

ATTACHMENT A

MINUTES
ELMHURST PUBLIC LIBRARY
BOARD OF TRUSTEES
Tuesday, March 16, 2010
7:30 p.m., Meeting Room 1

President Rose Walsh called the March 16, 2010 meeting of the Board of Trustees to order at 7:30 p.m. in Meeting Room 1.

Board members in attendance included Marsha Baker, Philip Hupfer, Bill Ryan, Susan Sadowski, Frank Vanek and Linda Wheaton. Ingrid Becton and David Dyer were absent. Also in attendance were Director Marilyn Boria, Assistant Director Sarah Caltvedt, Public Information Coordinator Cheryl Moore and visitors.

There were no comments from visitors.

The next order of business was approval of the Consent Agenda. Susan Sadowski moved:

THEREFORE BE IT RESOLVED:

That the minutes of the February 16, 2010 Regular Meeting be approved as presented.

That the Statement of Professional Ethics is approved as presented and is effective immediately:

ALA Code of Ethics

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

1. We provide the highest level of service to all library users through appropriate and usefully organized resources, equitable service policies, equitable access; and accurate, unbiased, and courteous responses to all requests.
2. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. We protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted.
4. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
6. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
7. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
8. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

That the Revised Employment Procedures Policy is approved as presented:

EMPLOYMENT PROCEDURES

8.3.1. Hiring

It is the policy of the Library to hire individuals who are best qualified for employment as determined by identified standards of education, experience, aptitude, character and ability to perform essential duties of the position. All decisions regarding the recruitment, selection and placement of employees are made solely on the basis of job related criteria. Notwithstanding anything contained herein to the contrary, in no event shall the hiring of an employee be considered as creating a contractual relationship between the employee and the Library; and unless otherwise provided, such relationship shall be defined as "employment-at-will" where either party may dissolve the relationship.

8.3.2. Application

All applicants for Library employment shall file applications on forms provided by the Library. All application forms shall be retained by the Library.

Background Checks

All applicants for employment who are age 16 or older must pass a criminal background check prior to being offered a position at the Library. Applicants with any offenses involving theft, violence, arson, or sexual misconduct will not be hired. Other offenses will be evaluated relative to the position in question.

8.3.4. Verification of Employment Eligibility

The Library, following federal law, requires that employees be either U.S. citizens or authorized to be employed in the U.S. Verification of this must be provided at the time of hiring and shall consist of documents which are acceptable under the law. No employee may begin work until the applicable form has been completed and certified by Library supervisory staff.

8.3.5. Equal Employment Opportunity.

The Library shall not discriminate against any employee or applicant for employment on the base of race, color, religion, gender, sexual orientation, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or unfavorable discharge from military service.

An applicant or employee shall be considered only on the basis of qualifications required for the position sought or held, i.e. experience, training, abilities, skills and knowledge, as well as personal character and integrity as a proper representative of the Library.

8.3.6. Relatives of Employees

The Library may employ a relative or cohabitant of an employee provided the individual meets the usual qualifications for employment. However, such persons cannot be given work assignments which require one to direct, review or process the work of the other, or which permits one to have access to the personnel records of the other. For purposes of this policy, "relative" is defined as spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, or first cousin, including all corresponding in-law, foster, adoptive, and "step" relations.

That the Revised Pay Plan Policy is approved as presented:

PAY PLAN

8.4.1. General Policy

It is the policy of the Library to pay wages and salaries which are based upon the nature of the job performed and which are competitive with rates being paid for similar work in comparable communities in our geographic area. Merit increases shall be based on job performance and shall not be given on the basis of length of service.

Each year, through the annual budget, the Board shall determine the amount of money available for merit pay increases. The Library Director then is responsible for determining the percentage of salary increase that will be applied in each of the performance review categories outlined in this policy. The merit pay increase percentages are to be reported annually to the Board of Trustees.

In addition to a merit pay increase, the Library Director may, in special circumstances, award a one-time bonus to any staff member who has performed well above the required level while working on a short-term major project. This bonus may not exceed two weeks salary or vacation, whichever the staff member chooses. When a bonus has been awarded, the Library Director must report this to the Board of Trustees.

