Bylaws of the

Delaware Township Library

Reviewed/Approved

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**1.1 Name and Use of the Library**
The name of this municipal body shall be the “Delaware Township Library” (hereafter referred to as the “Library”).

In accordance with applicable Kansas Law, the Library shall be forever for the use of residents and taxpayers of the Delaware Township and the city of Valley Falls and other patrons as authorized by law subject to such reasonable rules and regulations as the Library Board of Trustees (hereafter referred to as the “Board”) may adopt in order to render the use of the Library of the greatest benefit to the greatest number of Delaware Township residents and taxpayers.

 **1.2 Library Mission**
The mission of the Delaware Township Public Library is to promote the development of independent, self-confident, and literate citizens through the provision of open access to cultural, intellectual and informational resources.

 **1.3 Board of Trustees**
The Board shall have all of the powers of a board of public library trustees granted to it by Kansas Law. In accordance with the obligations described in Kansas Library Law, the Library shall be governed by a Board of five Trustees.

**1.3.1 Responsibilities of the Board**
Legal and financial responsibility for the operations of the Library is vested in the Board. Subject to existing statutes, the powers of the Board include but are not limited to: 1) determining rules and regulations governing library services; 2) exercising exclusive control of all expenditures of money credited to the library fund, and any grant, gift or endowment funds provided for library purposes; 3) determining the property tax levy required to support the Library within the law; and 4) hiring, evaluating and, if necessary, dismissing the Library Director.

The Board may adopt such policies, rules and regulations for the conduct of its business as shall be deemed advisable or necessary and may, in the execution of the powers granted, appoint such agents as it may consider necessary.

**1.3.2 Qualification, Appointment, and Tenure**
Candidates for the board are selected by other members of the current board based on qualifications such as fitness to serve, dedication to service to the public good and interest in library and library matters. Board members are eligible to serve up to (2) four-year terms in succession but then must retire from the board for at least one term of one year before being eligible to serve once again.

 **1.3.3 Orientation**
The Delaware Township Public Library Board of Trustees will conduct a formal orientation for all new Library Board members.

**1.3.4 Resignation or Removal from the Board**
Any Trustee may resign at any time by giving written notice to the President or Secretary. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Upon receipt of such resignation, the President will notify the board of the vacancy.

Causes for removal from the board, is but shall not be limited to: absenteeism; conflict of interest; incapacitation, physical or mental; conviction of a criminal offense; incompetence or inattention to assigned duties.”

**1.3.5 Conflict of Interest**
Any conflict of interest on the part of any Trustee shall be disclosed to the Board when the interest becomes a matter of Board action.  Any Trustee having a conflict of interest shall not vote or use his personal influence on the matter, and shall not be counted in determining the quorum for the meeting for that vote.  The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the quorum situation.  Any new Trustee will be advised of this policy upon assuming the duties of office.

Trustees will not engage in economic activity that involves the use or sale of information gained in the course of official duties.

**1.4 Board Officers**
The Officers of the Library shall consist of a President, Vice-President, Secretary and a Treasurer. No Trustee shall hold more than one office at any one time.

**1.4.1 Election and Term of Office**
The President, Vice-President, Secretary and Treasurer shall be elected by the majority of those Trustees present and voting at the regular June meeting each year. The terms of newly elected officers shall begin on June 1. Officers shall serve a term of one year or until their successors are duly elected.  No Trustee shall hold more than one office at any one time.

**1.4.2 Resignation, Removal and Vacancies**
Any officer may resign from office at any time by giving written notice to the President or Secretary. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Any officer duly elected or appointed may be removed by a majority of a quorum of the eligible voting members whenever in its judgment the best interests of the Library would be served thereby.

Except as provided for in section 1.5.2, a vacancy in an office shall be filled by a vote of the Board, and the Trustee elected shall serve for the remainder of the term of the officer he or she replaces. No name shall be placed in nomination without the consent of the nominee.

1.5 Duties of Officers
**1.5.1 President**
The President shall preside at all meetings of the Board, appoint committees as needed, nominate all committee members and Board representatives for Board approval, serve as an ex-officio member with vote of all committees, serve as principal Board liaison to the Library Director, sign official documents including contracts, and assume such other duties as directed by the Board. The President shall be the official speaker or shall designate a speaker for the Board in matters of public interest.  The President shall be bonded.

