

BYLAWS

Board motion number: 29:08

Byl-1 Statement of authority

The Bonnechere Union Public Library is established in accordance with the Public Libraries Act, Revised Statutes of Ontario, 1990, chapter P.44 and is under the management and control of the Bonnechere Union Public Library Board which is a corporation operating under the authority of the Act. The Bonnechere Union Public Library Board recognizes that the Act sets out procedures for the appointment of members of the board, the qualifications of members, term of membership, disqualification of members, and vacancies on the board.

Byl-2 Purpose of the board

The Bonnechere Union Public Library Board shall seek to provide a comprehensive and efficient public library service that reflects the community's unique needs. The Bonnechere Union Public Library Board:

1. bears legal responsibility for the Bonnechere Union Public Library;
2. determines and adopts written policies to govern the operation of the board and library;
3. works to understand the library-related needs of the community;
4. determines the goals and objectives of the library and secures adequate funds to fulfil these goals;
5. fixes the dates and times for regular meetings of the board and the mode of calling and conducting them, and ensures that full and correct minutes are kept;
6. makes provision for insuring the Board's real and personal property;
7. takes proper measures to ensure checks and balances for correct financial administration;
8. appoints a competent and qualified Chief Executive Officer; evaluates and fixes the rate of pay of the CEO, and if necessary, dismisses the CEO ;
9. works with the CEO to prepare a budget adequate to carry out the library's goals and objectives and presents this budget to municipal council;
10. ensures that the library is operated in accordance with the Public Libraries Act, R.S.O. 1990, chapter P.44; and
11. approves and submits all reports required or requested by the member municipal councils or the Government of Ontario.

Byl-3 Orientation of members of the board

The Chief Executive Officer shall ensure whenever possible that all new board members, before their first board meeting, receive an introduction to the library, its facilities, staff and services. Each board member shall be asked to read the following documents immediately upon appointment to the board:

1. the library's by-laws and policy statements;
2. guidelines for the position of library trustee; and
3. the policies of the library.

New board members will also be given opportunities to become familiar with:

1. the library's current budget;
2. the library's latest audited financial statement;
3. the names, addresses and telephone numbers of other members; and
4. a package of materials from the previous meeting (minutes, reports, etc.)

Byl-4 Meetings of the board

The Chief Executive Officer shall call the inaugural meeting of the Bonnechere Union Public Library Board in each new term upon receipt of the confirmation of appointments from the Municipal Clerk. The Secretary shall preside and conduct the elections for the position of Chairperson and Vice-Chairperson in accordance with Robert's Rules of Order and the Municipal Act of Ontario when the incumbent has completed the prescribed term which is commensurate with the term of municipal councillors. The Chairperson shall assume the chair for the appointment of committee members.

Regular meetings of the Bonnechere Union Public Library Board shall be held monthly from January to June and September to December. Generally meetings will be held on the fourth Tuesday of the month, unless such day shall be a legal, public or civic holiday, or a quorum cannot be established due to pressing matters demanding members' attention elsewhere, in which case the board shall meet at a time and date agreed upon at the preceding meeting of the board or by a telephone agreement among members that establishes a quorum. The meetings will begin at 6:30 p.m. unless a change is decided upon at the preceding meeting or by a telephone chain. Regular meetings will be held in the Bonnechere Union Public Library, or elsewhere when necessary or appropriate.

The chairperson or any two members of the board may summon a special meeting of the board by giving each member reasonable notice in writing, or if urgent, through voice or verified e-mail communication, specifying the purpose for which the meeting is called which shall be the sole business transacted at the meeting. Voice communication must be with the board member, not messages left through any third party. The chairperson may request that the CEO make the necessary calls.

Board meetings shall be open to the public, except where the board is of the opinion that intimate financial or personnel matters may be disclosed at a meeting.

When the board determines that matters should be dealt with in the absence of non-board members, a motion to move into an in-camera session must be moved, seconded and approved by a majority vote. Motions to move in-camera are not debatable. At the conclusion of the in-camera session, a motion must be moved, seconded and approved by a majority vote to return to public session. Decisions reached during in-camera sessions must be moved, seconded, and voted upon in the public portion of the meeting.

Byl-5 Attendance at meetings

Regular attendance of all board members at board meetings is vital to the satisfactory conduct of board business. In the event that a member must be absent from any meeting, that member shall notify the CEO, the Secretary, or the Chair prior to the day of the meeting. Should a member be absent for three (3) consecutive regular meetings, the board shall consider the circumstances of the absence and either

1. contact the member by letter if no contact has been possible for three months
2. notify the municipal council that appointed that person that the seat is vacant, or
3. pass a resolution authorizing that person to continue as a board member due to extenuating circumstances until the next meeting.

