

Alcona County Library Board of Trustees
By-laws

Table of Contents

Legal Authority	1
Library Board of Trustees.....	1
Officers	1
Trustees.....	2
Board Meetings	2
Open Meetings Act	2
Public Notice Requirements	2
Board Meetings Annual, Regular Monthly and Special Meetings	3
Agenda.....	3
Committees	4
Amending the bylaws	4
Other provisions.....	4
Public Comments Agenda Item	4
Recording Board Meetings	5
Requesting Inclusion on the Meeting Agenda	5
Other Presenters.....	5
Adopted.....	5

Alcona County Library Board of Trustees By-laws

Legal Authority

Michigan Legislature Act 138 of 1917, County Libraries (see [County Libraries Act 138 of 1917](#));¹ Alcona County Board of Supervisors Act of 1940 establishing public libraries in Alcona County.²

Library Board of Trustees

The Alcona County Library Board of Trustees (the board) is established to administer the county library fund; the library board consists of 5 members recommended for their fitness for public library trusteeship and are appointed by the county board of commissioners for terms of 5 years each in accordance with MCL 397.302 (the *County Libraries Act of 1917*). The term of appointment begins at the annual meeting in January of the year following the appointment and ends 31 December of the fifth year of service.

Terms of board members are to be staggered so that one member term expires every year.

The board will seek to attract as many applicants as possible to fill a new term, whether or not the member whose term is expiring seeks to serve an additional term. The board will advertise the opening in three consecutive issues of the *Alcona County Review*, the newspaper of record, during the month of October with a deadline of 1 November for receipt of application. Additionally, notices are to be posted at all library branches and on library World Wide Web (Internet) pages along with any other means of publicity that may be available.

The board will review all applications received and conduct public interviews of candidates during November and pass its recommendation for appointment to the county board of commissioners for action prior to 31 December.

Should a trustee vacancy occur for any reason the board will follow the above procedure to fill the position as soon as possible for the remainder of the vacated position.

Trustees may serve no more than two consecutive terms, whether full or partial;

1 Public Law 138: "An Act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act." Michigan Legislature Act 138 of 1917.

2 "Set up a County Library and appoint a Library Board to handle the administration of a County Public Library." Board of Supervisors, 15 October 1940.

Alcona County Library Board of Trustees By-laws

however, a trustee may return to the board after an absence of three years.

The board is a body corporate and is authorized to contract for the leasing, construction or maintenance of buildings or quarters, including acquisition of sites, to house the county library service and to do any other thing necessary for the conducting of the county library service, the cost of the county library service to be a charge against the county library fund.

Officers

The officers of the board are the Chairperson, Vice-Chairperson and Secretary.

Officers are nominated, the nomination seconded and elected by, at the board's discretion, voice- or ballot vote at the annual meeting, held in January, for a term of one year. Vacancies are filled by voice- or ballot vote at the next scheduled board meeting.

The duties of the officers are by custom; i.e., *Michigan Public Library Trustee Manual* (2004)³ as amended), by statute; i.e., *County Libraries Act 138 of 1917* (as amended) and by the rule of the board and devolve on the officers in accordance of their title.

Trustees

Trustees are responsible for creation, modification and implementation of library policies and procedures.

In the best interest of the Alcona County Library, trustee attendance must be consistent. If a trustee is absent three or more consecutive unexplained, unexcused meetings it will be considered dereliction of duty and, upon vote of a quorum of the board, the board of commissioners may be approached to remove that member. In this case, the procedure outlined above for filling a vacancy will be invoked.

Board Meetings

Open Meetings Act

Board meetings will comply with *Michigan Open Meetings Act 267 of 1976* (as amended).⁴ See [Michigan Open Meetings Act](#). The rest of this section details, in part,

³ [Library of Michigan--Trustee Programs](#)

⁴ Public Law 267: "An Act to require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts." Michigan

Alcona County Library Board of Trustees By-laws

meeting requirements as published by the office of the current Michigan Attorney General Bill Schuette as [Open Meetings Act Handbook](#).

The Open Meetings Act applies to all meetings of a public body. A “public body” is broadly defined as: a state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function; a lessee of such a body performing an essential public purpose and function pursuant to the lessee lease agreement.

As used in the Open Meetings Act, the term “public body” connotes a collective entity and does not include an individual government official.

Public Notice Requirements

A meeting of a public body cannot be held unless public notice is given consistent with the Open Meetings Act. A public notice must contain the public body's name, telephone number and address and must be posted at its principal office and any other locations public body considers appropriate. In the case of the Alcona Country Library, meeting notices are posted at all library branches, on the library web site and—with exceptions discussed below for publishing the meeting schedule—in the newspaper of record, the *Alcona Country Review*.

Public notice requirements are specific to the type of meeting:

1. For regular meetings of a public body, these shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year a public notice stating the dates, times and places of its regular meetings.
2. For a change in schedule of regular meetings of a public body, there shall be posted within three days after the meeting at which the change is made, a public notice setting the new dates, times and places of its regular meetings.
3. For a rescheduled regular or a special meeting of the public body, a public notice stating the date, time and place of the meeting shall be posted at least 18 hours before the meeting.
4. A meeting of a public body which is recessed for more than 36 hours shall be reconvened only after public notice has been posted at least 18 hours before the reconvened meeting.

