

Peninsula Community Library Amended By-Laws

Article I – Authority and Establishment

- 1.1: Authority. The Peninsula Community Library is a public township library certified under the laws of the State of Michigan.
- 1.2: Service Area. Its service area covers Peninsula Township, as well as all areas served by the Traverse Area District Library.

Article II – Trustees

- 2.1: Board of Trustees. The Peninsula Community Library shall be governed by a Board of Trustees.
- 2.2: Composition. The Board shall consist of six Trustees elected by Peninsula Township registered voters in accordance with the laws of the State of Michigan. A Trustee's term begins with the December meeting following the November election. All Trustees must reside in Peninsula Township.
- 2.3: Conflict of Interest. No member of the Board of Trustees shall participate in any discussion or vote on any matter in which he or she or a member of his or her immediate family has a potential conflict of interest due to having material economic involvement regarding the matter being discussed. When such a situation presents itself, the Trustee must disqualify himself or herself, and be excused from the meeting until discussion is over or the matter resolved. The President of the Board is expected to make inquiry if such conflict appears to exist and the Board is expected to make inquiry if such conflict appears to exist and the Board member has not made it known.
- 2.4: Board Vacancy. A vacancy on the Board between elections shall be filled by appointment according to the laws of the State of Michigan.

Article III – Fiscal Year and Authority

- 3.1: Fiscal Year. The Fiscal year of the Library shall be the period commencing July 1 and ending the following June 30 of each year.
- 3.2: Fiscal Authority. Money for Peninsula Community Library shall be deposited in a fund with Peninsula Township designated as the Peninsula Community Library Fund. The Peninsula Community Library Board shall have exclusive control of expenditures of money deposited into the fund. An audit shall be prepared and published annually in accordance with current Accounting Acts adopted as Public Law for the State of Michigan. The Library Director is responsible for working with the auditors and preparing the documents and information required for the audit.

Article IV – Officers

- 4.3: Officers. Officers shall be elected at the last meeting of every even-numbered year and shall serve a term of two years. Officers of the Board of Trustees shall be a President, Vice President, Treasurer, and Secretary elected by the Board at the December meeting. With the exception of the office of secretary, officers shall serve no more than two consecutive two year terms in the same office.
- 4.31: Powers and Duties of the President. The President shall perform the following duties:

- a. Open all Board of Trustees meetings by taking the chair and calling the meeting to order;
- b. Announce the business before the Board in the order in which it is to be acted upon;
- c. Preside over the meeting following Robert's Rules of Order as amended;
- d. Enforce on all occasions the observance of order and decorum among the trustees, and public attendees, deciding all questions of order (subject to an appeal to the Board);
- e. Inform the Board, when necessary, or when referred to for the purpose, on a point of order or practice pertinent to pending business;
- f. Authenticate, by signature, when necessary, all acts, orders, and proceedings of the Board or required by law, including attestation of any legal instrument declaring its will and obeying its command and shall sign all legal papers requiring the official signature of the Board;
- g. Appoint all committees not provided by statute.

4.32: Powers and Duties of Vice President. The Vice President shall perform the following duties:

- a. Act for the President in the latter's absence; and
- b. Assume such other responsibilities as may be delegated to the Vice President by the authority of the Board of Trustees.

4.33: Powers and Duties of Secretary.

- a. Be responsible for recording the minutes of the monthly Trustee meetings.

4.34: Powers and Duties of the Treasurer. The Treasurer shall perform the following duties:

- a. Chair the Finance Committee;
- b. Review financial records of the Board of Trustees.

Article V – Meetings

5.1: Regular meetings shall be held once a month. An annual schedule of meetings for the following calendar year will be adopted by the Board at the last meeting of every calendar year.

5.2: Special meetings may be called by President or at the request of any Board Member for the transaction of business as stated in the call for the meetings. Notice shall be posted by the Library Director according to the State of Michigan's Open Meetings Act at the library, the township hall and on the library's website. Library Trustees are strongly encouraged to attend all Board meetings. Should a Trustee find it impossible to attend a meeting, he/she should notify the President. If an extended absence is necessary, he/she should submit prior notification to the Board.

