

By-Laws

The corresponding section of Illinois District Library Law is noted next to each section of the by-laws.

Election (16/30-10) : Trustees shall be elected biennially for 4-year terms. Seven trustees constitute a board. Their terms shall be staggered. Trustees' terms begin on the first meeting date following their election.

Nomination of Candidates (16/30-20) : Candidates for election as trustee are nominated by a petition signed by at least 50 voters residing within the library district. No party name may appear on the petition.

The names of all candidates for the office of trustee shall be certified by the secretary to the proper election authority.

All candidates are required to sign a conflict-of-interest statement with the county clerk.

Vacancies (16/30-25) : All vacancies will be filled by appointment by the remaining trustees until the next regular library election, at which time a trustee must be elected for the remainder of the unexpired term. If the vacancy is for less than 28 months and is less than 88 days before the next election, the appointee will serve the remainder of the term without running for election.

Vacancies occur when a trustee does one or more of the following:

- 1) declines, fails, or is unable to serve
- 2) becomes a non-resident of the district
- 3) fails to pay his/her library taxes
- 4) fails, neglects, or refuses to follow state library law and is convicted of a misdemeanor as a result
- 5) is absent without cause from all regular board meetings for one year

If no one is elected to fill a vacancy during a regularly scheduled election, the board will fill the vacancy with an appointment. The appointee will serve until the next election.

(16/30-40) The secretary shall report a vacancy on the board to the county clerk and the state librarian within 60 days after it occurs and shall report the filling of the vacancy within 60 days after it is filled.

Compensation (16/30-30) : Trustees shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties from district funds.

Organization of the Board (16/30-40) : Within 74 days after their election or appointment, the incumbent and new trustees shall take their oath of office as presented by law and meet to organize the board.

The first action taken at the meeting shall be the election of a president, a vice-president, a secretary, and a treasurer from among the trustees. The secretary shall then record the membership of the board.

Trustees duly elected or appointed as certified by the appropriate election authority or appointing authority shall be qualified to serve as trustees under this act. The required oath shall be taken and subscribed before a notary public or the secretary of the board.

The oath reads:

“I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of trustee of the VWPLD to the best of my ability.”

Within 60 days after the organization of the board, the secretary shall file, with the county clerk and with the Illinois state librarian, a statement listing the names and addresses of the trustees and officers and their respective terms in office.

Officers shall serve until the next regular election of trustees, for terms not to exceed 2 years, and will continue in office until their successors are elected by the board. A vacancy in any office shall be filled by the board for the unexpired term.

Duties of Officers (16/30-45) : The duties of the officers of the board are:

1) The president shall preside over all meetings, appoint members of committees, and perform other such duties as the district may specify in its by-laws, policies, or other appropriate action. In his or her absence, the vice-president shall preside at meetings. If there is no vice-president, a temporary chairman shall be elected by the board. Neither the president nor any member acting in the absence of the president shall have veto powers.

2) The treasurer shall keep and maintain accounts and records of the district during his or her term in office, including a record of all receipts, disbursements, and balances in any funds.

An audit for each fiscal year shall be conducted by an accountant licensed to practice public accounting under the laws of the state of Illinois. At least three copies of the audit shall be filed with the board no later than the 90th day following the completion of the fiscal year. The audit report shall be filed with the state comptroller within 6 months after the close of the fiscal year. The audit shall include (1) total cash receipts from all sources; (2) total disbursements; and (3) discrepancies. The audit shall also certify (1) cash on hand as of July 1; (2) cash in the Working Cash Fund as of July 1 and the amounts outstanding and due to this fund; and (3) any other information deemed pertinent by the trustees. (Governmental Account Audit Act (50 ILCS 310/2 & 3) (from Ch. 85, par.702 & 703)).

The treasurer shall be bonded by the district. The amount of the bond shall be based upon a minimum of 50% of the total funds received by the district in the last fiscal year. Others who have access to district funds shall be bonded in the same amount. The cost of the bonds shall be paid by the district. All checks for disbursement of funds must be signed by two authorized

persons. Those authorized to sign checks for the district are the treasurer, the president, the library director, and the business manager.

By law, any person, entity, public body, or agency having library district funds, property, or records in their possession must upon demand by any trustee transfer and release all such to the treasurer.

