

**BOARD OF TRUSTEES OF
HOWELL CARNEGIE DISTRICT LIBRARY**

BYLAWS

ARTICLE I

BOARD OF TRUSTEES

Section 1

(1) The business and property of the Howell Carnegie District Library shall be managed and directed by the Board of Trustees all of whom shall reside within the district, and as provided for in the resolutions of the Board of Education of Howell Public Schools and the City Council of the City of Howell adopted on September 26, 1988.

(2) The Board of Trustees shall consist of seven members, not more than three of whom shall be appointed by the City Council and not more than four of whom shall be appointed by the Board of Education.

(3) The terms of the Board members shall be four years; provided that no member shall serve more than two consecutive four-year terms. Reappointment of a member who has served two consecutive four-year terms may occur if it is in the best interest of the District Library to retain the special skills, expertise, or knowledge of that board member for a third consecutive term for a purpose above and beyond the expertise or knowledge needed for normal library operations or if one year (12 months) or more has elapsed since that member served on the Board. The terms of the Board members shall be staggered over a four year period as provided in Bylaws adopted May 16, 1989.

(4) The Library Director or designate will notify the Howell Mayor, the Secretary of the Board of Education and the supervisors of the townships in the library district of the expiration of the terms of any appointees to the Library Board of Trustees before May 1 each year. The library board members will help recruit candidates from the City of Howell and various townships in the library district to represent the various geographic areas in the district. The library board may recommend names of candidates to the Howell City Council and the Howell Board of Education. The Howell City Council and the Howell Board of Education shall each appoint an individual to accede to a vacancy before June 30 in the year that the vacancy occurs for the appointing body.

(5) At no time shall the Board of Trustees consist of more than one member who is also a member of the Board of Education and one member who is also a member of the City Council.

(6) A vacancy shall arise on the happening of any of the following events:

- A. The death of a member
- B. Resignation of a member
- C. Removal of a member from office pursuant to law
- D. A member's ceasing to be an inhabitant of the District
- E. A member's moving from the city to the township or from a township to the city
- F. Conviction of a member of any criminal offense.
- G. Decision by a court of competent jurisdiction vacating a member's appointment
- H. Neglect of duty by a member including the member's unexcused absence from three meetings in any fiscal year.

Bylaws, Cont.,

- (7) Vacancies on the Board from unexpired terms shall be filled in the following manner:
- A. If the vacancy is from an unexpired term of a Howell City Council appointee, then the Howell City Council shall appoint an individual to accede to that vacant Library Board of Trustee position within 45 days of notification from the library.
 - B. If the vacancy is from the unexpired term of a Howell Board of Education general appointee, then Howell Board of Education shall appoint an individual to accede to that vacant Library Board of Trustee position within 45 days of notification from the library.
 - C. If the vacancy is from an unexpired term of a Howell Board of Education appointee recommended by the township supervisors in the library district, then the Secretary of the Board of Education shall notify the supervisors of the townships in the library district of the vacancy of an unexpired term of one of their recommended appointees, and shall request the township supervisors to submit to the Board of Education within 30 days of the date of notification the name of an individual to accede to that vacant Board of Trustee position. In any event, the Board of Education shall appoint an individual to accede to the vacancy soon after a name of an individual is recommended by the township supervisors or the 30 days notification period expires, whichever comes first.

Section 2

The Board annually at its regular meeting in June shall elect one of its members as president and one of its members as vice president. The officers so elected shall serve a term of one (1) year or any part thereof as may be determined, and until a successor is designated. No member shall be elected to more than four consecutive one-year terms for the same office. One year (12 months) or more must have elapsed before a member who has served four consecutive one-year terms for the same office may be elected to that office again. No term of office created under this section shall extend beyond the term of the member designated.

