

# **KOKOMO-HOWARD COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES**

## **BY-LAWS**

### **ARTICLE I: NAME**

The official name of this board is the Kokomo-Howard County Public Library Board of Trustees.

### **ARTICLE II: AUTHORITY/GOVERNANCE**

The activities of the Kokomo-Howard County Public Library are conducted under the authority granted by the Public Library Law of 1947 (Indiana Code 20-14) as amended by the Indiana General Assembly.

The Kokomo-Howard County Public Library Board of Trustees adheres to a philosophy of governance whereby the board establishes policies and the implementation of these policies and the day-to-day operations of the library are the responsibility of the director and his/her staff as delegated by him/her.

### **ARTICLE III: MISSION**

The mission of the Trustees of the Kokomo-Howard County Public Library Board is to govern the library responsibly and effectively in order to foster the development of the library as a viable resource for the community. This act of governance includes responsibility for finances, services, policies, long-range goals, selection of the library director, the monitoring and evaluation of the overall effectiveness of the library, and advocacy for the library in the community.

### **ARTICLE IV: CODE OF ETHICS**

As a member of the Kokomo-Howard County Public Library Board of Trustees, the trustee:

- Respects the opinions of other board members.
- Treats other board members with courtesy and respect.
- Complies with all laws, rules, and regulations that apply to them and to the library, including Freedom of Information laws.

- Distinguishes clearly in their actions and statements between their personal philosophies and attitudes and those of the library.
- Supports the majority decisions of the board even if they disagree.
- Recognizes that all authority is vested in the board when it meets in legal session and not with individual board members.
- Attends meetings prepared to participate in the discussion of issues.
- Upholds library patrons' rights to privacy in the use of library resources.
- Immediately disqualifies himself/herself whenever the appearance of or a conflict of interest arises.
- Directs constituent or staff concerns/complaints to the proper level on the chain of command.
- Recognizes that the board member's job is to ensure that the library is well managed, not to manage the library.
- Represents all constituents of the library and not a specific geographic area, special interest group, or personal interests.
- Endeavors to ensure that the library is well maintained, financially secure, growing, and always operating in the best interests of constituents.

As a member of the Kokomo-Howard County Public Library Board of Trustees, the trustee will refrain from:

- Using the library or any part of the library for personal advantage or the personal advantage of friends or relatives.
- Discussing board executive session proceedings or other items of a confidential nature outside of the board meeting.
- Promising prior to a meeting to vote a certain way on any issue in the meeting.
- Interfering with the duties of the director or undermining the director's authority.

#### ARTICLE V: COMPENSATION/NEPOTISM

All members of the library board serve without compensation.

The library will always hire employees based on their experience, skills, and merit. No board member or relative of a board member may serve as a paid employee of the library.

“Relative” is defined as a: spouse, parent or step-parent; child or stepchild, brother, sister, half-brother, half-sister, stepbrother, stepsister, niece or nephew, aunt or uncle, daughter-in-law or son-in-law, or adopted child of a board member.

If a family member of a current staff member is interested in a position with the library, that person should apply through standard channels. No immediate family member of a current staff member will be considered for a position wherein one member would have supervisory duties over the other.

#### ARTICLE VI: CONFLICT OF INTEREST

No board member may knowingly have a financial interest in, or derive a profit from, a contract or purchase connected with an action by the library. (IC 35-44-1-1-4.)

No member of the library board, spouse, household member or unemancipated child of a member of the library board may solicit, accept or receive, directly or indirectly, any gift, under circumstances in which it can reasonably be inferred that the gift would influence the member of the library board to give special consideration to an action by such member of the library board in his or her official capacity.

A gift is defined as any item, including discounts, services, entertainment, travel, lodging or meals, having a value in excess of Fifty Dollars (\$50). No combination of gifts may be accepted if the total value exceeds One Hundred Dollars (\$100) in a calendar year.

#### ARTICLE VII: CREDIT CARD USE

Library credit cards will only be used by board members and employees for appropriate library business, and all uses will be appropriately documented. Library credit cards will not be used for personal expenditures.

#### ARTICLE VIII: OFFICERS

The officers of the Kokomo-Howard County Public Library Board of Trustees are president,

vice president, secretary and treasurer, each to serve one year.

The officers are elected at the first business meeting of the calendar year. Nominations are received from the floor and the officers are elected by a voice vote. No officer, except the treasurer, shall be eligible to serve more than two consecutive terms in the same office.

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, perform signatory duties, review the board's monthly meeting agenda with the director and generally perform all duties associated with this office.

The vice-president shall perform all duties of the presiding officer in the absence of the president.

The secretary shall review the board minutes that are prepared by the library's administrative assistant to ensure that they are a true and accurate record of all board proceedings, perform signatory duties and such other duties generally associated with this office.

The treasurer, who is employed as the library's Head of Finance and Human Resources and is not a member of the board of trustees, shall be responsible for the receipt, deposit and investment of all library monies and the disbursement of funds as authorized by the board. The treasurer shall prepare a monthly financial statement, a monthly appropriations report and a docket of all warrants for the board's review and/or approval at their regular monthly meeting. The treasurer shall be bonded in an amount determined by the board. The treasurer shall perform all signatory duties and other duties generally associated with this office.

