

BYLAWS

of

**THE HANCOCK COUNTY PUBLIC LIBRARY
BOARD OF TRUSTEES**

GREENFIELD, INDIANA

**Approved by the Board, July 9, 1996
Revised and Approved by the Board, October 12, 1999
Revised and Approved by the Board, January 28, 2003
Revised and Approved by the Board, July 20, 2007
Revised and Approved by the Board, July 13, 2010
Revised and Approved by the Board, September 14, 2010
Revised and Approved by the Board, November 13, 2012
Revised and approved by the Board, April 9, 2013
Revised and Approved by the Board, May 12, 2015
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PREAMBLE

The purpose of these Bylaws is to set forth, in accordance with the Indiana Public Library Law, (IC 36-12) (IC 4-23-7) (IC 4-23-7.1) the organization and responsibilities of the Hancock County Public Library Board of Trustees, Greenfield, Indiana.

ARTICLE I
Identification and District Boundaries

Section 1. The name of this Board is the “Board of Trustees of the Hancock County Public Library,” hereinafter referred to as “the Board.” The Hancock County Public Library will be hereinafter referred to as “the Library.”

Section 2. Geographical boundaries of the Library and taxed library district include the corporate boundaries of Hancock County, except Vernon Township and the towns of Fortville and McCordsville. (IC 36-12-1-4)

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. Appendix A contains the original resolution for Class 1 Library designation.

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.

Section 5. The Library director may enter into any contract or execute and deliver any instrument in the name of and on behalf of the Hancock County Public Library, and such authority may be general or confined to specific instances as instructed by the Library Board.

Section 6. Library Staff

- (a) The Library Board shall provide for adequate professional and supportive staff needed to perform the Library's mission and service responsibilities.
- (b) Standards shall be set for each position to comply with Indiana Library Certification Law and in conformance to the recommendations for library personnel practices made by the American Library Association.
- (c) The Library Board shall maintain a current pay/salary schedule for compensation based upon job classification, grade and step, and required educational levels.
- (d) The master's degree in library science from a library school program accredited by the American Library Association shall be the required terminal degree for professional librarians.
- (e) Library staff shall be provided a current Employee Handbook either hard copy or electronic copy, approved by the Library Board, which incorporates the personnel policies.

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 the library user, 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 whenever the appearance of a conflict of interest exists.

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

Section 7. No Board member shall influence the Library director in the hiring of any individual, whether related or otherwise.

ARTICLE V.
Nepotism

Section 1. The Library will not employ relatives of the Director or the relatives of any member of the Board, including spouse, mother, father, mother-in-law, father-in-law, step-parents, step-children, son, daughter, son-in-law, daughter-in-law, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, or any one residing with the Director or Board members.

ARTICLE VI.
Amendments

These articles are to remain in full force and effect until or unless amended by the Board in accordance with these Articles and the same shall be deemed amended by any Statute, state or federal, governing the municipality of the Hancock County Public Library.

Section 1. These bylaws may be amended at any regular meeting of the Board by majority vote of the members, provided the proposed amendments to the Bylaws were received in advance of the meeting.

Section 2. Amendments shall be proposed one month in advance of voting, and a written or electronic copy provided to each Board member at least 15 days before the meeting, unless Section 1.(3) applies.

Section 3. These Bylaws may be amended without the requirement of advance written notice at any regular meeting of the Library Board only by unanimous vote of all seven members of the Board present.

Section 4. Amendments may be proposed by any member of the Board.

Section 5. The amendments for each year shall be sent to the Indiana State Library upon submission of the annual report.

Section 6. Suspension of the Rules

Any rule, resolution, or provision of these Bylaws may be suspended temporarily in connection with business at hand when approved by a majority vote of those members present when a quorum exists, if the suspension is deemed in the best interest of the Library Board at the time.

ARTICLE VII.

Membership

Section 1. Qualifications of Members

- (a) An appointee to a library board must reside in the library district during the time the appointee is on the library board (IC 36-12-2-7).
- (b) All appointees must have resided in the library district for at least two (2) years immediately preceding the appointment to the library board.

