

# **Effingham Public Library By-Laws of the Board of Directors**

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## **I. OUR PURPOSE**

These policies are guidelines for the Board of Trustees, Director and staff with which to better serve the community where the library is located. By following guidelines we ensure that each patron is treated with the same set of rules in a fair and equal manner.

## **II. Vision Statement**

The Effingham Public Library: A catalyst for positive action.

## **III. Mission Statement**

The Effingham Public Library creates unique opportunities to connect with literature, learning, and the community.

## **Values**

Connection  
Service

# **Board Policies**

## **IV. BY-LAWS FOR THE BOARD OF TRUSTEES**

The Library Board upholds and supports “The Freedom to Read, Freedom of Information, Open Meetings and the “American with Disabilities Act.”

### **ARTICLE I: Name**

This organization shall be called “The Board of Trustees of the Effingham Public Library” existing by virtue of the provisions of 75 ILCS 5/4 et seq. of the Laws of the State of Illinois, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute.

### **ARTICLE II: Organization, Replacements, and Officers**

- Section 1: The Effingham Public Library Board of Trustees shall consist of nine members. Upon organization, said library board trustees shall hold office: one-third for one year, one-third for two years, and one-third for three years, from the first of May following their appointment by the City Council. Annually, in April or May, the Mayor and City Council appoint members to the board. They shall hold membership for three years. Under current Illinois law, trustees are required to prepare official statements concerning any conflict of interest and file same with the County Clerk. A trustee may be removed by the Mayor. If a vacancy occurs, the Mayor and City Council will appoint a board member to serve for an unexpired term.
- Section 2: The officers shall be two co-presidents, treasurer, and a secretary, elected from among the appointed trustees.
- Section 3: Nominations for a slate of officers may be made from the floor at the April board meeting. Officers will be elected and seated in May.
- Section 4: Officers shall serve a term of one year from May to April and until their successors are duly elected. An officer may be removed for cause with a vote of three-fourths of the board members. If an officer is unable to serve their entire term, another board member may be elected to serve an unexpired term.
- Section 5: A co-president shall preside at all meetings of the board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the board, serve as an ex-officio voting

member of all committees, and generally perform all duties associated with that office.

Section 7: The secretary shall keep a true and accurate record of all meetings of the board including a record of attendance and all actions taken, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office.

Section 8: The treasurer shall, along with one other board member, sign all library checks (including paychecks), and keep a current signature card with the library's financial institution. Monthly financial reports will be reviewed and accepted by the board at the regular monthly board meeting. The treasurer, library director, and the board member(s) designated to sign checks will be bonded. The treasurer will review the library's accounting firm on a yearly basis and make any recommendations for changes.

### **ARTICLE III: Meetings**

Section 1: The regular meetings shall be held each month, the date and hour to be set by the board on a yearly basis.

Section 2: A quorum for the transaction of business at any meeting shall consist of five members of the board present in person.

Section 3: The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:

- a) Roll call of members
- b) Public comment
- c) Disposition of minutes of pervious regular meeting and any intervening special meeting
- d) Report of the library director and approval of expenditures
- e) Action of Bills
- f) Action Items
- g) Discussion Items
- h) Adjournment

Section 4: Proceedings of all meetings shall be governed by Robert's Rules of Order.

Section 5: Special meetings may be called by the secretary at the direction of the president, or at the request of three members, for transaction of business as stated in the call for the meeting. Notice of special

meetings will be posted in the library at least 48 hours in advance of the meeting time.

Section 6: The annual meeting, which shall be for the purpose of the election of officers and the adoption of an annual report, shall be held at the time of the regular meeting in May of each year.

Section 7: All meetings will comply with the *Open Meetings Act*.

#### **ARTICLE IV: Library Director**

The board shall appoint a qualified library director who shall be the executive and administrative officer of the library on behalf of the board and under its review and direction. The director shall recommend to the board the appointment and specify the duties of other employees and shall be held responsible for the proper direction and supervision of the staff. The director shall direct the care and maintenance of the library property, for an adequate and proper selection of books in keeping with the stated policy of the board, for the efficiency of library service to the public, and for its financial operation within the limitation of the budgeted appropriation. In the case of part time or temporary employees, the director shall have interim authority to appoint without prior approval of the board provided that any such appointment shall be reported to the board at its next regular meeting. A vote of three-fourths of the Board is required for termination of the Library Director.

#### **ARTICLE V: Committees**

Section 1: The president shall appoint committees of one or more members for such specific purposes as the business of the board may require from time to time. The committee shall be considered to be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the board.

Section 2: All committees shall make a progress report to the library board at each of its meetings.

Section 3: No committee will have anything other than advisory powers unless, by suitable action of the board, it is granted specific power to act.