That the revised Wage and Salary Administration Policy is approved as presented:

8.4.2. Wage and Salary Administration

8.4.2.1. Job Descriptions

The Library has written job descriptions for each position that describe the status (exempt or non-exempt), nature of work, level of education and skills required plus any other characteristics needed to satisfactorily perform the tasks of the position. (See Appendix to this policy for a list of exempt positions, position title list and salary schedule.)

8.4.2.2. Pay grades

Pay grades on the salary schedule are established by the Library Board, and each position is assigned to a specific pay grade based on criteria described in Section 8.4.2.1 above as well as the position's impact on the organization and the public. The pay grade range provides a minimum, midpoint and maximum.

8.4.2.3 Compensation for Work in Excess of Regular Hours and Sunday Hours

General Guidelines for Non-Exempt Employees

All work in excess of regularly scheduled hours must be approved in advance by the employee's supervisor. With the exception of Sunday work, any hours in excess of 40 per week, , shall be worked only with the prior approval of the Library Director or Assistant Director except in the case of an emergency, when overtime can be authorized by the person in charge of the Library.

Non-Exempt Salaried Employees

Sunday hours and hours worked in excess of 40 per week will be compensated at 1½ times the regular rate. The employee may choose whether to take this compensation in pay or in compensatory time off. All other hours worked in excess of regularly scheduled

hours will be compensated at the regular rate whether in additional pay or compensatory time.

Non-exempt salaried staff shall record extra hours worked on their biweekly time records. Compensatory time may be cumulated to equal but not exceed 1 week's scheduled work (37.5 hours for full time employees). It must be used within one year and shall be scheduled only with the prior approval of the department head or designated supervisor.

Hourly Non-Exempt Employees

These employees shall be paid for all hours worked. They will be paid at the regular rate for all hours up to 40 per week and at 1½ times the regular rate for hours in excess of 40 hours per week and those worked on Sunday.

Exempt Employees

Exempt employees working on Sunday shall be eligible for either additional pay or compensatory time off. Sunday hours will be compensated at 1½ times the regular rate.

Compensatory time may be cumulated to equal but not exceed 37.5 hours. It must be taken within one year and shall be scheduled only with the prior approval of the department head or designated supervisor.

8.4.2.4 Placement on the Salary Schedule

New employees generally will be compensated at the minimum pay rate assigned their job classification. However, in recognition of previous experience, the Library Director or Assistant Library Director is authorized to hire new employees above the minimum pay rate. The Library Board should be notified in writing whenever a staff member is hired above the mid-point of the salary schedule.

8.4.2.5 Salary Schedule Adjustments

The salary schedule is adjusted with the review and approval of the Board at the beginning of the fiscal year based on the cost of living increase for urban wage earners and clerical workers. Employees whose pay falls below the new minimum for their grade will receive an adjustment to that level. No other pay adjustment is made. On occasion, the Board may determine that it is necessary to adjust the salary schedule further to maintain competitive salaries. In this case, current employees may be placed on the new salary schedule at the level that they had reached on the old one.

That the revised Performance Appraisals Policy is approved as presented.

8.4.3. Performance Appraisals

8.4.3.1. General

All Library staff receive regular performance evaluations. An evaluation provides both the supervisor and the employee with a formal opportunity to review the individual's job performance and the contribution made to the library. If the employee is performing at or above required levels, the evaluation process provides reinforcement and reassurance and justifies a merit increase in salary. If the employee is performing below required levels, the process allows the supervisor to review problems and determine what the employee needs to do to correct them. The supervisor should remember that the evaluation is a two-way process, and should invite the employee to respond to suggestions for improvement, training needs, relations with the supervisor and any other issues pertinent to the job and to the library.

8.4.3.2. Merit Pay Increases

Each year the Library Board establishes the budget for merit increases, and Administrative Staff determines the percentage increase for each performance review category. Individual pay increases are based on merit and position on the salary schedule. Two scales are used to calculate pay increases - one for staff whose current salary is below the midpoint and another for those at and above the midpoint of the salary schedule (See annual Salary and Merit Pay Increase Schedules).