Alcona County Library Board of Trustees By-laws

Board Meetings Annual, Regular Monthly and Special Meetings

The board will meet monthly, customarily the fourth Wednesday of the month (with exceptions for holiday periods). The January meeting is the annual meeting at which officers are elected and the meeting schedule for the year is planned including dates, times and locations.

All board meetings are posted at every branch library, published to the library web page and in the *Alcona County Review* newspaper of record.

Special meetings may be called by the chairperson or on request of any two board members for transaction of business specified in the call. Special meetings are posted at every library branch and published to the library web page—the publication schedule of the *Alcona County Review* may not allow publication there but, if there is enough time prior to a special meeting, notice may be published in the *Alcona Country Review* as well.

A quorum for transaction of business is a simple majority of the board (three or more board members).

Order of business is established by the agenda.

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the agenda
5. Approval of the last meeting's minutes
6. Presentations
7. Correspondence
8. Director's Report
9. Committee reports
 - Finance
 - Personnel
 - Technology
 - Commissioner Liaison

Alcona County Library Board of Trustees By-laws

Board Member Commissioner Meeting Attendee

Board Member Friends of the Library Attendee

10. Old business
11. New business
12. Board Member Comments
13. Public comments
14. Adjournment

Committees

Standing committees are Finance, Personnel and Technology. Additionally, one board member attends quarterly Alcona County Commissioners meetings, rotating members. One board member attends Friends of the Library meetings; this may be a single board member voluntarily attending every meeting or the attendees may rotate on the same monthly schedule.

Committee meetings are subject to the Open Meetings Act as described above (see: *Board Meetings: Open Meetings Act*). Briefly, committee meetings must be public, must be posted at every library branch and must be posted on the library web page; if the *Alcona County Review* publication schedule permits, postings may be made there as well.

Amending the bylaws

These bylaws may be amended at any meeting of the board by a majority vote of all board members, providing that, in the case of a special meeting, the amendment to be voted on was stated in the call for the special meeting. Majority simply means “more than half;” which equates to three or more members.

Other provisions

Public Comments Agenda Item

The board sets aside time for public comments.

It should be understood that the board generally will not respond to individual concerns because they may require further study to prepare an adequate response.

During the time allotted to public comments, individuals must wait to be recognized, may state their name or choose to remain anonymous and state the subject of their

Alcona County Library Board of Trustees By-laws

comments. Acceptable subjects are limited to library matters.

Personal attacks on employees of the library, library management or board members will not be tolerated; however, comments directly related to how an individual performs their duties may be permitted.

The time limit for addresses is 5 minutes per individual. Individuals may not give up their allotted time to another individual already holding the floor or to any other person with the purpose of extending an individual's time limit for addressing the board. If there are several individuals in attendance who wish to speak to the same topic, they will be encouraged to choose one spokesperson to represent the entire group within the allotted individual time limit.

As a rule public comments presented at the scheduled time during board meetings are not recorded in the minutes of the meeting—there is no requirement to do so. The chair or a board member designated by the chair may, at its discretion, briefly respond to a question during the allotted time limits for individual public comments.

Recording Board Meetings

Per the *Open Meetings Act*, board meetings may be recorded by anyone who wishes to do so. Recording equipment must be set up so as not to interfere with the proceedings of the board. Video recordings may be made with available light only; i.e., no floodlights may be used.

Requesting Inclusion on the Meeting Agenda

When a member of the public requests, in writing, action by the board. The written request is to be submitted at least 10 days prior to a scheduled board meeting, stating the speaker's name, topic and main points of the address. The request will be acknowledged by letter as soon as feasible.

Similarly, a member of the public may request, in writing, permission to address the board. The written request is to be submitted at least 10 days prior to a scheduled board meeting, stating the speaker's name, topic and main points of the address. The request will be acknowledged by letter as soon as feasible.

In both above cases, if the request is accepted:

- Presentations are limited to 15 minutes.
- Submissions may be via post or manual delivery to the Harrisville library branch.

Alcona County Library Board of Trustees By-laws

- The 10-day requirement is to permit review by library management and board members. At the discretion of the board the request may be placed on the currently scheduled meeting agenda or taken up at a following scheduled meeting.

If a request is denied or delayed to a later board meeting, a letter acknowledging receipt and explaining the reason(s) for denial or delay will be sent as soon as feasible. A denied or delayed request will be included in the Correspondence agenda item including the reason for denial or delay.

Other Presenters

From time to time the board will schedule and place on the meeting agenda presentations by vendors, outside experts or others about matters of importance to operation, facilities, maintenance, financing, legal requirements and other matters deemed necessary for consideration by the board.

Adopted

Adopted by the board 24 April 2013.

Amended by the board 18 December 2013

Reviewed by the board 28 September 2016