#### **ARTICLE VI: General**

Section 1: An affirmative vote of the majority of all members of the board present at the time shall be necessary to approve any action before

the board. The president may vote upon and may move or second a proposal before the board.

Section 2: The by-laws may be amended by the majority vote of all members of the board.

Section 3: Any rule or resolution of the board, whether contained in these by-laws or otherwise, may be suspended temporarily in connection with business at hand. But such suspension, to be valid, may be taken only at a meeting at which six of the members of the board shall be present and two thirds of those present shall so approve.

Section 4: The president shall appoint a by-laws review committee. This general review of the by-laws should occur every two years. The date of the current revision and the next revision should be included in the current copy of the by-laws.

## **ARTICLE VIII: Investment of Public Funds**

PURPOSE AND SCOPE: The purpose of this policy statement is to outline the responsibilities, general objectives, and specific guidelines for management of public funds by the Effingham Public Library. Its scope is all public funds of the Library.

RESPONSIBILITIES: All investment policies and procedures of the Effingham Public Library will be in accordance with Illinois Law. The authority of the Board of Library Trustees to control and invest public funds is defined in the Illinois Public Funds Investment Act and the investments permitted are described therein. Administration and execution of these policies are the responsibility of the Treasurer who is hereby designated as the "chief investment officer" of the Library acting under the authority of the Board of Library Trustees.

DELEGATION OF AUTHORITY: Management and administrative responsibility for the investment program is hereby delegated to the Chief Investment Officer. The Chief Investment Officer, and by designation, the Library Director, is responsible for establishing internal controls and written procedures for the operation of the investment program.

"PRUDENT PERSON" STANDARD: All Library investment activities shall use a "prudent person" standard of care. This standard shall be applied in the context of managing an overall portfolio and specifies that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. Investment officers, acting in accordance with this Policy and the written procedures of the Library,

and exercising due diligence, shall be relieved of personal responsibility for a security's credit risk or market price/value changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

**OBJECTIVES:** In selecting financial institutions and investment instruments to be used, the following general objectives should be considered in the priority listed:

- Legality (conforming with all legal requirements)
- Safety (preserving capital and including diversification appropriate to the nature and amount of the funds)
- Liquidity (maintaining sufficient liquidity to meet current obligations and those reasonable to be anticipated)
- Yield (attaining a market rate of return on investments)
- Simplicity of management

**GUIDELINES:** The following guidelines should be used to meet the general investment objectives:

1. Legality and Safety:

- A. Investments will be made only in securities guaranteed by the U.S. government, or in FDIC insured institutions including SAIF of the FDIC. Deposit accounts in banks or savings and loan institutions will not exceed the amount insured by FDIC coverage unless adequately collateralized pursuant to Regulations of the Federal Reserve regarding custody and safekeeping of collateral.
- B. Authorized investments include and will primarily consist of: Certificates of Deposit, Treasury Bills and other securities guaranteed by the U.S. Government, participation in the State of Illinois Public Treasurer's Investment Pool, Illinois Trust Local Government Pool and Illinois Public Reserves Investment Trust. Authorized investments include any other investments allowed under State law that satisfy the investment objectives of the library district, but will be purchased only with the approval of the Board of Trustees.

2. Liquidity:

In general, investments should be managed to meet liquidity needs for the current month plus one month (based on forecasted needs) and any reasonably anticipated special needs.

3. Yield-Return on investment:

Within the constraints on Illinois law, considerations of safety, and this investment policy, every effort should be made to maximize return on investment bearing deposit accounts.

4. Reputation, financial stability and convenience of banking facilities:

With the exception of the Illinois State Public Treasurer's Pool, Illinois Trust Local Government Pool and Illinois Public Reserves



Investment Trust, use of local banks and financial institutions will be preferable if the institutions are financially stable, have a good customer service reputation and able to satisfactorily meet the stated investment objectives.

5. Simplicity of management:

The time required by library administrative staff to manage investments shall be kept to a minimum.

MAXIMUM MATURITIES: To the extent possible, the Library shall structure the maturities of its investments so that it can meet, when due, its anticipated cash flow requirements. For securities purchases made after the adoption date of this investment policy, maturities are generally not to exceed the following, measured from the settlement date:

- Operating Funds (Restricted and Unrestricted): Maximum maturity not to exceed two years.
- Special Reserve Fund: Maximum maturity not to exceed five years.

For callable securities, the final maturity date, rather than the call date, is to be used to measure its maturity.

COLLATERALIZATION: Funds on deposit in checking accounts, money market accounts and certificates of deposit in excess of FDIC insurance limits must be secured by some form of collateral, witnessed by a written agreement and held in the name of the Library at an independent/third part ("custodial") institution.

