

ORDINANCE NO. 2006/2

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS OF THE BOARD OF LIBRARY TRUSTEES OF THE MARENGO PUBLIC LIBRARY DISTRICT

WHEREAS, the Marengo Public Library District, McHenry County, Illinois, (hereinafter, the “District”) has been duly organized, and a Board of Library Trustees (hereinafter, the “Board” or “Board of Trustees”) has been elected for the government and control of the affairs and business of the District according to law; and

WHEREAS, it is necessary and expedient that rules and regulations for the proceedings and actions of the Board be immediately adopted:

NOW, THEREFORE, BE IT ORDAINED by the Board of Library Trustees of the Marengo Public Library District, McHenry County, Illinois, that the following be and hereby are the rules and regulations of said Board of Directors:

ARTICLE I OFFICES

The principal office of the District shall be located at the Marengo Public Library, 200 S. State Street, Marengo, McHenry County, Illinois. The District may have such other offices within the boundaries of said District as the business of the District may require from time to time.

ARTICLE II BOARD OF TRUSTEES

SECTION 1. Terms of Trustees. The Trustees elected to succeed those whose terms have expired, shall hold office for a six (6) year term commencing from the first day of May next following the election, until their respective successors are elected and qualified.

SECTION 2. Nomination of Candidates. Nomination of candidates for election as Trustees shall be by petition, in a form and an amount as required by Statute, and by the statutory deadline, filed with the Secretary of the District or the McHenry County Clerk.

SECTION 3. Elections. Elections of Trustees shall take place on the second Tuesday of April in each odd numbered year. Said elections shall be conducted by the McHenry County Clerk in accordance with Statute.

SECTION 4. Vacancies. Vacancies shall be declared in the office of the Trustee by the Board when the elected or appointed Trustee declines or is unable to serve, becomes a non-resident of the District, is convicted of a misdemeanor by failing, neglecting or refusing to discharge any duty imposed upon them by this Act, or who shall have failed to pay the library taxes levied by the District, or any other valid cause as established under Illinois statute. Vacancies may be filled through appointments made by the remaining Trustees until the next election, at which time a Trustee shall be elected to fill the vacancy.

SECTION 5. Compensation and Expenses. 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.

SECTION 6. Oaths and affirmations . Any Trustee shall have the power to administer oaths and affirmations for the purposes of this Ordinance.

ARTICLE III MEETINGS

SECTION 1. Regular Meetings. The Board shall hold regular monthly meetings, the schedule of which shall be set no later than July of each year.

SECTION 2. Special Meetings. Special meetings of the Board may be called by either the President or Secretary, or by any four (4) Trustees.

SECTION 3. Place of Meetings. The regularly scheduled monthly meetings of the Board will be held at the Marengo Public Library, 200 S. State Street, Marengo, Illinois. Subject to the notice provision of Section 4 of this Article III, the Board of Trustees may change the date, time or place of any regular meeting. The Board may designate any place within the District as the place of meeting for the regular meeting. The person or persons authorized to call a special meeting of the Board may fix a place within the District as the place for holding any special meeting of the Board called by them. If no designation is made, or if a special meeting is otherwise called, the place of the meeting shall be the Marengo Public Library. All meetings of the Board, whether regular or special, shall be open to the public.

SECTION 4. Notice of Meetings. Public notice of regular meetings will be posted in the Marengo Public Library no later than 10 days after the Board sets meeting dates for the year. The notice shall include the date, time and place of each regular meeting scheduled during the fiscal year. If the date, time or place of any regular meeting is changed, notice of such change will be published in a newspaper of general circulation in the Marengo area at least ten (10) days prior to the changed meeting and notice of such change will also be posted in the Marengo Public Library at least ten (10) days prior to the changed meeting date.

SECTION 5. Notice of Special Meetings. Public notice of any special meeting, except a meeting held in the event of a bona fide emergency, shall be given at least forty-eight (48) hours before such meeting by posting a notice in the Marengo Public Library, which specifies the date, time, place and purpose or purposes of the special meeting. Telephone notice stating the date, time and place of the special meeting, and the purpose or purposes for which the meeting is called, shall be made to each Trustee by telephone, by or at the direction of the President or the Secretary, or the person who called the meeting. Notice of the special meetings shall be delivered to each Trustee not less than forty-eight (48) hours preceding the day of the special meeting. Unless otherwise provided by law, any Trustee may waive notice of any meeting and the attendance of a Trustee at any meeting shall constitute a waiver of notice of such meeting, except when a Trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of any regular or special meeting of the Board, needs to be specified in the waiver of notice of such meeting.

SECTION 6. Quorum. The quorum at any meeting of the Board shall consist of four (4) Trustees, provided that if less than four (4) of the Trustees are represented at said meeting, a majority of the Trustees so represented may adjourn the meeting from time to time, without further notice. If a quorum is present, the affirmative vote of the majority of the Trustees represented at the meeting shall be the act of the board, unless the vote of a greater number is otherwise required by law or this Ordinance.

SECTION 7. Voting. Each Trustee, including the President of the Board, shall be entitled to one vote upon each matter submitted to vote at a meeting of the Board.

SECTION 8. Manner of Voting. All votes on any question shall be by public vote. Absentees and abstentions from voting shall be noted. The Secretary shall record all votes, abstentions and absentees.

ARTICLE IV OFFICERS

SECTION 1. Offices. The officers of the Board shall be President, Vice President, Treasurer and Secretary. Each office shall be held by a different Trustee.