**1.5.2 Secretary**
The Secretary and President shall sign such official papers as are necessary, including, but not limited to contracts, grant applications, and leases. The Secretary shall monitor the official manual of Board-approved bylaws and policies. In the absence of the President and , the Secretary shall serve as President. In the absence of the Secretary, the President shall appoint a secretary pro-tempore.

**1.5.3 Treasurer**
The Treasurer shall serve as the Board’s financial officer. The Treasurer shall cause to be received and safely kept all monies belonging to the Library in depositories approved and designated by the Board, in the name of the Library or in such other investments as may be authorized by law, and shall disburse the same only upon the authority of the Board.  The Treasurer shall cause to have prepared a monthly report to the Board of all receipts and disbursements and shall have submitted at the annual meeting of the Board a detailed statement showing all receipts and disbursements during the preceding year.  The Treasurer shall cause to have prepared all financial reports required to be submitted to the local, state or federal governments.   The Treasurer shall be bonded.  In the absence of the Treasurer or when s/he is unable to serve, the President may perform the duties of the Treasurer.  The Treasurer shall perform any other duties as may be assigned by the Board.

**1.6 Meetings of the Board of Trustees**
All Board meetings shall meet the requirements of applicable Kansas law.

**1.6.1 Annual Meeting**
The first regular meeting after February 1 will be the annual meeting of the Board at which the Annual Report will be presented. The report shall include a summary of the year’s work, statement of plans for the following year, a detailed account of the receipts and expenditures of the previous fiscal year, and all other information required by State law and statutes.

**1.6.2 Regular Meetings**
Each October a regular monthly meeting schedule for the subsequent calendar year will be established by the Board.

**1.6.3 Special Meetings**
Special meetings of the Board may be called by the President, or upon the written request of three Trustees, given proper notice as specified in the Open Meetings Act. Notices shall be sent at least three days before the meeting, and no business shall be transacted other than stated in the notice.

**1.7 Board Meeting Rules**
**1.7.1 Quorum**
For the transaction of business at any meeting of the Board, three Trustees who are present shall constitute a quorum. A meeting can continue, but no action can take place, if a quorum is not present.

**1.7.2 Remote Participation at Meetings**
Under limited circumstances, Trustees unable to be physically present at a public meeting may participate in the meeting via communication devices. Communication devices include, without limitation, audio and/or video equipment which allows all Trustees and other meeting participants to interact on all motions, discussions and votes. The limited circumstances which allow a Trustee to participate via communication devices are personal illness or disability, employment purposes, family emergency or another emergency.  A Trustee wishing to attend via communication devices must give advance notice to the Board Secretary of the desire to attend via communication devices (unless notice is impractical). The circumstances supporting use of communication devices shall be announced at the start of a meeting and such circumstances shall be noted in the minutes of the meeting. Only Trustees attending in person shall be counted toward establishing a quorum unless otherwise noted.

**1.7.3 Conduct of Meeting**
The President shall preserve order and decorum and decide questions of order.
In the case of disturbance or disorderly conduct, the President shall have the power to: (1) remove the offenders, (2) clear the board room of all spectators, or (3) suspend or adjourn the meeting.

**1.7.4 Agenda**
The first order of business shall be the President’s ascertaining if there is a quorum present. If so, the President shall call the meeting to order. The Board shall proceed to conduct the business before it normally in the following order:

* Approval of the minutes of the preceding meeting
* Treasurer’s Report
* Information/Communication
* Citizen Comment (if applicable)
* Committee Reports (if applicable)
* Old/Unfinished Business
* New Business
* Adjournment

The President may vary the order of business.
 **1.7.5** **Suspension of the Rules**
Any rule or policy of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of those present shall so approve.

**1.7.6 Citizen Participation**
The Board shall provide a period not to exceed 15 minutes at the beginning of the order of business for citizen comment. Prior to the beginning of the meeting, interested citizens should indicate their desire to speak by signing their name and address on a form. The President will allocate the 15-minute period equally among those persons. A person addressing the Board shall limit comments to items within the jurisdiction of the Library Board.