The Library will accept any of the following assets as collateral:

- United States of America securities
- Obligations of agencies or instrumentalities of the United States of America
- Obligations of the State of Illinois
- General obligation municipal bonds rates "A" or better by a nationally recognized rating service
- Insurance policies issued by insurance companies rate "A" or better by a nationally recognized rating service
- A Federal Home Loan Bank irrevocable Letter of Credit

The amount of the collateral provided will not be less than one hundred and three percent (103%) of the fair value of the total amount of public funds in excess of FDIC insurance that is being secured. The ratio of the fair value of the collateral to the amount of funds being secured will be reviewed and marked to market by the custodial institution at least monthly.

REPORTING: Investment, fund balances and the status of such accounts will be reported at each regularly scheduled meeting of the Library Board and at least quarterly include information regarding securities in the portfolio by class or type,

book value, income earned, investment yield and market value as of the report date. At least annually, the Chief Investment Officer shall review this Policy for any needed modifications and report to the Board on the investment portfolio, its effectiveness in meeting the Library's need for safety, liquidity, rate of return, diversification and general performance. These reports will be available to the general public upon request.

INTERNAL CONTROLS: In addition to these guidelines, the Chief Investment Officer shall establish a system of internal controls and written operational procedures designed to prevent loss, theft or misuse of funds.

AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS: Any investment advisors, money managers and financial institutions shall be considered and authorized only the action of the Board of Library Trustees upon the recommendation of the Chief Investment Officer. The Chief Investment Officer will maintain a list of financial dealers and institutions authorized to provide investment services.

It shall be the policy of the Library to select financial institutions on the following basis:

- Security: The Library will not maintain funds in any financial institution that is not covered by the Federal Deposit Insurance Corporation (FDIC) or SIPC.
- Size: The Library will not select as a depository any financial institution in which the Library's funds on deposit exceed 10% of the institution's stated capital stock and surplus

CONFLICTS OF INTEREST: Officers and employees involved in the investment process shall refrain from personal business activities that might conflict with the proper execution and management of this investment program, or that could impair their ability to make impartial decisions, or that could give the appearance of impropriety.

SUSTAINABILITY: The Library shall consider the prudent integration of material, relevant, and decision-useful sustainability factors into its investment decisions-making, investment analysis, portfolio construction, due diligence and investment ownership in the execution of the Library's investment goals to fulfill its fiduciary duty, to maximize anticipated financial returns and to minimize projected risk.

These factors include but are not limited to:

- Corporate governance and leadership factors
- Environmental factors
- Social capital factors
- Human capital
- Business model and innovation factors

Sustainability analysis will include additional reviews of investment accounts, funds or Portfolio Company's performance with respect to material factors likely to impact its long-term value. The analysis will also consider other relevant factors such as financial, legal and regulatory risks that contribute to an optimal risk management framework and are necessary to create long-term investment value.

## **V. PUBLIC INVOLVEMENT AT LIBRARY BOARD MEETINGS**

The public is welcome to attend all library Board meetings conducted in regular session. The agenda for the current month's Board meeting will be posted no later than 48 hours prior to the Board meeting on the library's public information bulletin board. A list of regularly scheduled Board meetings for the year will be posted in the same location. Information about emergency Board meetings will be posted in the same location as soon as possible before the emergency meeting.

If a member of the public wishes to speak at a library Board meeting, the board welcomes such involvement and will comply with the current version of the Open Meetings Act to govern public participation. The individual or group will be given an appropriate amount of time to address the Board.

## **VI. AUDIO AND VIDEO RECORDING DEVICES AT LIBRARY BOARD MEETINGS**

The Board will permit the recording of the proceedings of a public meeting of the Board or Committee of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, or distract Board members or other observers present at the meeting. Meetings or portions of the meetings which are permitted by the Open Meetings Act to be closed to the public may not be recorded by the public. Executive sessions of the Board will be recorded by the Library Director and kept in the library in accordance with the Illinois Open Meetings Act. The co-President of the Board or Chairperson of the committee may designate a location for recording equipment or cameras, may restrict the movements of individuals using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meetings. The co-President of the Board or the Chairperson of the committee shall be the Board member with authority to determine when any recording device or camera interferes with the conduct of a Board or Committee meeting and may order that an interfering device be removed.

## **VII. PROHIBITED GIFTS POLICY**

GENERAL POLICY: It is the policy of the Effingham Public Library to comply with the State's Gift Ban Act through the promulgation of this policy. Neither the Open Meetings Act nor the Freedom of Information Act of Illinois, or any policies of the Library in furtherance of those Acts shall be applicable to proceedings, meetings or documents involved here; which are exempt there from.