Section 3

The Board shall employ and fix the compensation of a Library Director. The Library Director shall not be a member of the Board. The Board may designate one of its members as secretary and one of its members as treasurer or may employ and fix the compensation of a secretary and treasurer, who need not be members of the Board. The Library Director, secretary and treasurer shall serve at the pleasure of the Board. The treasurer shall report to the Library Director. The Board may retain legal counsel to advise the Board in the proper performance of its duties.

Section 4

The Board may exercise all powers provided by Act 24, Public Acts of Michigan, 1989, Act 265, Public Acts of Michigan, 1988, as amended by Act 25, Public Acts of Michigan, 1989, or otherwise by law.

Section 5

The Library Director, with the Board approval, shall have the power to engage and employ such manual, clerical, technical, financial and professional assistants as in his/her judgment may be necessary and is incidental to carry out the purposes of the District Library.

Bylaws, Cont.,

Section 6

The Board may adopt an official seal.

ARTICLE II

MEETINGS

Section 1

Meetings of the Board shall be held in accordance with the provisions of the Michigan Open Meetings Act, being Act 267 of the Public Acts of Michigan, 1976, as amended and shall be held in the Howell School District, County of Livingston, Michigan.

Section 2

Regular meetings of the Board shall be held at the same time, day, week, and place each month as determined by the Board.

Section 3

Special meetings shall be held whenever called by direction of the president, Library Director or any two (2) members of the Board on two (2) days written notice of the time and place of meeting. A waiver of notice in writing signed by a member entitled to such notice, whether before or after the time of the meeting, shall be deemed the equivalent to the giving of such notice.

Section 4

Four (4) members of the Board shall constitute a quorum. A majority vote of those present shall be necessary for the transaction of any and all business or the passage of any resolution.

Section 5

At meetings of the Board, business shall be transacted in such order as from time to time the Board may determine.

ARTICLE III

OFFICIALS

Section 1

The president shall preside at meetings of the Board and shall do and perform such other duties as may be from time to time assigned by the Board. The vice president shall perform the duties of the president in the president's absence and such other duties as shall from time to time be assigned by the Board. The president and the vice president shall furnish bond in an amount of \$100,000.00. The premium on the bond shall be part of the liability insurance of the library and deemed an operating expense of the District Library, payable from funds available to the District Library for expenses of operation.

Bylaws, Cont.,

Section 2

(1) The Library Director shall be the chief executive officer of the authority. Before entering upon the duties of the office, the Library Director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum of \$100,000.00. The premium on the bond shall be deemed an operating expense of the District Library, payable from funds available to the District Library for expenses of operation. Subject to the approval of the Board, the Library Director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the District Library in the manner authorized by law.

The Library Director shall attend the meetings of the Board, and shall render to the Board and to the City Council and the Board of Education a regular report (at least quarterly) covering the activities and financial condition of the District Library. The Library Director shall furnish the Board with information or reports governing the operation of the District Library as the Board may require from time to time. If the Library Director is absent or disabled, the Board may designate a qualified person as Acting Director to perform the duties of the office. Before entering upon the duties of the office, the Acting Director shall take and subscribe to the oath, and furnish bond, as required of the Library Director. At no time shall the District Library operate without a Director or Acting Director for more than 90 days.

Section 3

The secretary shall maintain custody of the official seal and of records, books, documents, or other papers of the District Library not required to be maintained by the treasurer. The secretary shall attend meetings of the Board and keep a record of its proceedings, and shall perform such other duties delegated by the Board.

Section 4

The treasurer shall keep the financial records of the District Library and, together with the Library Director, shall approve all expenditures of funds of the District Library. The treasurer shall perform such other duties as may be delegated by the Board and shall furnish bond in an amount of \$100,000.00. The premium on the bond shall be deemed an operating expense of the District Library, payable from funds available to the District Library for expenses of operation.

Section 5

All checks shall be signed by two (2) of the following four (4) people: president, treasurer, vice president, or secretary, or one (1) of the above persons and one (1) of the following two (2) people: the Library Director or the Library Assistant Director. The Library Director shall, in each instance, possess all powers and authorities of the treasurer, except as may be limited by the treasurer or the Board.