SECTION 2. Election and Term of Office. Officers shall be elected at the regular May meeting of the Board following each biennial election, for two (2) year terms. Each officer shall hold office until his successor shall have been duly elected and qualified.

SECTION 3. Vacancies. A vacancy in any office because of death, resignation, or expiration of the term of a Trustee without said Trustee having been reappointed, or otherwise, may be filled by the Board at any meeting of the Board for the unexpired portion of the term or until the next biennial election, whichever is first.

ARTICLE V DUTIES OF PRESIDENT

SECTION 1. The President shall be the principal officer of the Board.

SECTION 2. The President may sign, with the Secretary or any other proper officer of the Board authorized by the Board, any deeds, mortgages, bonds, contracts or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or by this Ordinance, to some other officer of the Board, or shall be required by law to be otherwise signed or executed.

SECTION 3. The President shall preside over all meetings of the Board. If the President is absent, the Vice President shall preside. In the event of the absence of the Vice President, a temporary chairman shall be elected by the Board.

SECTION 4. The President shall appoint the Chairman and the members of all standing and special committees of the board.

SECTION 5. The Board may retain the service of an attorney for the District.

SECTION 6. The President shall be an ex-officio member of all committees.

SECTION 7. The President and Library Director shall prepare an agenda for every meeting of the Board.

SECTION 8. The President shall not have nor exercise veto powers, but shall be entitled to vote on all issues.

SECTION 9. The President, in general, shall perform all such other duties as may be prescribed by law or by ordinance, or by resolution of the Board, and shall take care that such laws, ordinances and resolutions are faithfully executed.

ARTICLE VI DUTIES OF THE VICE PRESIDENT

The Vice President shall assume the duties of the President in the President's absence.

ARTICLE VII DUTIES OF THE SECRETARY

SECTION 1. The Secretary shall oversee the retention of the corporate seal and all papers belonging to the District. The Secretary shall keep and maintain appropriate records, including a record of the minutes of all meetings, the names of those in attendance, the ordinances enacted, resolutions, rules and regulations adopted, and all other pertinent written matter as affects the operation of the District.

SECTION 2. The records kept and maintained by the Secretary shall be audited by two (2) other Trustees appointed by the President in accordance with statute.

SECTION 3. The Secretary shall file such reports of the Board with the Illinois State Librarian and with libraries operated within the District as required.

ARTICLE VIII DUTIES OF THE TREASURER

SECTION 1. The Treasurer shall give bond to the District to faithfully discharge the duties of the office, and to account to the District for all District funds coming into the District, which bond shall be in such an amount and with such sureties as shall be approved by the Board. The amount of the bond shall be based on fifty percent (50%) of the total funds received by the District in the previous fiscal year. Such bond shall be filed with the District. The cost of the surety bond shall be borne by the District.

SECTION 2. The Treasurer shall oversee the receipt of all monies belonging to the District, and the keeping and maintaining of all accounts and records of the District. Said accounts and records shall always be subject to the inspection of any member of the Board.

SECTION 3. The Treasurer shall deposit all the monies belonging to the District in the name of the District in such banks, trust companies or other depositories as shall be selected by the Board.

SECTION 4. The Treasurer shall, at each monthly meeting or more often if so required by the Board, present an account to the Board showing the status of the treasury at the date of such accounting and the balance of money in the treasury. The Treasurer shall also accompany such account with a statement of all monies received into the treasury, and on which account, all expenditures, together with all warrants redeemed and paid, which such warrants, with any and all vouchers held by the Treasurer shall be delivered to the Secretary and filed with the Secretary.

SECTION 5. The Treasurer shall keep all monies belonging to the district separate and distinct from personal funds, and is expressly prohibited from using either directly or indirectly, monies of the District or District warrants, for his or her own use and benefit.

SECTION 6. An audit of the financial books and records of the District shall be conducted by a professional auditor each fiscal year by contract, and a report filed with the Board for the prior fiscal year immediately thereafter. Such audit shall be prepared using normal accounting standards.

ARTICLE IX COMMITTEES

SECTION 1. All committees shall be appointed by the President for such purposes and terms deemed necessary.

ARTICLE X CONTRACTS, CHECKS & DEPOSITS

SECTION 1. Contracts. The Board may authorize any officer or officers to enter into any contract or execute and deliver any instrument in the name of and on behalf of the District.

SECTION 2. Checks, Drafts, etc. All checks, drafts and other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the District shall be signed by such officer or officers of the Board, and in such manner as shall from time to time be determined by resolution of the Board.

SECTION 3. Deposits. All funds of the District not otherwise employed shall be deposited from time to time to the credit of the District, in such banks, trust companies or other depositories as the Board may select.

ARTICLE XI FISCAL YEAR

The fiscal year of the District shall close on June 30th of each year.

ARTICLE XII
RULES OF PROCEDURE, ORDER OF BUSINESS

SECTION 1. The rules of procedure shall be conducted by Robert's Rules of Order, and order of business shall be adhered to by the Board, unless the same shall be temporarily suspended by unanimous consent.

SECTION 2. This Ordinance may be amended by an ordinance proposed at any regular meeting of the Board of Library Trustees and adopted at the next succeeding regular meeting by no less than two-thirds of the Trustees present.

PASSED AND APPROVED by the President and Board of Directors of the Marengo Public Library District, McHenry County, Illinois, this 26th day of June, 2006.

President

AYES: Schmidt, Martin, LaGue, Stromberg, Torman

NAYES: _____

ABSENT: Filler, Epich

ATTEST:

Secretary