Section 2. Appointment of Members

- 1. The Library Board shall consist of seven (7) members who shall be appointed by elected officials as follows:
 - (a) One (1) member by the Hancock County Council
 - (b) One (1) member by the Hancock County Commissioners
 - (c) One (1) member appointed by the school board of each school corporation having territory in the library district and who is not a member of a governing body of a school corporation.
 - (d) One (1) member by the Greenfield Common Council
- 2. The appointing authority shall issue to each appointee to the Library Board a signed certificate of appointment. Not more than ten (10) days after the receipt of the certificate of appointment, the appointee shall take an oath of office by an individual authorized by law to administer the oath. The appointee shall file the certificate of

appointment and the endorsed oath with the records of the Hancock County Public Library, which shall be preserved as a public record. (IC 36-12-2-19)

3. Limitation of Terms

- (a) The term of a Library Board member is four (4) years.
 - (b) If a member is appointed to fill a vacancy on a Library Board, his/her term is the unexpired term of the member being replaced.
 - (c) An appointee to a Library Board may not serve more than four (4) consecutive terms on the Library Board. An unexpired term of two (2) years or less that an individual serves in filling a vacancy on the Library Board may not be counted in computing consecutive terms for purposes of this subsection. The consecutive terms shall be computed without regard to a change in the appointing authority that appointed the member or the length of any term served by the appointee. An appointee who has served four (4) consecutive terms may be reappointed to the Board at least four (4) years after the date the appointee's most recent term ended.
4. An individual who is appointed under the subsection (b) to serve as a member of a library board must, before March 1 of each year, report to the member's appointing authority concerning the work of the library board and finances of the library during the preceding calendar year, including the rate of taxation determined under IC 36-12-3-12

Section 3. Vacancies

- (a) A vacancy may occur by death, resignation, expiration of term, or removal by appointing authority.
- (b) A vacancy shall occur whenever a member is absent from six (6) consecutive regular board meetings for any cause other than illness. (IC 36-12-2-20(2)(b))
- (c) In cases of extended illness or required military service, the secretary shall write the appointive authority to name a temporary replacement who shall serve until the appointee returns or the term expires.
- (d) Whenever a vacancy in the membership of the Library Board shall occur, the appointing authority, having appointed that member leaving the Board, shall be notified by the Secretary of the Board of the need to fill the vacancy for the unexpired term.

Section 4. Cause for Removal of Board Members

- (a) A member of the Library Board may be removed at any time by the appointing authority, after a public hearing, for any cause which interferes with the proper discharge of duties as a member of such Board or which may jeopardize public confidence in the member.

Article VIII.

Officers

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

Section 2. Term of Office

- (a) The officers shall be elected by voice vote at the annual meeting for a term of one year, per IC 36-12-23, with a limit of four (4) consecutive years in any one office.
- (b) No Board member may serve more than four (4) years in the same office in any six year period.
- (c) Officers shall continue in office until their successors have been elected.
- (d) When a vacancy occurs during term of any officer, the Board shall elect a successor at the next regular meeting of the Board after the vacancy is announced to fill out the unexpired term of the office.
- (e) An officer may be removed from office before the expiration of the term of office, for cause, by the vote of a majority of the members of the Board at any meeting of the Board.

Section 3. Election of Officers

When a new slate of officers is due to be elected or a vacancy occurs, a nominating committee of three (3) Board members shall be appointed by the president. The recommendation of the nominating committee may be made at a regular Board meeting preceding the annual meeting, at the annual meeting, or at any other regular Board meeting as needed. Nominations may also be made from the floor.

Section 4. Duties of Officers

The duties of the officers shall be consistent with the law (I.C. 36-12-2-22 et seq.) the customary responsibilities of the office, and the rules of the Board.

- (a) The President of the Board shall preside at all meetings, appoint committees deemed necessary, certify all bills allowed by the Board, sign all warrants on the Treasurer for the payment of money, enforce the observance of these rules, and perform such other duties as pertain to the office of the President and are necessary to carry out the wishes of the Board. The president may serve as an ex-officio member of any committee.
- (b) The vice-president shall preside in the absence of the president and shall perform the duties of the president as acting president in the case of a vacancy in the presidency until a president shall be elected.
- (c) The Secretary shall see that accurate records of the Minutes of the Board are maintained and countersign all warrants on the Treasurer for the payment of money; 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

certify the rate of taxation as determined by the Library Board to the County Auditor, and see that the levy is properly made and recorded; 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.