ARTICLE IV

GENERAL FINANCE - BUDGET PROCEDURE

Section 1

The fiscal year of the District Library shall begin on the first day of July and end on the 30th day of June of the following year. Such year shall constitute the budget year of the District Library.

Bylaws, Cont.,

Section 2

(1) The Library Director shall prepare a preliminary itemized budget for the next fiscal year and shall submit it to the Board of Trustees on or before May 29.

(2) The budget document shall present a complete financial plan for the ensuing fiscal year. It shall include at least the following information:

- (a) Detailed estimates of all proposed expenditures for each department and office of the District Library, showing expenditures for corresponding items for the current and last preceding fiscal years, with reasons for increases and decreases recommended, as compared with appropriations for the current year;
- (b) Statements of the bonded and other indebtedness of the District Library, showing the debt redemption and interest requirements, the debt authorized and unissued, and the condition of sinking funds, if any;
- (c) Detailed estimates of all anticipated income of the District Library from sources other than taxes and borrowing, with a comparative statement of the amounts received by the District Library from each of the same or similar sources for the last preceding and current fiscal years;
- (d) A statement of the estimated balance or deficit, as the case may be, for the end of the current fiscal year;
- (e) An estimate of the amount of money to be raised from current taxes and the amount to be raised from bond issues, which, together with income from other sources will be necessary to meet the proposed expenditures;
- (f) Such other supporting schedules as the Board of Trustees may deem necessary.

(3) Not later than June 29, the Board of Trustees shall adopt the budget for the next fiscal year. The Board shall appropriate the money required for such budget and provide for a levy of the amount necessary to be raised by taxes upon real and personal property within the district, not later than the second Tuesday in September. This levy shall not exceed the amount the voters in the district have approved.

(4) After the budget has been adopted, no money shall be drawn from the treasury of the District Library nor shall any obligation for the expenditure of money be incurred, except pursuant to the budget appropriation. The Board of Trustees may transfer any unencumbered appropriation balance, or any portion thereof, from one department fund, or agency to another. The balance in any appropriation, which has not been encumbered, at the end of the fiscal year shall revert to the general fund and be reapportioned during the next fiscal year.

(5) At the beginning of each quarterly period during the fiscal year, and more often if required by the Board of Trustees, the Library Director shall submit to the Board of Trustees data showing the relation between the estimated and actual income and expenses to date, and if it shall appear that the income is less than anticipated, the Board of Trustees may reduce appropriations, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income.

Bylaws, Cont.,

(6) The Board of Trustees shall designate the depository or depositories for District Library funds, and shall provide for the regular deposit of all District Library moneys. The Board of Trustees shall provide for such security for District Library deposits as is authorized or permitted by the general laws of the state, except that personal surety bonds shall not be deemed proper security.

(7) The Board of Trustees shall provide for an independent audit of all the District Library government at least annually and more frequently if deemed necessary by the Board of Trustees. Such audit shall be made by auditors experienced in municipal accounting. The results of such audit shall be made public in such manner as the Board of Trustees may determine.

ARTICLE V

BYLAWS

Section 1

The Board shall have power to make, alter or amend the bylaws in whole or in part. Written copies of the proposed changes shall be delivered to the Board prior to submission for approval at the next regular or special meeting of the Board.

Adopted May 16, 1989

Secretary

*Amended Article II, Section 2, December 5, 1989
Amended Article I, Section 4, Article III, Section 5, and Article IV, Section 2 (3), April 10, 1990
Amended Article IV, Section 2 (1) and (3), July 12, 1994
Amended Article IV, Section 2 (3), November 8, 1994
Amended Article I, Section 1 (1), (2), (3), (4), (6), (7), and Section 2 to take effect on July 1, 1995
Approved above Revisions 5/14/02
Amended Article I, Section 1 (2), (4) and Section 2 to take effect on July 12, 2006
Approved above Revisions 7/11/06*