**1.7.7 Motions**
A motion is not before the Board until it has been seconded. A motion may be withdrawn by the proposer at any time before a vote is called.

All authorizations to spend money shall be passed only by a roll call vote duly recorded.

An amendment to modify an original motion shall be in order, but no amendment shall be made that changes the intent of the original motion.

A majority of a quorum of the Trustees present and voting is required to carry any motion unless otherwise provided in the bylaws.

All motions involving the hiring or dismissal of the Library Director must be approved by five Trustees.

**1.7.8 Closed Sessions**
All meetings of the Board and its committees shall be open to the public and to the press except closed sessions as authorized by applicable Kansas law and statute.

The closed session must be approved in open meeting by a majority vote and the purpose of the closed session recorded in the minutes of the open meeting.

Only topics specified in the vote to close may be considered in the closed session. No final action may be taken at a closed session.

All proceedings of a closed session shall be kept in strict confidence by all those in attendance.

Closed sessions shall be recorded and such recordings shall be preserved for at least eighteen months and shall only be destroyed after the Board has approved and made public the minutes of the closed session.

Under the Open Meetings Act, the minutes of all closed sessions will be reviewed by the Board at their regular June and December meetings as to whether or not the minutes should remain sealed or can be publicly disclosed (5 ILCS 120/2.06).
 **1.7.9 Adjournment**
A motion to adjourn the Board shall always be in order except while a vote is being taken. A motion to adjourn cannot be amended or debated, but a motion to adjourn to a specific date or time may be amended and debated.

**1.7.10 Robert’s Rules of Order**
The rules of parliamentary procedure in the latest edition of Robert’s Rules of Order shall govern the Board in all cases.

**1.7.11 Trustee Participation**
Trustees are expected to attend and participate in all regular board meetings and to fulfill their committee obligations.  If a Trustee attends fewer than six meetings per year, the Board President shall remove the Trustee in question from the Board in accordance with appropriate statutes and ordinances.

1.8 Board Committees

**1.8.1 Special Committees**
Committees may be designated by a resolution adopted by a majority of the Board present at a meeting at which a quorum is present. The President shall appoint members to special and ad hoc committees as deemed appropriate.  Any committee member may be removed by the person or persons authorized to appoint committee members whenever, in their judgment, the best interests of the Library shall be served by such removal.

**1.8.2 Quorum for a Committee**
A majority of the total membership of any committee shall constitute a quorum.

**1.8.3 Committee Reports**
Minutes will be kept of all committee meetings and will be presented at the next regularly scheduled Board meeting.

**1.9 Library Director**
**1.9.1 Duties of the Library Director**
The Board shall select, appoint, and evaluate a qualified librarian (“Library Director”) who will be the Library’s chief executive officer and be responsible for the day-to-day administration and operation of the Library under the general policies approved by the Board.

The Library Director shall be responsible to the Board pursuant to the provisions of applicable Kansas laws and statues. The Library Director will report directly to the Board, execute the policies adopted by the Board, and shall be authorized to develop the library program, establish the organizational structure, purchase materials and services, and undertake such other activities as may be necessary for the library’s operation, subject to the policies established by the Board. The Library Director shall have the authority to execute contracts on behalf of the Library within the parameters established by the Board.  The Library Director shall attend all meetings of the Board.  The Library Director shall make a monthly report to the Board and submit regular reports to the board as required.

In a manner consistent with the Library’s Personnel Policies, the Library Director shall hire, supervise, evaluate and may terminate the employment of staff members necessary to carry out the work of the Library. Library staff will be hired and terminated by the Library Director with approval by the Library board. The Library Director shall direct and supervise staff members to ensure the efficient delivery of high-quality services.

The Library Director is responsible to the Board for all properties and funds belonging to the Library.

The Library Director shall make other reports at the meetings of the Board in such form and on such subjects as the Board may direct.
 **1.9.2 Library Director Performance Evaluation**
The Board of Trustees shall formally evaluate the performance of the Library Director at least once each year.

**1.10 Amendment of the Bylaws**
These bylaws may be amended with one month’s notice in writing of the proposed amendment at any regular meeting of the Board of Trustees, by a two-thirds affirmative vote of a quorum of the Trustees present. A copy of the proposed amendment must accompany the call of the meeting.