- (d) In addition to duties outlined in IC 36-12 through-22, the Treasurer shall be responsible for and keep a detailed account of receipts and expenditure and be responsible for monthly reports and an annual report of receipts and expenditures; shall sign all warrants approved by the Board.

ARTICLE IX.

Library Budgetary Controls

Section 1. Library Budget Estimate

- (a) The Library Director shall prepare an annual budget estimate for the review of the Board, based upon the expected revenues as provided by the Department of Local Government Finance and other local revenue.
- (b) The Library shall follow approved procedures established by the Indiana State Board of Accounts in the current Manual of Library Financial Accounting and Budgetary Procedures.
- (c) The Library Board shall receive monthly financial statements showing the details of Library receipts and disbursements within all Library funds, and shall make transfers periodically to balance accounts within funds, if the same is deemed necessary.
- (d) The Treasurer, may upon the authority of the Board of Finance, make transfers between the various financial depository accounts and maintain the prorated depository account balances.

Section 2. Bonding of Officers and Staff

- (a) The Treasurer, Business Manager, and Bookkeeper shall be bonded annually upon election as found in IC 36-12-2-22.
- (b) The Library shall carry insurance coverage to protect the Library against the dishonest acts of any employee.

ARTICLE X.

Meetings

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

- (a) The regular monthly meeting of the Library Board shall be held on the second Tuesday of each month at 7:00 p.m. at the Central Library or at another designated location or time, provided public notice is given at least 48 hours before the meeting.

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 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 the purpose 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.

(a) Voting Procedures

1. Formal voting on all matters of business may be by verbal yes and no unless the president elects another option. The secretary to the Board will record individual votes on question only when a member of the Board requests that the minutes record a roll call. Minutes shall generally indicate "motion passed" or "approved by consensus."
2. The president may vote on all questions and may, after temporarily relinquishing the gavel, introduce a motion from the floor. However, the president may not resume the chair until after a vote on the motion has been taken and the acting president has returned the gavel.

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

Section 7. The agenda for each regular meeting will be developed by the Board president in conference with the Library director. Items for the Agenda should be submitted to the president or Library director one week before the meeting. The required Notice of the meeting will be made available to the Board members by the Friday before each meeting. The Agenda shall be flexible so far as time permits.

Section 8. Conduct of Business

- (a) Library Board members should request needed information or resource materials from the Library director prior to a Library Board meeting in which discussion may result in a change of Library policy or procedures.
- (b) As a courtesy to the president and Library director, any Board member who has strong feelings about any question coming before the Board is asked to communicate this to the president or Library director to encourage open dialogue and deliberation.

Section 9. Policy for Public Comments and Concerns

Public comment about the Hancock County Public Library is welcome by the Hancock Public Library Board of Trustees whenever it is motivated by a sincere desire to improve the quality of our public library system. Any person or group having an interest in the operation of the Library may, in accordance with this policy, present a request, suggestion, comment, or concern related to the operations of the Library.

Concerns related to the Library's operations, circulating collection, programs, or displays shall be submitted in writing using the Request for Reconsideration of Library Resources form. Concerns thus submitted in writing will be internally reviewed and discussed by the Library as the Library may deem necessary and appropriate. Likewise, responses to such submissions will be provided to the submitting party by the Library when deemed necessary and appropriate. The Library will make every reasonable effort to be responsive in these instances.

Whether to allow public comments at HCPL Board of Trustees meetings shall be at the discretion of the Board. In the event public comment is allowed, the comments must be germane to an issue on the meeting agenda (all other comments should be submitted to the Library in writing consistent with this policy). Public comments at HCPL Board of Trustees meetings are reserved for individuals who reside or own property or business owners that operate within the HCPL District with appropriate documentation. Individuals making comments may receive one three-minute allotment to make their comments. To allow for an efficient meeting, a maximum of five (5) people will be allowed to provide comments at each meeting so as to allow HCPL to still accomplish required HCPL business. Persons wishing to address the Board will be asked to sign-in before the meeting with their name, home/business address, group affiliation (if any) and topic to address.