3) The secretary shall keep and maintain appropriate records for his or her term in office and shall include a record of the minutes of all meetings, the names of those in attendance, the ordinances enacted, resolutions, rules, and regulations adopted, and any other pertinent information which affects the operation of the district (16/30-65). The records shall be audited by two other trustees appointed by the president and shall be conducted each fiscal year and upon the change of secretaries. The audit report shall be filed no later than the 90th day following the completion of the fiscal year. The report shall certify the accuracy of the records of the secretary, their completeness, and list the discrepancies, if any. The report of the audit of the secretary's records shall be made a part of the secretary's records. The secretary shall have the power to administer oaths and affirmations for the purpose of complying with the Illinois Public Library District Act.

4) The board shall take whatever action is deemed necessary to cure the discrepancies reported to it by any audit committee.

Committees: There are four standing committees appointed by the president after each election and reorganization of the board. An administrative staff member serves as an ex-officio member of each standing committee. The committees meet as needed and are subject to posting and recording requirements as set by the Open Meetings Act. The committees are:

1. Finance Committee: This committee shall consist of the treasurer and one other trustee. Their responsibilities include, but are not limited to, drafting a preliminary budget, managing library funds and investments, and drafting the annual levy.
2. Personnel Committee: This committee shall consist of at least two trustees. Their responsibilities include, but are not limited to, reviewing personnel policies and job descriptions and assuming a leadership role in the resolution of any personnel conflict which cannot be resolved by the director.
3. Policy Committee: This committee shall consist of at least two trustees. Their responsibilities include, but are not limited to, reviewing drafts of new and amended policies before presentation to the full board.
4. Property Committee: This committee shall consist of at least two trustees. Their responsibilities include, but are not limited to, reviewing and recommending large maintenance projects to the board and overseeing those projects.

Adopted October 13, 2021

Meetings / Quorum / Voting (16/30-50) : The board will meet a minimum of nine times each fiscal year. Each year the board must specify by ordinance the time, place, and dates. Special meetings may be called by the president, secretary, or by any 4 trustees. Board members shall attend all meetings and committee meetings to which they are assigned and shall carry out all

special assignments promptly. The library director shall also attend all board and committee meetings to which he/she is assigned, except those meetings or parts of meetings in which the library director's salary and tenure are discussed. The library director and the board president will create the agenda for each meeting. It is the library director's responsibility to post all meeting agendas and minutes in accordance with the Open Meetings Act adopted by the State of Illinois (5 ILCS 120/). The board will follow all state laws governing meetings of public bodies and will adhere to the rubrics of the Open Meetings Act.

A quorum is 4 trustees. Votes must pass by a majority of those present. The secretary will record the results of all votes taken and will note absentees and abstentions.

Virtual meetings: A quorum need not be physically present at a meeting if the requirements in section 7(e) of OMA for a remote meeting during a public health disaster are met. These requirements are:

- A proper disaster declaration is in place;
- the president has determined that in-person meetings are not practical or prudent;
- all members are verified and can hear one another and all discussion and testimony;
- if the public is present, they can hear all discussion, testimony and votes of the members, and if public attendance isn't feasible because of the disaster, the board must make alternative arrangements for access (and provide notice), such as by telephone or a web-based link, for any interested member of the public to contemporaneously hear all discussion, testimony, and roll call votes;
- one board member, chief legal counsel, or chief administrative officer (e.g. the library director) must be physically present at the regular meeting location, unless unfeasible;
- all votes must be conducted by roll call;
- proper notice must be given, and any closed session must be recorded;
- members attending remotely count towards a quorum and may fully participate;
- in additions to the requirements of section 2.06, the board must also keep a verbatim record, either audio or video, of the open meeting, and make the recording available to the public;
- the board bears all costs.

Adopted April 14, 2021

Virtual attendance: If a quorum is present, a majority of the board may allow a member to attend the meeting by "other means," but only if the member is prevented from physically attending because of one of the following reasons:

- personal illness or disability;
- employment purposes or the business of the board; or
- a family or other emergency.

