

Batesville Memorial Public Library Trustee Bylaws

Article I. Identification

Section 1. The name of this Board is the "Board of Trustees of the Batesville Memorial Public Library", hereinafter referred to as "the Board." The Batesville Memorial Public Library will be hereinafter referred to as "the Library."

Section 2. Geographical boundaries of the Library and taxed library district include the City of Batesville, Indiana in Ripley and Franklin Counties, those parts of Laughery and Adams Townships in Ripley County, Indiana, that are in the Batesville Community School Corporation district, and all of Ray Township in Franklin County, Indiana.

Article II. Authority and Purpose

Section 1. The Board shall govern the Library, a municipal corporation and Class 1 library organized under the public library provisions, according to the purposes and authority set forth in IC 36-12, as amended, and such other Indiana and federal laws as affect the operation of the Library.

Section 2. Members of the Board (Trustees) shall serve without compensation, except that the Treasurer may be paid, per IC 36-12-2-21. A Board member may not serve as a paid employee of the public library.

Section 3. Necessary travel and/or meal expenses of any Board member incurred in the interest and business of the Library may be reimbursed out of library funds, per policy or board resolution. Such travel on behalf of the Library shall be approved by the Board.

Section 4. The Board may engage legal counsel as needed for legal advice. The President of the Board or the Library Director may request the legal opinions of legal counsel for any matter which comes within the jurisdiction of the Board, and shall report the opinion to the Board.

Article III. Personnel

Section 1. The Library Board shall select a librarian who holds a certificate under IC 36-12-11 to serve as the Director of the Library. The selection shall be made solely upon the basis of the candidate's training and proficiency in the science of library administration. The Board shall fix the compensation of the Director. The Director, as the administrative head of the Library, is responsible to the Board for the operation and management of the Library, per IC 36-12-2-24(a).

Section 2. The Director shall have the power to write and enforce administrative regulations or procedures governing the Library which logically stem from adopted and approved Board policies. Such regulations or procedures shall be consistent with the policies of the Board.

Section 3. The Director shall be held responsible for the care of the building(s) and equipment, for the employment and direction of the staff, for the efficiency of the Library's service to the public, for the administration of the long range plan and short term goals, and for the operation of the Library under the financial conditions set forth in the annual budget.

Section 4. The Director shall attend all Library Board meetings, except those at which her/his appointment, salary, or performance is to be discussed or decided.

Article IV. Conflicts of Interest

Section 1. Board members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity and honor.

Section 2. Board members shall promote a high level of service while observing ethical standards.

Section 3. Board members shall avoid situations in which personal interests might be served or financial benefits gained at the expense of Library users, colleagues or the institution.

Section 4. Board members will not use the Library for personal advantage or the personal advantage of friends or relatives.

Section 5. Board members will declare any conflict of interest between their personal life and their position on the Library Board and avoid voting on issues that appear to be a conflict of interest. It is incumbent upon any Board member to disqualify or recuse himself/herself from voting immediately whenever the appearance of a conflict of interest exists.

Section 6. If the possibility of a long-term conflict of interests exists, the Board member shall complete the Uniform Conflict of Interest Disclosure Form annually.

Article V. Nepotism

Section 1. The Library will always hire employees based on their experience, skills and merit. If a family member of a Board member or current staff member is interested in a position with the Library, that person should apply through standard channels.

Section 2. 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. Amendments

Section 1. These bylaws may be amended at any regular meeting of the Board by a majority vote of the members.

Section 2. Amendments shall be proposed one month in advance of voting, and a copy provided to each Board member at least 15 days before the meeting.

Section 3. Amendments may be proposed by any member of the Board.

Section 4. The amendments for each year shall be sent to the Indiana State Library upon submission of the annual report.

Article VII. Membership

Section 1. Members of the Board shall be appointed pursuant to IC 36-12-2-9, and as follows:

Class 1 Multiple Townships Library	Appointing Authority
Trustee 1 IC 36-12-2-9(1)	Ripley & Franklin County Executives
Trustee 2 IC 36-12-2-9(2)	Ripley & Franklin County Fiscal Bodies
Trustee 3 IC 36-12-2-9(3)	School Board
Trustee 4 IC 36-12-2-9(3)	School Board
Trustee 5 IC 36-12-2-9(3)	School Board
Trustee 6 IC 36-12-2-10(1)	Ripley & Franklin County Executives
Trustee 7 IC 36-12-2-10(2)	Ripley & Franklin County Fiscal Bodies

Article VIII. Officers

Section 1. Officers of the Board shall be President, Vice-President, Secretary and Treasurer, per IC 36-12-2-22 and IC 36-12-2-23.

Section 2. The officers shall be elected by ballot at the December meeting for a term of one year, per IC 36-12-2-23.

Section 3. Vacancies in office shall be filled by ballot at the next regular meeting of the board after the vacancy occurs.

Section 4. Any officer may be removed by the Board at any regular or special meeting by a majority vote of the entire membership of the Board.

Section 5. The duties of the officers shall be such as by custom and law, including IC 36-12-2-22 et seq. And the rules of this Board usually devolve upon such officers in accordance with their titles.