8.4.3.3 Evaluation Schedule

Librarians are eligible for merit salary increases after completion of a six-month introductory period and then according to the following schedule:

| <u>Month of Hire</u> | <u>6-Mo. Evaluation</u> | <u>Next</u> | <u>Next</u> |
|----------------------|-------------------------|-------------|-------------|
| January | July | May 1 | |
| February | August | May 1 | |
| March | September | May 1 | |
| April | October | May 1 | |
| May | November | May 1 | |
| June | December | June | May 1 |
| July | January | July | May 1 |
| August | February | August | May 1 |
| September | March | September | May 1 |
| October | April | October | May 1 |
| November | April | November | May 1 |
| December | June | December | May 1 |

Evaluation of all other employees shall occur after satisfactory completion of a six-month introductory period and thereafter on the anniversary of their appointment to their current positions. The anniversary dates of employees with gaps in service will be adjusted to account for a full year of service before the next evaluation. Employees classified as on-call substitutes will be evaluated after completing 600 hours of work and at 600-hour intervals thereafter. Employees are eligible for merit salary increases at each regularly scheduled evaluation.

8.4.3.4 Types of Evaluation

INTRODUCTORY EVALUATION: The first six months of employment is an introductory period during which an employee can be terminated by the supervisor at any time. During this time, the supervisor should closely observe the employee, review progress and call any problems to the individual's attention.

After the satisfactory completion of the introductory period an employee is eligible for a merit increase. The six-month evaluation gives the supervisor the opportunity to assess the individual's potential to become a satisfactory employee and provides documentation for a merit increase, or to review deficiencies formally with the individual and to assess whether sufficient progress has been made for the employee to remain on the staff. The supervisor may extend the introductory period by three (3) months if the employee's performance is still marginal, and if the Supervisor believes it can be improved significantly within that time.

ANNUAL EVALUATION: On the anniversary of the individual's starting date in the current position, or according to the schedule outlined above, the supervisor reviews the individual's performance during the past year and the goals and objectives the individual should pursue in the coming year. The individual may be eligible for a merit increase at this time.

SPECIAL EVALUATION: A special review may be scheduled for employees who have satisfactorily completed the introductory period and assumed additional responsibilities that are long term but fall short of making them eligible for promotion. The review of their exceptional performance may provide documentation for a merit increase.

A special evaluation may also be scheduled for an employee who has satisfactorily completed the introductory period but whose supervisor believes that the employee's performance has deteriorated to a point that it is necessary to review the deficiencies formally and inform the employee of disciplinary action, or possible termination, if improvement is not made within a specified period of time. Examples of poor or unsatisfactory performance are:

- | | |
|---|--|
| .Insubordination | .Chronic absenteeism or unexcused tardiness |
| .Inability to learn duties | .Discourtesy |
| .Incompetence | .Criminal action |
| .Poor public or staff relations | .Willful violation of Board policy or library procedures |
| .Failure to perform duties in a satisfactory manner | |

Types of unsatisfactory performance listed above are examples and are not meant to be an all inclusive list.

8.4.3.5. Preparation by the Supervisor

The supervisor should first review the employee's job description to determine if it still accurately reflects the work the employee is expected to perform.

If there has been significant change, and the job has become substantially different from the work of other employees with similar job descriptions, this should be discussed with the Assistant Director. If the job has not changed, the supervisor should assess whether the employee is performing satisfactorily the duties identified in the job description. Care should be taken in identifying where improvements are needed. Examples should be used to illustrate problems. The supervisor should write a narrative evaluation using the following criteria.

8.4.3.6 Performance Review Categories

Exceptional

Reserved for employees who, in addition to meeting all of the criteria for performance evaluated as Exceeds Expectations, demonstrate unusual creativity and accomplishment in response to a new challenge in a given year.

Exceeds Expectations

Given to employees who consistently perform above requirements, demonstrating a thorough knowledge of all aspects of the job, and who regularly show initiative in job performance.