Adopted April 14, 2021

Postings: The library director, or his or her designee, will post all board meeting and committee meeting agendas on the library's website and on the library's front door no fewer than 48 hours before the meeting. Approved minutes from all meetings will be posted on the library's website no fewer than three business days after approval. Minutes will remain on the library's website for one fiscal year before being removed. Physical copies of agendas and minutes will be kept in the library's records indefinitely.

Public Comment: Visitors are asked to introduce themselves and present any issues they wish to discuss. Visitors wishing to address specific agenda items will be granted two to five minutes at the discretion of the board president, not to exceed a total of twenty minutes.

Adopted 2/21/2019; Amended 8/19/2020

Penalty for Trustee's Failure or Neglect to Discharge Duty (16/30-52) : Any trustee who fails or neglects to discharge any duty imposed upon him or her by library law is guilty of a petty offense and shall be fined not less \$25 or more than \$100 for each offence.

Powers of the Board of Trustees (16/30-55) : The board of trustees of a district shall carry out the spirit and intent of this act in establishing, supporting, and maintaining a public library or libraries within the district and for providing library service.

BOARD OF TRUSTEES

Responsibility and Authority : The responsibility and authority of the board of trustees of the VWPLD is derived from the statutes of the state of Illinois.

The creation of public library districts was initiated by the passage of the Public Library District Act, effective July 17, 1967 (Illinois Laws 1967, p. 1684). The actions of the board of trustees are regulated by Article 4 of this act.

The board shall hire and set the salary of a qualified library director and pay an adequate salary within the means of the budget. The library director shall take primary responsibility for the administration of the library. The director shall have the authority to hire such other employees as may be necessary, to fix their compensation, and to remove such appointees, subject to the approval of the board. The board may also retain legal counsel and professional consultants as needed. (16/30-55.35)

The board shall determine and adopt written policies to govern operation, use, and programs of the library and shall adopt by-laws for board procedures. The library director shall recommend needed policies to the board and supply examples and sources of information. The library director shall carry out the policies as adopted by the board, interpret policies to staff and public, provide the board with recommendations and materials for study, and administer the library within the framework of the library's goals, objectives, policies, and budget.

The library director shall prepare two annual budgets in consultation with the staff, the board, and the library's legal counsel.

- 1) first, the appropriation ordinance form, which anticipates the needs for the coming year;
- 2) second, an operations budget, once the income from taxes is determined.

The board shall work with the library director to formulate these budgets so that they are adequate to carry out the library's goals and objectives within the limitations of state law (75 ILCS 16/30-85). The library director shall supply the facts and figures to the board to aid in interpreting the library's financial need. The board and library director shall see that complete and accurate records concerning finances, personnel, property inventory, and annual reports are on file at the library.

The Board:

- 1) may enact, amend, and rescind ordinances and may make and adopt regulations and resolutions for their own guidance and for the government of the library that are expedient and not inconsistent with library law. (16/30-55.5)
- 2) controls the expenditure of all money collected for the library. (16/30-55.10)
- 3) make purchases under this act in compliance with the Local Government Prompt Payment Act. (16/30-55.12)
- 4) is responsible for the supervision and care of the library building and grounds and will direct any building construction and remodeling. (16/30-55.15)
- 5) may purchase or lease real or personal property for use by the library. Any contract for installment payments may not exceed 20 years, including loans or bonds for new construction. The library may make a refunding loan agreement not to exceed 20 years. (16/30-55.20)
- 6) may sell or otherwise dispose of real or personal property no longer necessary or useful for library purposes. The library may lease property not currently in use. Contracts may not exceed more than 20 years. (16/30-55.30) The property may be sold or disposed of at a public sale as follows:
 - a) personal property of any value may be donated or sold to any other tax-supported library or to any library system operating under the provisions of the Illinois Library System Act under terms or conditions determined by the board.
 - b) personal property having a unit value of \$1,000 or less may be disposed of as determined by the board.
 - c) personal property having a value of more than \$1,000 but less than \$2,500 may be displayed at the library, and a public notice of its availability and the date and the terms of the proposed sale shall be posted.
 - d) in all other cases, the board shall publish notice of the availability and location of the real or personal property and the date and the terms of the proposed sale, giving the notice once each week for 2 successive weeks. The notice shall be published in one or more newspapers published within the district or, if there is no such newspaper, then at

least once in a newspaper of general circulation in the district and published in the county that contains all or the larger portion of the district.