Byl-6 Chairperson of the board

The Chairperson of the Bonnechere Union Public Library Board acts as an official representative of the library and in a leadership role to the board, ensures the proper functioning of the board and the proper conduct of board business, in accordance with appropriate legislation and Robert's Rules of Order.

In addition, the Chairperson is responsible for:

1. presiding at regular and special meetings of the board in accordance with the Public Libraries Act, Revised Statutes of Ontario, 1990, chapter P.44 and other relevant legislation, and with the rules of procedure adopted by the board;
2. serving as an ex-officio member of all board committees;
3. acting as an authorized signing officer of all documents pertaining to board business;
4. representing the board, alone or with other members of the board, at any public or private meetings for the purpose of conducting, promoting or completing the business of the board;
5. appointing committees as necessary to advise board on matters which require decisions and determine the responsibility of committees to deal with matters which arise where it is unclear which committee has responsibility, subject to eventual confirmation by the board;
6. ensuring that vacancies on board committees are filled as expeditiously as possible by working with the CEOs of the municipal councils to advertise the position, interviewing the applicants, and making recommendations based on those interviews to the appropriate council; and
7. advising the vice-chairperson, if for any reason, the chairperson is temporarily unable to perform these functions.

The Chairperson shall not commit the board to any course of action in the absence of the specific authority of the board.

The term of office for the Chairperson of the Bonnechere Union Public Library Board shall be from the time of election by board members until the next municipal election.

Byl-7 Vice-Chairperson of the board

In the absence of the chairperson, the vice-chairperson of the Bonnechere Union Public Library Board acts as an official representative of the library and in a leadership role to the board, ensures the proper functioning of the board and the proper conduct of board business, in accordance with appropriate legislation and Robert's Rules of Order.

In addition, the vice-chairperson is responsible for:

1. exercising all powers and performing all duties of the chairperson, in the absence of the Chairperson; and
2. exercising such powers and duties as may, from time to time, be assigned by the board.

The term of office for the Chairperson of the Bonnechere Union Public Library Board shall be from the time of election by board members until the next municipal election.

Byl-8 Secretary of the board

The board shall appoint a secretary who shall

1. conduct the Board's official correspondence; and
2. keep minutes of every minutes of the board

The term of office for the Chairperson of the Bonnechere Union Public Library Board shall be from the time of election by board members until the next municipal election.

Byl-9 Chief Executive Officer of the board

The board shall employ a chief librarian who shall be the chief executive officer of the library and is not a voting member of the board. The chief executive officer shall also serve as treasurer of the board. The board shall establish a job description, hours of work, salary and benefits for the position. The job description shall clearly list the duties assigned to the position and establish the reporting relationships of the chief executive officer. The board shall conduct an annual evaluation of the performance of the chief executive officer to aid in setting objectives for the next year.

Byl-10 Order of proceedings

Meetings shall be called to order as soon after the hour fixed for a meeting as a quorum is present. "The presence of a majority of the board is necessary for the transaction of business at a meeting. (Public Libraries Act R.S.O. 1990 chapter P.44 Section 16(5)).

As the Bonnechere Union Public Library Board is composed of seven members, four or more members shall constitute a majority of the members of the board. No business of the board shall be transacted except at a meeting at which a majority of the board is present. Where a quorum is not present within thirty minutes after the hour fixed for a meeting, the secretary shall record the names of the board members present and the meeting shall stand adjourned until the next meeting or until a special meeting is called. If notified by a majority of board members of their anticipated absence from a meeting, the secretary shall notify all members of the board that the meeting is cancelled. In the absence of the chairperson, the vice-chairperson shall preside.

The order of business for all regular meetings of the board shall be as follows:

1. call to order and date of next meeting;
2. approval of the agenda;
3. declaration of any conflicts of interest;
4. approval of minutes of the preceding meeting;
5. business arising from the minutes;
6. chairperson's remarks;
7. correspondence;
8. financial report and payment of accounts;
9. new business;
10. committee reports;
11. librarian's report; and
12. adjournment.

All business shall be dealt with in the order of the agenda unless otherwise decided by the board.

