

Terrace Bay Public Board- Procedural Bylaws

Board motion number: 00-76

Date of review: October 7, 2008

Date of original motion: Dec.12, 2000

Chair's signature: _____

Byl-1 Statement of authority

The Terrace Bay 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 Terrace Bay Public Library Board which is a corporation operating under the authority of the *Act*.

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

The Terrace Bay Public Library Board:

1. Bears legal responsibility for the Terrace Bay Public Library
2. Determines and adopts written policies to govern the operation of the Board and library
3. Understands the library-related needs of the community
4. Determines the goals and objectives of the of the library and secures adequate funds to fulfill these goals
5. Fixes the dates and times for regular meeting 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 security for the Treasurer

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*
11. Approves and submits all reports required or requested by the Municipal Council or the Government of Ontario.

Byl-3 Orientation of members of the board

The chief Executive Officer shall ensure 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 receive the current **Trustee Training Kit** produced by the Library Trustee Development Program. Local information shall be inserted into this kit, including

1. The library's by-laws and policy statements
2. Guidelines for the position of library trustee
3. The library's current budget
4. The library's latest audited financial statement
5. The names, addresses and telephone numbers of other members
6. A package of materials from the previous meeting (minutes, reports, ect.)

Byl-4 Meetings of the Board

The chief Executive Officer shall call the **inaugural meeting** of the Terrace Bay Public Library Board in each new term upon receipt of the confirmation of appointments from the Municipal Clerk and a by-law from the Municipal Council.

The **annual meeting** of the Terrace Bay Public Library Board shall be held in February of each year. The Secretary shall preside and conduct the elections for the position of Chairperson and Vice-Chairperson in accordance with **Robert's Rule Of Order** and the **Municipal Act** of Ontario. The Chairperson shall assume the chair for the appointment of committee members.

Regular meetings of the Terrace Bay Public Library Board shall be held at 5:30 p.m. on the second Tuesday of each month or such other day as agreed upon by the Board, from January to June and September to December, unless such day shall be a legal, public or civic holiday, in which case the Board shall meet at the same hour on a date agreed upon at the preceding meeting of the Board. Regular meetings will be held in the Terrace Bay Public Library.

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, specifying the purpose for which the meeting is called which shall be the sole business transacted at the meeting.

Despite any other Act, Board meetings shall be **open to the public**, except where the Board is of the opinion that intimate financial or personal matters may be disclosed at a meeting.

When the Board determines that matters should be dealt with in the absence of the public or a staff member, a motion to move into **in-camera session** must be moved, seconded and approved by a majority vote. Motions to move into 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. A motion to confirm any motions approved during the in-camera session shall be made.

Byl-5 Attendance at meetings

Regular attendance of all Board members 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 Secretary prior to the day of the meeting.

Should a member be absent for three (3) consecutive meetings, the Board shall consider the circumstances of the absence and either

1. notify the Municipal Council that the seat is vacant, or
2. pass a resolution authorizing that person to continue as a Board member until the next meeting.

Byl-6 Chairperson of the board

The Chairperson of the Terrace Bay 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 prescribed rules of procedure.

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 Statues of Ontario, 1990, chapter P.44** and the 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. Determining 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.
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 Terrace Bay Public Library Board shall be one year.

Byl-7 Vice-Chairperson of the board

In the absence of the Chairperson, the Vice-Chairperson of the Terrace Bay 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 prescribed rules of procedure.

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.
2. Exercising such powers and duties as may, from time to time, be assigned by the Board.

The term of office of the Vice-Chairperson of the Terrace Bay Public Library Board shall be one year.

Byl-8 Chief Executive Officer of the board

The Board shall employ a Chief Librarian who shall be the Chief Executive Officer of the Board but is not a voting member of this Board.

The Chief Executive Officer shall also serve as Secretary-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-9 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.C 1990 chapter P.44 Section 16(5)

As the Terrace Bay Public Library Board is composed of five members, three 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 meetings 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
2. Declaration of interest
3. Approval of agenda
4. Minutes of preceding meeting
5. Business arising from the minutes
6. Correspondence
7. Financial report
8. Chief Executive Officer's report
9. Committee reports
10. Other business
11. In-camera
12. Date of the next meeting
13. Adjournment

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

Byl-10 Conduct of proceedings

It shall be the duty of the Chairperson of the Terrace Bay Public Library Board to:

1. Open meetings of the Board by calling the members to order
2. Announce the business before in the Board in the order of which it is to be acted upon
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. Exclude any person from a meeting for improper conduct
8. Enforce the observance of order and decorum among the members
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. Appoint members to committees
13. Ensure that the decisions of the Board are in conformity with the laws and by-laws governing the activities of the Board.

Byl-11 Rules of Debate

In directing the course of debate, the Chairperson shall:

1. Preserve order and decide questions or order
2. Designate the member who had 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
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
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 when 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. A member who refuses to vote shall be deemed to vote in the affirmative.

Byl-12 Motions

1. A motion must be seconded before it can be debated, put to vote or recorded in the minutes.
2. After a motion has been properly moved and seconded, it can only be withdrawn by resolution approved by the Board.
3. A motion properly before the Board must receive disposition before any other motion to amend, adjourn, extend hour of proceedings, or on a matter or privilege.
4. Only one motion to amend the main motion shall be allowed.
5. A motion to adjourn is not debatable, cannot be amended, and, if resolved in the negative, cannot be made again until after some immediate proceeding shall have been completed by the Board.
6. A motion for reconsideration of a question which has been decided upon but not acted upon may be made at any time by a member who voted on the question with the majority and until the motion for reconsideration has received disposition no further discussion of the question shall be allowed.
7. A motion containing distant proposals may be divided with agreement of the Board.

Byl-13 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. 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.
7. As the CEO is not a member of the Board, the CEO does not cast a vote.

Byl-14 Committees of the board

The Board may appoint the following standing committees as the need arises:

1. Finance and Personal
2. Planning and Policy
3. Public Relations

The Terrace Bay 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.

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-15 Financial year

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

Byl-16 Signing officers of the Board

All cheques or other orders for the payment of money under the amount of \$1,001.00, in the name of the Terrace Bay Public Library Board, shall be approved by the CEO. All cheques and other orders of payment of money over the amount of \$1,000.00 must be approved by the board.

Byl-17 Reimbursement of expenses

The Terrace Bay Public Library Board shall, upon submission of receipts, reimburse its members for proper traveling and other expenses incurred in carrying out their assigned duties as members of the Board, per the township's current rate of reimbursement for travel.

Byl-18 Audit

The accounts of the Board shall be audited by auditors appointed by the Municipality 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 times as the Board shall direct.

The Secretary of the Board shall annually receive copies of the Library's audited financial statement from the Municipality, distribute a copy to each Board member and file two copies with the Library's official records.

Byl-19 Amendment of by-laws

A motion to amend or remove a by-law of the Terrace Bay 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.