e) on the day of the sale, the board shall proceed with the sale and may sell the property for a price determined by the board or to the highest bidder. Where the board deems the bids inadequate, it may reject the bids and re-advertise the sale. (16/30-55.32)

7) may contract with public or private entities for the purposes of providing or receiving library services. The contract must maintain equity of cost for services to non-residents. (Charges for such service should be comparable to costs for library district residents.) The contract for services to non-residents should include a statement that the contracting party is financially responsible for the loss or damage to any library materials provided to non-residents under the contract. (16/30-55.40)

8) may contract with other libraries to provide a common library or joint services. (16/30-55.45)

9) may enter into contracts and may take title to any property acquired by it for library purposes. (16/30-55.50)

10) may exclude from the use of the library any person who violates library policy. (16/30-55.55)

11) may offer library services to people residing outside the district. (16/30-55.60)

12) may conduct programs to encourage the addition to the district of adjacent areas without local tax-supported library service and may spend funds for this purpose. (16/30-55.65)

13) may provide, by ordinance, fines and penalties for injury to any book or other library material or to any real or personal property belonging to or in the custody of the library and for failure to return any book or other material or personal property belonging to or in the custody of the library. (16/30-55.70)

14) shall invest funds in accordance with the Public Funds Investment Act. (16/30-55.75)

15) may exercise the power of eminent domain in accordance with the Eminent Domain Act. (16/30-55.80 & 16/30-55.82)

16) may accumulate and set apart as reserve funds portions of the unexpended balances of the proceeds received from taxes or other sources, for the purpose of providing self-insurance against liabilities of the district. (16/30-55.85)

17) may join the district and its employees or trustees as a member or members of the Illinois Library Association and the American Library Association or any nonprofit, nonpolitical group whose purpose improves library service and/or the skills of library staff as they relate to their position(s). The board may provide for the payment of membership dues, fees, and assessments to the associations. (16/30-55.90)

18) may participate in maintaining a historical museum or library located in the district. (16/30-55.100)

19) shall adopt and review, at least every two years, a resolution for the selection of library materials and the use of library materials and facilities. No employee may be disciplined or dismissed for the selection of library materials when the selection is made in good faith and in accordance with the resolution required to be adopted under this section. (16/30-60)

20) On or before September 1 of each year, shall prepare a written report for the past fiscal year. The secretary shall file certified copies of the report on or before the due date with the Illinois State Librarian and in the library or libraries operated by the district, where the report shall be available for public inspection. The report shall include the following:

- a) the audit of the secretary and the secretary's records,
- b) a statement as to any change in the limits and boundaries of the district,
- c) a statement as to property of any type acquired by the district by purchase, legacy, gift, or otherwise,
- d) a statements as to the amount of accumulations and the reasons for the accumulations,
- e) a statement as to any outstanding liabilities, including those for bonds still outstanding, and
- f) any other pertinent information requested by the Illinois State Librarian.
- g) where the dissolution of the district has been approved, the board shall prepare a final report. (16/30-65)

Goals, Needs, Evaluation and Communications : It shall be the duty of the board to determine the goals and objectives of the library and the methods of meeting them, to review the goals and objectives annually, and to evaluate progress. The library director shall provide assistance and direction in setting goals and objectives and in determining means of evaluation. The board shall relate the library and its programs to the community and its needs through systematic study of the community and through systematic analysis of library service. The library director shall participate fully in this process and prepare regular reports on current progress and future needs.

The board is responsible to seeing that the public understands the objectives and goals of the library. It is also responsible for promoting good public relations whenever and wherever possible, to encourage use of the library, to inform the public of library programs, and to obtain citizen support for library development. The library director handles the details of the communications program. The library director or his or her designee will use various platforms to communicate with the public including, but not limited to, local media outlets, social media, and the library's website.

Website : In accordance with state law, the library will maintain a website. This website will list the library's contact information, hours, board and financial information, and upcoming events.

Social Media : Only library supervisors will be able to post on the library's social media accounts. Any posts must align with the library's mission and core values.

Library Records : Library records considered “public records” by State Records Act (5 ILCS 160) shall be made available to the public as requested. The library director or his/her designee shall serve as the Freedom of Information Act (FOIA) officer for the library and answer all such information requests.