When a vacancy occurs in an office, the board president shall appoint a board member to fill the remainder of the term.

## ARTICLE IX: MEETINGS

Regular public meetings of the Kokomo-Howard County Public Library Board of Trustees are generally held the third Monday of each month at 4:30 p.m. in the Combined Room A/B of Kokomo-Howard County Public Library (KHCPL) Main. Once per year, regular board meetings will be held at KHCPL South and KHCPL Russiaville. When ordered by the president, called board meetings will be scheduled in addition to regular meetings.

All meetings of the board shall be held in accordance with the provisions of the Indiana Open Door Law and local media will be notified of the meetings.

Four members must be present to constitute a quorum for the transaction of business. The meeting will be conducted according to established parliamentary rules.

Once a motion has been discussed, the president will call for board members to vote on the motion. Since board members have been appointed to make decisions regarding the library, board members are expected to vote on all motions unless a board member has a conflict of interest. When a board member has a conflict of interest, he/she should state the nature of the conflict of interest. A motion either passes or fails based on the results of the vote of those board members who are present. The act of the majority of the members present shall be an act of the Kokomo-Howard County Public Library Board of Trustees. When four or five members are present, a majority is three; when six or seven members are present, a majority is four.

The library board recognizes its obligation to plan for the future of the library. The board will meet on a regular basis to develop long range plans.

All matters to be considered by the board will be included on the agenda in the board packets sent to the board members at least four days prior to the meeting date. Meeting agendas will be developed by the director and approved by the board president.

### ARTICLE X: ATTENDANCE

Members of the Kokomo-Howard County Public Library Board of Trustees are expected to attend at least 75 percent of all regular and called board meetings each year. The library's administrative assistant will keep attendance records for Board of Trustees members. In January of each year, the administrative assistant will give the previous year's attendance report to the director and board president.

### ARTICLE XI: COMMITTEES

The president may appoint committees for specific purposes as the business of the board may require. Committees shall act in an advisory capacity unless authorized by the board to take specific action. A committee shall be disbanded upon the completion of the purpose for which it was appointed and after the final report is made to the board.

### ARTICLE XII: BOARD/DIRECTOR RELATIONSHIP

The board recognizes and maintains the following guidelines in the board's relationship with the executive:

- The board reserves the authority to establish policies, approve plans and programs, and delegate authority to the director. The board grants latitude of judgment and discretion, and expects full accounting of performance, from the director.
- Board members will refrain from individually discussing management and personnel issues with library personnel other than the director. Authority for management of the library will be through the library board to the director, then to other personnel. The board, in consultation with the director, may confer with key personnel at regular or special board or committee meetings.

The library board will evaluate the director each year in an executive session in June. The evaluation is based on the director's job description, which include the director's goals. The board must reach consensus on each element of the evaluation.

Between the June board meeting and the July board meeting, the president will meet with the director to discuss the evaluation. Should the director be in disagreement with part or all of the evaluation, the right to respond to the full board shall be available. Such a response should lead to a dialogue in which the problem area can be resolved in a candid and professional way.

Board members will not solicit information regarding the executive director's performance from subordinate staff. The board recognizes that soliciting staff can seriously erode the relationship which must exist between the executive director and the staff.

### ARTICLE XIII: ATTORNEY

The Kokomo-Howard County Public Library Board of Trustees shall retain legal counsel, who shall attend the regular and called board meetings. The attorney shall give legal advice to board members, director, assistant director and head of finance and human resources. The attorney shall work on an annual contractual basis.

The library board will evaluate the attorney each year in an executive session in June. The evaluation is based on the attorney's job descriptions. The board must reach consensus on each element of the evaluation. Between the June board meeting and the July board meeting, the president will meet with the attorney to discuss the evaluation. Should the attorney be in disagreement with part or all of the evaluation, the right to respond to the full board shall be available. Such a response should lead to a dialogue in which the problem area(s) can be resolved in a candid and professional way.

### ARTICLE XIV: INDEMNIFICATION

Kokomo-Howard County Public Library shall maintain an adequate level of liability insurance coverage for library trustees, officers, employees and volunteers.

Each trustee, officer, employee and volunteer of the library now or hereafter serving as such, shall be indemnified by the library against any and all claims and liabilities to which said person has or shall become subject by reason of serving or having served as such trustee, officer, employee or volunteer, or by reason of any action alleged to have been taken, omitted or neglected by such person as such trustee, officer, employee or volunteer; and the library shall reimburse each such person for all legal expenses reasonably incurred by said person in connection with any such claim or liability, provided, however, that no such person shall be indemnified against or be reimbursed for any expense incurred in connection with or any claim or liability arising out of said person's own willful misconduct or gross negligence.

The right of indemnification herein above provided shall not be exclusive of any rights to which any trustee, officer, employee or volunteer of the library may otherwise be entitled by law.

The library's obligation to indemnify any person shall be conditioned upon that person giving timely written notice to the library of the claim or action for which the indemnification is sought. Failure to give such notice releases the library of all obligation of indemnification.

#### ARTICLE XV: AMENDMENTS

Proposed amendments to these guidelines shall be submitted at a regular meeting of the board of trustees and voted upon at the next regularly scheduled meeting. Amendments shall be approved by the library board.