5.3: A quorum for the transaction of business shall consist of a simple majority.

5.4: An agenda shall be included in the call to meetings. Order of business for regular meetings shall be:

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| Call to Order | Library Director's Report |
| Roll Call | Organizational/Committee Reports |
| Approval of Agenda/Additional Items | Unfinished Business |
| First Public Comment | New Business |
| Approval of Minutes | Correspondence |
| Treasurer's Report | Second Public Comment |

Adjournment

5.5: If advance notice exists that a quorum will not be present for a regularly scheduled meeting, the meeting may be rescheduled for the following week per section 5.2 above.

5.6: All meeting other than those allowed to be closed by law are open to the public and shall provide the opportunity for public comment. Public comment may be limited to five minutes.

5.7 Remote participation by a trustee is governed by Michigan Law.

Article VI – Charge and Responsibilities

6.1: The Board shall be charged with adopting and supervising budgets, adopting by-laws, setting policy as well as reviewing the practices that affect policy, hiring and evaluating the Director, making decisions involving capital improvement and expenditures, entering into contracts, and supervising property both real and personal belonging to Peninsula Community Library. This list is not inclusive.

Article VII – Director and Other Staff

7.1: The Board shall appoint a Library Director with appropriate professional and personal qualification, who shall attend board meetings. The Library Director shall be responsible to the Board for carrying out its policies, for hiring and specifying duties of other employees and enforcing personnel policies of the Board; for supervision of staff; for selection, care and maintenance of Library equipment and property; for selection, acquisition, and organization of books, for evaluation and selection of software and all other materials and items relevant to the operation of the library; for public relations of the Library; for preparing a preliminary draft of the budget and annual report for Board approval; preparing and coordinating all fund development activities, working with the auditors and preparing the documents and information required for the audit; and for assisting the Board in its decision on policies, budget, and other such matters as assigned by the Board.

Article VIII – Committees

8.1: In most matters, the Board may act as a committee of the whole, but special committees may be appointed by the Board. The Committee shall be considered discharged upon the completion of its assignment and a final report be submitted to the Board.

8.2: Committees shall be advisory in nature only, and shall be incapable of binding the full Board to any decision. Notwithstanding the above, the full Board may grant authority which is limited in scope and duration to a committee for a specific purpose, so long as the same is recorded in the minutes of the Board. In the event the committee is given such authority, the committee shall be required to follow all requirements of the Open Meetings Act, including notice of meetings, conduct of open meetings, and the keeping of minutes.

The following shall be standing committees of the Peninsula Community Library:

- a. Bylaws, Policy and Personnel
- b. Facilities and Technology
- c. Finance

8.3: A Trustee designated to seek legal advice from the board attorney may contract for services on behalf of the board at reasonable cost. It is recommended that any financial agreement made with the attorney for less than \$500 have the approval of the Board President. A fee over \$500 requires a vote of the board to approve the work.

Article IX – Voting

9.1: An affirmative vote of the majority of all Trustees present shall be necessary to approve any action by the Board. The President shall vote upon or may move or second a proposal

before the board. All votes shall be taken by voice with the following requiring a roll call vote: motions on policy, budgetary decisions, by-laws, and at the request of any Trustee present.

9.2: The by-laws may be amended by a majority vote of all Trustees at an official meeting of the board, provided the amendment was introduced at a prior meeting and included on the agenda of the meeting where the vote for the amendment is called.

Article X – Dissolution

10.1: In the event that the Peninsula Community Library shall cease to operate as a public library, ownership of the assets shall be transferred to Peninsula Township with the following restrictions:

a. Books and equipment owned by the library shall be offered for sale at fair market value. Any remaining items shall be disposed of at the discretion of the Peninsula Township Board of Trustees.

b. All materials and equipment belonging to Traverse Area District Library (TADL) shall revert to TADL.

Amended June 11, 2020