes and announce the results. Balloting shall continue until a majority elects.

An officer may succeed himself; however, the officer shall not serve more than three consecutive terms, with the exception of the treasurer, who may serve an unlimited number of terms.

The president shall preside at board meetings, appoint committees deemed necessary, and perform such other duties as pertain to the office of president and are necessary to carry out the wishes of the board.

The vice-president shall preside in the absence of the president.

The secretary of the board shall keep a true and accurate account of all proceedings of the board meetings. The minutes are on file in the office of the director and are available to the public.

The treasurer is the official custodian of all library funds, is responsible for the proper safeguarding and accounting of all library funds, shall issue warrants approved by the library board in payment of expenses lawfully incurred in behalf of the public library, and shall make financial reports of library funds and present the reports to the library board every month.

COMMITTEES

Special committees for the study and investigation of particular problems may be appointed by the president, such committees to serve until the completion of the work for which they were appointed.

CONFLICTS OF INTEREST

Board members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity, and honor. Board members shall promote a high level of service while observing ethical standards.

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

Board members will declare any conflict of interest between their personal life and their position on the library board and abstain from voting on issues that appear to be a conflict of interest.

A conflict of interest occurs if a board member has a pecuniary interest in a contract or purchase that will result or is intended to result in an ascertainable increase in the income or net worth of the board member or the member's dependents. All board members must make a disclosure under the procedures in IC-35-44-1-3 of any conflict of interest.

A dependent is defined as a child, stepchild, or adoptee, if they are not emancipated and are less than 18 years of age; a spouse; or any individual who is financially supported by the board member.

NEPOTISM

No board member or immediate family member or household member of a board member may serve as a paid employee of the library. Note that it is permissible, however, for the elected board treasurer to be an employee of the library rather than a board member.

DIRECTOR & STAFF

The 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 shall be considered the executive officer of the board and shall have sole charge of the administration of the library under the direction and review of the board, per IC 36-12-2-24(a). 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, for the certification of all bills presented to the board for payment, and for the operation of the library under the financial conditions set forth in the annual budget. The director shall attend all board meetings except those at which his or her appointment, salary, or performance is to be discussed.

The relationship between the director and the board should be a symbiotic partnership of mutual understanding and cordial cooperation with clearly defined areas of responsibilities.

The board serves as the public's voice in the library, setting the policies that govern the library's operation and growth. The director, on the other hand, serves the board as its administrator and professional consultant. The director should not attempt to set new library policy without board approval, and the board should not attempt to administer the day-to-day operation of the library.

The director shall have the power to write and enforce administrative regulations or procedures governing the library that logically stem from adopted and approved board policies. Such regulations or procedures shall be consistent with the board's policies.

The board's relationship with staff members should be one of cordial and friendly interest, free from personal intervention between staff member and supervisor. The board governs the library through its action as a whole, and not through individual instruction.

LIABILITY

The library shall be financially responsible for legal fees incurred by its trustees and/or director as a result of any and all lawsuits incurred during the administration of said organization, unless such trustee or director is adjudged in such lawsuit to be liable for willful misconduct in performance of duty. Each year, the board shall purchase a comprehensive Directors and Officers Liability Insurance policy to protect the directors, officers, trustees, employees, and volunteers of the library for the decisions made every day concerning the library. The policy should include employment practices liability coverage to help protect the organization from damages arising from claims of harassment, discrimination, and unfair hiring practices. This insurance policy shall be reviewed each year to ensure adequate coverage.

POLICIES, PLANS, RULES, AND REGULATIONS

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 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).

AMENDMENTS

These bylaws may be amended at any regular meeting of the board with a quorum present, by unanimous vote of the members present. The amendments for each year shall be sent to the Indiana State Library upon submission of the annual report.

In the event of any parliamentary dispute, Robert's Rules of Order will be followed.

REVIEW OF BYLAWS

The bylaws will be reviewed annually at the May meeting. The secretary shall affix the date of review to the bylaws for audit as well as indicating the action in the minutes.