Section 6. The President shall preside at Board meetings, appoint committees deemed necessary, enforce the observance of these rules, and perform other such duties as pertain to the office of the President and are necessary to carry out the wishes of the Board.

Section 7. The Vice-President shall perform the duties of the President in the absence of the latter.

Section 8. The Secretary shall record all proceedings of the Board; shall notify the proper appointing powers of vacancies on the Board, such notice shall be given when possible, two weeks before the vacancy occurs; shall keep a record of attendance at Board meetings, and if any member is absent without reasonable excuse from six consecutive meetings for any cause other than illness, it shall be the duty of the Secretary to inform the appointing authority that the member is not serving the best interests of the Library and should be replaced by someone who will take an active part in the work.

Article IX. Meetings

Section 1. The Board shall meet monthly. The Board shall set the meeting days for the year at the first annual meeting. The January meeting shall be the annual meeting, per IC 36-12-2-23.

Section 2. The full Board and its officers constitutes The Board of Finance and shall meet annually in January, after the first Monday and on or before the last day of January, to review the finances and depositories, per IC 5-13-7-5 et seq.

Section 3. Regular, special and executive session meetings will be publicized and conducted in accordance with the Open Door Law of Indiana (IC 5-14-1.5).

Section 4. Special meetings may be called by the President, or upon written request of two (2) members, for the transaction of business as stated in the call, per IC 36-12-2-23. Notice stating the time and place of any special meeting and purposes for which called shall be given each member of the Board at least 2 days in advance of such meeting and to the local media 48 hours in advance, excluding holidays and weekends, per IC 5-14-1.5-5.

Section 5. A quorum for the transaction of business shall consist of a simple majority, which is equal to 50% of the seats established by law plus one, regardless of any current vacancies on a Library's Board.

Section 6. Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Board.

Section 7. Board members may participate in meetings electronically as long as the library uses technology that permits simultaneous communication between board members and also permits the public to attend. Board members will be counted present and may vote on matters presented to the board. The board member must be seen and heard in order to vote. All votes taken at a meeting with electronic attendees must be taken by a role call vote. At least half the board must be present in person at each meeting. A board member may attend two consecutive meetings electronically and then must attend the next meeting in person. Board members may not attend more than half of the board meetings during any given year electronically unless the reason is due to military service, illness, death of a relative, or an emergency involving actual or threatened injury to persons or property. If a board member experiences technology failure during the meeting, this won't permit the meeting from continuing and won't invalidate board actions or votes as long as there is a quorum of members still able to participate and as long as the voting requirements of the board bylaws are met.

Electronic participation is not permitted if the board is attempting final action to:

- Adopt a budget
- Make a reduction in personnel
- Initiate a referendum
- Establish or increase a fee
- Establish or increase a penalty
- Use eminent domain authority
- Establish, raise, or renew a tax

It is not permissible to have a board member attend electronically and not participate in the vote on these matters. Minutes of the meeting should reflect who attended in person and who attended electronically. It should also reflect the electronic communication used to attend the meeting, for example Zoom. (per HEA 1437)

Article X. Committees

Section 1. Standing committees will be appointed by the President, with the approval of the Board, at the first meeting following the annual meeting, and will serve for one year.

Section 2. Special committees for the study of special problems may be appointed by the President, with the approval of the Board, to serve until the final report of the work for which they were appointed has been filed at a regular Library Board meeting.

Section 3. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act. All committee reports and/or recommendations shall be submitted in writing upon request. Reports of committees shall be signed by at least two members thereof.

Section 4. Committees may have citizen members, as deemed appropriate for their purpose by the Board

Article XI. Indemnification of Board Members

Section 1. The Library will purchase a Directors and Officers (Errors and Omissions) insurance policy annually.

Section 2. The Library will purchase a surety bond for the Treasurer in an amount to be determined and approved by the Board, as outlined in Chapter 1 of the Indiana State Board of Accounts Library Manual. The bond will be filed in the office of the Ripley County Recorder.

Section 3. The Library will purchase a bond for the Board and staff of the Library, in an amount to be determined and approved by the Board. The bond will be filed in the office of the Ripley County Recorder.

Article XII. Policies, Plans, Rules, and Regulations

Section 1. In addition to operating in accordance with these Bylaws and the laws of the State of Indiana, the Board shall adopt policies, plans, rules, and regulations to govern its operations, and may affirm policies, plans, rules, and regulations proposed by the Library Director for the management and administration of the Library, as required by 590 IAC 6-1-4(d), 590 IAC 6-1-4(e) and 590 IAC 6-1-4(h).

Section 2. All of these policies, plans, rules, and regulations shall be compiled and organized in a manual to be known as "Policies, Plans, Rules, and Regulations of the Batesville Memorial Public Library."

Section 3. Policies, plans, rules and regulations will be reviewed by the Board at least every three (3) years.

Article XIII. Review of Bylaws

Section 1. The bylaws will be reviewed, as required by public library standards, at least every three (3) years. The Secretary shall affix the date of review to the bylaws for audit as well as indicating the action in the minutes.

– Reviewed and adopted by the Board of Trustees, April 22, 2015

-Reviewed by the Board of Trustees, February 28, 2018

- Revised by the Board of Trustees, March 23, 2022