Polite and professional interactions are expected. In all communications and public comments, the Board will not tolerate abusive nor inappropriate language or statements including, but not limited to statements that are: threatening, harassing, illegal, defamatory, libelous, hostile, or personal attacks. Public comments should be directed to the Board, not an individual board member. The purpose of public comment is to give Board Trustees as much information as possible, not to engage in debate. Therefore, the Board shall not entertain questions from individuals making public comments. Board members may ask clarifying

questions to a person making public comments, but shall not refute, repudiate, or respond to any public comments until the public comment period has ended.

The Board President may take appropriate action to maintain order at a meeting, including stopping the speaker, limiting comments, or removing any person who is willfully disruptive during the meeting.

ARTICLE XI. Committees

Section 1. Standing committees shall 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. They may include but are not limited to:

(a) Executive Committee

The Executive Committee shall be comprised of the president, vice-president, and secretary. The Executive Committee shall be empowered to act in behalf of the Library Board in matters of emergency occurring between regularly scheduled Board meetings.

(b) Other Committees

Ad hoc or standing committees may be established for specific purposes as defined by the Library Board. Each committee shall consist of three (3) members, which may include the president and/or the library director as ex-officio members.

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 XII. Indemnification of Board Members and Management Staff

Any person who is or was a Library Board member, Library Director, Assistant Director, and Business Manager shall be indemnified, saved harmless and defended by the Library against expense, including attorneys' fees reasonably incurred by him/her (and not covered by Library insurance) in connection with the defense of any action, suit or proceeding, civil or criminal, in

which he/she is made or threatened to be made a party by reason of being or having been in any such capacity or arising out of his/her status as such, except in relation to matters as to which he/she is adjudicated in such action, suit or proceeding, civil or criminal, to be liable for negligence or misconduct in the performance of his/her duties to the Library.

The Library may also reimburse any such Board Member or Library Director, past or present, for the reasonable cost of settlement of such action, suit or proceeding if it shall be found by a majority of the trustees not involved in the matter in controversy (whether or not a quorum) that it is or was to the best interest of the Library that such settlement be made and that such Board Member or Director was not guilty of negligence or misconduct. Provided, however, that such indemnification and reimbursement shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any provisions of these Bylaws, resolutions or other authorization heretofore or hereafter adopted after notice, by a majority vote of all the members entitled to vote. The Library shall have the power to purchase and maintain insurance on behalf of any person who is or was serving as a Board Member or Library Director against any liability asserted against him/her in any such capacity or arising out of his/her status as such.

ARTICLE XIII.

Policies, Plans, Rules, and Regulations

Section 1. In addition to operating in accordance with these Bylaws and 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 5(d), 590 IAC 6-1-4 5(e) and 590 IAC 6-1-4 5(h).

Section 2. All of these policies, plans, rules, and regulations shall be compiled and organized in a manual to be known as the "Public Service Policy Manual" and the "Hancock County Public Library Employee Handbook."

ARTICLE XIV.

Review of Bylaws

Section 1. The Bylaws will be reviewed at the April meeting on even years and as needed. The secretary shall affix the date of review to the Bylaws for audit as well as indicating the action in the minutes. *

APPENDIX A

RESOLUTION
FOR
CONVERSION TO THE LIBRARY LAW OF 1947

At a regular meeting of the Library Board of the Greenfield Public Library, held on the 12th. day of .May. 1952, the following resolution was adopted:

The Greenfield Public Library by action of its Library Board hereby resolves and elects to change its identity and to become a library district under Chapter 321 of the Acts of 1947, which act is known as the Library Law of 1947.

Lenora M. Russell
; *Ruth W. Olson*
Sara R. Seiler
May A. Hurdley
William C.
George B. Davis

(Signed by majority of Board Members)

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"A copy of such resolution of conversion shall be filed with the county recorder and notice shall be given to all officials who have appointive powers . . ."

Received for record this *19th* day of *June*
A.D.. ,19*52* . at . *1:15* o'clock *P.* . M and recorded
in Record . *24* Page. *5*

Reba Frank
Recorder of Hancock County

I, THE UNDERSIGNED, Secretary of the
Board of Trustees of the Greenfield
Public Library, hereby certify that
the above and foregoing is a full ,
true and complete copy of a resolu-
tion adopted by said Board at its regular
meeting on May 12, 1952.

Dated: June 12, 1952

Thelma Orr
Secretary

RECEIVED FOR RECORD

3478

10-5-52 at 11:12 a.m. day of June

Wash Recorded in Record

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Recorder Thelma Orr