EXEMPTION: Due to the high costs of compliance for uncompensated and non-salaried, appointed and/or elected members of the Board of Library Trustees, and given that the experience of gifts of any kind or value to them is virtually non-existent and certainly has not been a source of improper action, influence or effect in this Library or any Public Library in Illinois, it is the Policy to exempt all non-salaried appointed or elected officials of the Library from this Policy and the State Act, as permitted by that Act.

DEFINITIONS: The terms "gift," "prohibited source," and "employee" whether used in the singular or plural form and as used in the Policy, have the meaning as defined in the State's Gift Ban Act.

PROHIBITED GIFTS: The solicitation and acceptance of any "gifts," from any "prohibited source," are banned and prohibited for all Library employees except as provided in the following sections of this Policy.

EXCEPTIONAL GIFTS: The restrictions in the foregoing section do not apply to the following:

1. Anything for which the employee pays market value or anything not used and promptly returned to the donor or given to an appropriate charity;
2. A contribution, lawfully made under the Election Code or attendance at a fundraising event sponsored by a political organization;
3. A gift from a relative as defined in the State Act;
4. Anything provided by an individual on the basis of a personal friendship, unless there is reason to believe that under the circumstances the gift was provided because of the employee's position and not because of personal friendship;
5. A commercially reasonable loan evidenced in writing with repayment due by a certain date made in the ordinary course of the lender's business;
6. Payments to a legal defense fund established for the employee that is otherwise lawfully made;
7. Intra-office and inter-office gifts, meaning any gifts from an employee of the Library to another employee of the Library;
8. Food, refreshments, lodging, transportation and other benefits resulting from outside business or employment activities if they have not been enhanced by the position of employment with the Library and are customarily provided to others in similar

circumstances or in connection with bona fide employment discussions by a prospective employer, or provided in connection with a fundraising or campaign event sponsored by the organization;

9. Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer;
10. Informational materials sent to the employee in the form of books, articles, periodicals, other written materials, audio tapes, video tapes, or other forms of communications;
11. Awards or prizes that are given to competitors in contests or events open to the public, including random drawings;
12. Honorary degrees (and associated travel, food, refreshments and entertainment provided in the presentation of degrees and awards);
13. Training (including food and refreshments furnished to all attendees as an integral part of the training) if the training is in the interest of the Library;
14. Educational missions, including meetings with government officials intended to educate them on matters of public policy;
15. Bequests, inheritances and other transfers at death;
16. Anything that is paid for by the federal government, the State or the Library or secured by the government under a government contract;
17. A gift of personal hospitality of an individual other than a registered lobbyist or foreign principal including hospitality extended for a non-business purpose by an individual or the individual's family;
18. Free attendance at a widely attended event permitted under Subsection 24 below;
19. Opportunities and benefits that are available to the public or to all employees whether or not geographically restricted, offered to a class of members which is unrelated to employment or official positions, offered to members such as an employees' association or credit union, offered to a group that is not defined in a manner that specifically discriminates on the basis of branch of government or type of responsibility or on the basis that favors those of higher rank or pay, the form of loans on terms generally available to the public or in the form of reduced membership or other fees for participation in organization activities offered to all government employees;
20. A plaque, trophy or other item that is substantially commemorative in nature and that is extended for presentation;
21. Golf or tennis, food or refreshments of nominal value and catered food or refreshments, meals or beverages consumed on the premises from which they were purchased;

22. Donations of products from an Illinois company that are intended primarily for promotional purposes and are of minimal value;
23. An item of nominal value such as a greeting card, baseball cap or T-shirt;
24. Attendance at events: an employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar even provided by the sponsor of the event if the employee participates as a speaker or panel participant or y performing a ceremonial function appropriate to their employment or position or attendance at the event is appropriate to the performance of civic affairs in Illinois or the official duties of the employee. The acceptance of a sponsor's unsolicited offer of free attendance at such an event may include an accompanying individual. An employee may accept a sponsor's unsolicited offer of free attendance at a charity event except reimbursement for transportation and lodging may not be accepted in connection with the event. This "free attendance" may include waives of all fees and unless otherwise stated the provision of transportation, food, refreshments, entertainment and instruction materials but does not include entertainment collateral to the event or food or refreshments taken other than in the group setting with substantially all of the attendees except as permitted under Subsection 21 above.

**ENFORCEMENT:** Any employee who violates this policy shall be subject to termination or other discipline, including but not limited to suspension (with or without compensation) of employment for a stated term, a requirement to reimburse, return or turnover of any prohibited gift as directed by the Board of Library Trustees.

**ETHICS OFFICER:** A co-President of the Board of Library Trustees shall designate an Ethics Officer for the Library who shall review Statements of Economic Interests and disclosure forms for members, officers and employees of the library before they are filed and provide guidance to members, officers and employees in the interpretation and implementation of the State Gift Ban Act.