

# Augusta Township Public Library Board By-Laws

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## **Byl-1 Statement of authority**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The Augusta Township Public Library (hereafter referred to as "the 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 Augusta Township Public Library Board which is a corporation operating under the authority of the **Act**.

The Augusta Township Public Library Board (hereafter referred to as "the 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.

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## **Byl-2 Purpose of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

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

The Board:

1. bears legal responsibility for the Library
2. determines and adopts written policies to govern the operation of the Board and the Library
3. understands the library-related needs of the community
4. determines the goals and objectives of the Library and secures adequate funds to fulfill these goals
5. fixes the dates and times for regular meetings 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 (CEO); 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 the Augusta Township 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 Council or the Government of Ontario.

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### **Byl-3 Orientation of members of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The CEO 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 [Library Board Development Kit](#), produced by the Southern Ontario Library Service. Local information shall also be provided, 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, etc.)

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### **Byl-4 Meetings of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The CEO shall call the **inaugural meeting** of the Board in each new four-year term, upon receipt of the confirmation of appointments from the Municipal Clerk and a by-law from the Municipal Council.

Each year, the **first meeting** of the Board shall be held in January.

At the start of both the inaugural meeting of a new term and the first meeting of each non-inaugural year, the CEO shall preside, and conduct the elections for the position of Chairperson. The new Chairperson shall assume the chair, conduct elections for the positions of Vice-Chairperson, Secretary, and Treasurer, and appoint members to the standing committees of the Board.

The Board shall hold 10 **regular meetings** each year from January through June and September through December, and at such other times as it considers necessary. Regular meetings will be held in the Augusta Township Public Library, unless otherwise posted.

The Chairperson or any two members of the Board may summon a **special meeting** of the Board by giving each member reasonable notice, 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 financial or personnel matters of a confidential nature 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 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.

Notes shall be kept by the Secretary of the main points made during in-camera sessions. Such notes shall be retained by the Secretary of the Board, but kept separately from the ordinary, out-of-camera minutes of the meeting.

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## **Byl-5 Attendance at meetings**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

Attendance of all members at Board meetings is vital to the satisfactory conduct of business. In the event that a member must be absent from any meeting, that member shall notify the Chairperson or the CEO prior to the meeting.

Should a member be absent for three 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.

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## **Byl-6 Chairperson of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The Chairperson of the Board acts as an official representative of the Library, provides leadership to the Board, and 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 Statutes of Ontario, 1990, chapter P.44* and 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.

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## **Byl-7 Vice-Chairperson of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

In the absence of the Chairperson, the Vice-Chairperson of the 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.

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## **Byl-8 Chief Executive Officer of the Library**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The Board shall employ a Chief Librarian who shall be the CEO of the Library.

The CEO shall attend all Board meetings ex officio. She/he may take part in discussions and propose motions, but, not being an appointed member of the Board, does not cast a vote.

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 CEO.

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## **Byl-9 Order of proceedings**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

"The presence of a majority of the board is necessary for the transaction of business at a meeting." *Public Libraries Act R.S.O. 1990 chapter P.44 Section 16(5)*

Meetings shall be called to order as soon after the hour fixed for a meeting as a quorum, defined as a majority of the members 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 regular meeting or until a special meeting is called.

If notified by a majority of Board members of their anticipated absence from a meeting, the Chairman 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. Approval of the agenda
3. Declaration of any conflicts of interest
4. Delegations
5. Minutes of the preceding meeting
6. Business arising from the minutes

7. Correspondence
8. Chairperson's remarks
9. Council Representative's Remarks
10. Treasurer's report
11. Chief Executive Officer's report
12. Committee reports
13. Other business
14. Date of the next meeting
15. Adjournment

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

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### **Byl-10 Conduct of proceedings**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

It shall be the duty of the Chairperson of the Board to:

1. Open meetings of the Board by calling the members to order
2. Announce the business before 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 or 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. Receive all messages and communications and announce them to the Board
13. Appoint members to committees
14. Ensure that the decisions of the Board are in conformity with the laws and by-laws governing the activities of the Board.
15. Adjourn the meeting when the business is concluded.

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### **Byl-11 Rules of debate**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

In directing the course of debate, the Chairperson shall:

1. Preserve order and decide questions of order
2. Designate the member who has 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.

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## **Byl-12 Motions**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

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 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 distinct proposals may be divided with agreement of the Board.

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## **Byl-13 Voting on motions**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

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. Since the CEO is an ex-officio member of the Board, he/she does not cast a vote.

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## **ByI-14 Committees of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The Board may, at the annual meeting, appoint the following standing committees:

1. Building and Property
2. Finance
3. Fundraising
4. Personnel
5. Planning and Policy
6. Public Relations
7. Technology

The 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 two-thirds majority vote by the Board.

In addition, the Board may, from time to time, appoint special-purpose or ad-hoc committees. Such committees will generally be in existence for a limited duration, and deal with a well-defined issue or matter.

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## **ByI-15 Financial year**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

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

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### **Byl-16 Signing officers of the Board**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The Board shall appoint at least three signing officers of the Board, one of whom shall be the Treasurer.

All cheques or other orders for the payment of money in the name of the Board shall be signed by any two signing officers.

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### **Byl-17 Bank accounts**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

Bank accounts required for the business of the Board shall be opened in the Board's name by the Treasurer in branches of chartered banks, trust companies or credit unions as the Board may from time to time determine by resolution.

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### **Byl-18 Reimbursement of expenses**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The 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. Travel to and from regular Board meetings is exempt. Claims should be submitted to the Treasurer, and reimbursement shall be made in accordance with the rates set by the Township of Augusta.

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### **Byl-19 Audit**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The accounts of the Board shall be audited by auditors appointed by the Municipality at the conclusion of each financial year and at such other time as the Board shall direct.

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

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## **Byl-20 Amendment of By-Laws**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

A motion to amend or remove a by-law of the Augusta Township 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.

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## **Byl-21 Board mileage (Rescinded, as covered by Byl-18)**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

Board members may submit, to the Treasurer, mileage claims for travels on Board business. Travel to and from regular Board meetings is exempt. Reimbursement shall be made at the current Augusta Township mileage rate.

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## **Byl-22 Strike contingency planning**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

In the event of a strike by the OPSEU local, which includes the Assistant Librarian position, the CEO will consult with the Chairperson to determine the course of action of the Library.

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## **Byl-23 Confidentiality**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

The Township of Augusta Public Library Board shall respect the confidentiality of all patrons' personal information and library usage, unless required by law to release this information.

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## **Byl-24 Attendance at Board meetings via teleconferencing (Rescinded)**

*Date of original motion: January 14, 2012*

*Date of most recent motion: November 21, 2017*

*Chairperson's name/initials for most recent motion: Fran Wright*

Board members may attend board meetings via teleconferencing.

1. As all board meetings are open to the public, teleconference meetings must be conducted in such a way that all members participating can hear each other, at the same time, and that the public can also hear the deliberations.
2. Attendance of board members via a teleconferencing is not considered as a presence when establishing a quorum.
3. Once quorum is established "in situ", business proceeds as usual and votes are recorded by name in roll-call fashion.

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