Byl-11 Conduct of proceedings

It shall be the duty of the chairperson of the Bonnechere Union Public Library Board to:

1. open meetings of the board by calling the members to order;
2. ask for an approval of the agenda;
3. receive and submit, in the proper manner, all motions presented by the members of the board;
4. put to vote all motions which are moved and seconded in the course of proceedings, and to announce the results;
5. decline to put to vote motions which infringe the rules of procedure;
6. restrain the members, when engaged in debate, within the rules of order;
7. enforce the observance of order and decorum among the members;
8. exclude any person, member or observer, from a meeting for improper conduct;
9. authenticate, by signing, all by-laws, resolutions and minutes of the board;
10. inform the board, when necessary or when referred to for the purpose, in a point of order or usage;
11. represent and support the board, declaring its will, and implicitly obeying its decisions in all things;
12. receive all messages and communications and announce them to the board;
13. appoint members to committees; and

14. ensure that the decisions of the board are in conformity with the laws and by-laws governing the activities of the board.

Byl-12 Rules of debate

In directing the course of debate, the Chairperson shall:

1. preserve order and decide questions of order;
2. designate the member who has the floor when two or more members wish to speak;
3. state all motions presented or require the secretary to read the motion before permitting debate on the question; and
4. put the question to vote when all members wishing to speak to it have spoken once or when further debate will not serve to advance the business before the board.

In addressing the board, no member shall:

5. speak beside the question in debate;
6. reflect upon any prior determination of the board except to conclude such remarks with a motion to rescind such determination;
7. interrupt the member who has the floor except to raise a point of order; and
8. speak more than once to the same question except upon the consideration of a report referred by a committee to the board for a decision, in explanation of a statement which may have been interpreted incorrectly, or with permission of the board after all other members so desiring have spoken.

Any member may require the question or motion under discussion to be read at any time during the debate.
Every member present, when a question is put, shall vote thereon unless a member has declared a conflict of interest.

Byl-13 Motions

A motion:

1. must be seconded before it can be debated, put to vote and recorded in the minutes;
2. can only be withdrawn without a vote after it has been properly moved and seconded;
3. properly before the board must receive disposition before any other motion to amend, adjourn, extend hour of proceedings, or on a matter of privilege;
4. only one motion to amend the main motion shall be allowed; and
5. to adjourn is not debatable, cannot be amended, must be voted on after seconded, and, if resolved in the negative, cannot be made again until after some immediate proceeding shall have been completed by the board

Byl-14 Voting on motions

When voting on motions:

1. the chairperson may vote with the other members of the board upon all questions;
2. any question on which there is an equality of votes, for and against, shall be deemed to be a negative vote;
3. only committee members may move and second motions and vote in committee meetings; and all board members may participate in discussions of matters before the committee;
4. a separate vote shall be taken upon each proposal contained in a question divided with the approval of the board;
5. voting shall normally be by a show of hands;
6. upon the request of a member who was present when the question was stated, a recorded vote shall be taken; and
7. as the CEO is not a member of the board, the CEO does not cast a vote

Byl-15 Committees of the board

The board may appoint the following standing committees:

1. Finance;
2. Human Resources;
3. Planning and Policy;
4. Public Relations and Fundraising; and/or
5. other committees as required

The Bonnechere Union Public Library Board shall be responsible for establishing terms of reference and specific duties for each of these committees. At the first meeting of each committee each year, a chairperson shall be elected from the committee members appointed. The

chairperson of the board shall be an ex-officio member of all committees. Meetings of committees may be called by the chairperson of the committee or by a majority of the members of a committee with a minimum of 48 hours notice. Committees shall operate with the terms of reference established and approved by the board. The terms of reference may be amended on a 2/3 majority vote by the board.

Byl-16 Financial year

The financial year of the Bonnechere Union Public Library Board shall terminate on the 31st day of December in each year.

Byl-17 Signing officers of the board

The board shall appoint at least three signing officers of the board. The Board may permit the CEO to have signing authority. All cheques or other orders for the payment of money in the name of the Bonnechere Union Public Library Board shall be signed by any two signing officers.

Byl-18 Bank accounts

Bank accounts required for the business of the board shall be opened in the Board's name by the Treasurer in branches of chartered banks, trust companies or credit unions as the board may from time to time determine by resolution.

Byl-19 Reimbursement of expenses

The members of the Bonnechere Union Public Library Board shall, upon submission of receipts, be reimbursed for proper travelling and other expenses incurred in carrying out their assigned duties as members of the board.

Byl-20 Audit

The accounts of the board shall be audited at the conclusion of each financial year, upon the death, resignation, dismissal or other termination of the treasurer of the board, and at such other time as the board shall direct.

The secretary of the board shall annual receive copies of the library's audited financial statement from the municipality, distribute a copy to each board member and the CEO, and file two copies with the library's official records.

Byl-21 Amendment of by-laws

A motion to amend or remove a by-law of the Bonnechere Union Public Library Board shall require a majority vote of at least two thirds of the members in order to be carried, providing that notice shall have been given at the previous meeting of the board.