Meets All Expectations

Given to employees who perform all duties as required, demonstrating thorough knowledge of all aspects of the job and who show initiative on occasion.

Meets Minimum Requirements

Given to employees who have a technical mastery of all aspects of the job but do not exhibit initiative. May also be given to new employees who have not yet mastered all aspects of the job but are making adequate progress.

Needs Improvement

Given to employees barely meeting performance requirements and who:

- a) demonstrate unfamiliarity or lack of skill with some aspect of the job and required duties after repeated training, or
- b) do not exhibit satisfactory internal or external customer service behavior. No salary increase is allowed, and employees in this category will be placed on probation.

Unsatisfactory

Describes unacceptable performance. Employment will be terminated.

8.4.3.7 Administrative Review of Performance Evaluations

The supervisor reviews the written evaluation along with recommendations for salary increases or probation with the appropriate Department Head and then with the Assistant Director. With the approval of the Assistant Director, the supervisor gives the employee a copy of the written evaluation and schedules a time to discuss the evaluation with the employee.

8.4.3.8 Performance Interview

The supervisor should arrange the discussion with the employee in private where both employee and supervisor can feel comfortable and the discussion will not be interrupted. The following elements should be included in the interview:

- Duties of the employee
- Examples of good work or of problems
- Reason the specific rating was given
- Accomplishments during the past year and goals for the coming year
- Commendations, if appropriate
- Additional training which may be required
- Employee response

If the employee adds comments to the evaluation form, a copy should be given to the Library Director or Assistant Director.

A signed copy of all evaluations should be forwarded to the Office Manager for placement in the individual's personnel file. The Office Manager will complete paperwork required for payroll adjustment, if any, and forward it to the City for processing.

8.4.3.9 Appeal

If an employee requests an appeal, it will be arranged by the Library Director or Assistant Director. Both the supervisor and the employee will be granted an opportunity to state

their positions. The decision of the Library Director or Assistant Director shall be binding on all parties involved.

8.4.3.10 Delays in Evaluation

Supervisors are expected to complete performance evaluations in a timely manner. An employee who does not receive an evaluation within a month of his/her anniversary date should notify the Library Director or Assistant Director. Any merit increase due the employee will be paid retroactively from the anniversary date.

8.4.3.11 Confidentiality

The evaluation forms are confidential documents and will be filed with the employee's personnel records. Only the employee, his/her immediate supervisor, unit supervisor, the Department Head, Office Manager, Library Director or Assistant Director may have access to these documents, and the information contained in them will not be discussed or revealed to anyone except as may be required by Court Order or applicable law.

That the Payroll Policy has been reviewed and is approved as presented.

PAYROLL

8.4.4.1 Pay Periods

All employees who are entitled to a salary or wages will be paid bi-weekly on Friday. If the regular payday occurs on a recognized legal holiday observed by the City of Elmhurst, all employees will be paid on the preceding Thursday.

8.4.4.2 Payroll Deductions

Automatic payroll deductions shall be made as required by law and as authorized by the employee.

That the revised Benefits Policy is approved as presented.

BENEFITS

See also 8.6 Time Off

The descriptions of the various Benefit Plans contained in this manual are intentionally brief. For more detailed information regarding the terms of specific plans refer to the individual booklets for each plan available from the Office Manager.

8.5.1 Retirement Plan

The Library, through the City of Elmhurst, provides retirement coverage for eligible employees with the Illinois Municipal Retirement Fund. All full-time employees are

eligible as well as part-time employees scheduled to work a specified number of hours as outlined in the IMRF guidelines.

8.5.2 Medical and Dental Benefit Plans

The Library, through the City of Elmhurst, provides optional contributory medical and dental benefit plans for full-time employees and their eligible dependents. There also is a contributory plan available to retirees.

Coverage begins on the first day of the month following employment.

Once each year eligible employees may opt to change their selection of medical and dental benefit coverage, without penalty, during a 30 day open enrollment period immediately preceding the contract renewal date of the Plans. As provided by law, employees may change their selection of medical and dental benefit coverage following a qualifying event.

8.5.3. Life and Accidental Death & Dismemberment Insurance

The Library, through the City of Elmhurst, provides full-time employees life and AD&D benefits. Additional supplemental life and AD&D insurance may be obtained on a contributory basis.

8.5.4. Savings Plans

The Library, through the City of Elmhurst, provides the following savings plans for all employees.

8.5.4.1 Credit Union

Benefits of a full service credit union are available through membership in the Central Credit Union of Illinois. Members may receive regular dividends on their deposits and are eligible for other benefits such as loans, charge cards and certain discount privileges.

8.5.4.2. Deferred Compensation Plan

Participants in the Deferred Compensation Plan may shelter a portion of their current income from Federal and State taxes by deferring receipt of invested funds.

8.5.4.3 U. S. Savings Bonds

Market based interest rate U. S. Savings Bonds are available through a payroll deduction plan.

8.5.5 Flexible Compensation Plan

In accordance with Section 125 of the Internal Revenue Code, full-time employees may pay medical and dental premiums, eligible medical expenses and dependent care with pre-tax funds through payroll deduction.

8.5.6 Employee Assistance Program

Employees and family members may consult EAP counselors in confidence and free of charge (for a limited period of time) for assistance with personal problems.

8.5.7 Uniform Allowance

The Library will provide uniforms required as a part of job performance for custodial staff in order to establish public identity and because their position involves unusual clothing depreciation. Determination of need shall be made by the Director or designee.

8.5.8 Fitness Center

Library employees, through agreements negotiated by the City of Elmhurst, may receive discounted membership rates at participating fitness centers.

8.5.9. Auto Allowance

A mileage allowance will be paid by the library for employees authorized to use personal vehicles when on library business. For details see Conference Attendance and Travel policy 8.9.10.

8.5.10. Staff Development

8.5.10.1. Dues Payments

To maintain a high level of quality library service and to ensure that librarians, Department Heads, other professionals and Board Members are knowledgeable about developments and issues in the profession, the Library will maintain personal memberships for these persons in the American Library Association and the Illinois Library Association. In addition to the basic membership, the Library will pay for membership in appropriate sections of each organization with the approval of the Director or Assistant Director.

The Library will pay for membership in other professional organizations as appropriate with the approval of the Director or Assistant Director.

8.5.10.2 Conferences/Seminars/Workshops

Continuing education is an important aspect of staff development. Library employees are encouraged to participate in professional conferences, seminars and workshops.

Administrative Staff will make every effort to inform staff of continuing education opportunities, and decisions on attendance at these events will be based on the following criteria:

- maintenance of public service schedules
- applicability of conference/seminar/workshop to the staff member's primary responsibilities in the Library
- recommendation of the staff member's department head
- staff member's office or committee assignment in the professional association or organization
- funds available in the Training/Conference Expenses Budget

Staff members with particular expertise are encouraged to make presentations at meetings and conferences of local, Illinois, and national library associations, subject to the prior approval of the Department Head and the Assistant Director. Such presentations may be made on Library time, and expenses will be paid. Staff members who wish to make presentations to individual libraries or out-of-state groups must get prior approval from their supervisor and may be required to use leave time for this purpose. Approval for presentations will be based on the following criteria:

- maintenance of public service schedules
- relevance to the staff member's area(s) of expertise
- opportunity for professional development through preparation of the presentation
- potential contribution to the professional education of colleagues in nearby libraries
- number of presentations and professional development meetings attended

8.5.10.3 Tuition Reimbursement

Subject to availability of funds, the Library will reimburse full-time staff members for the cost of undergraduate or graduate credit coursework, and part-time staff members for the cost of coursework in an accredited master's program in library science, subject to the following provisions:

Eligibility is limited to staff members who have been employed at the Library for not less than 1 year for full-time employees and 2 years (working at least 15 hours per week) for part-time employees. To qualify for tuition reimbursement, an employee must have received a performance evaluation of "Exceeds Expectations" or better in the most recent review.

The coursework must be related to the employee's position or career development as determined by the Library Director or Assistant Director.

The employee must obtain written approval from the pertinent Department Head and the Director or Assistant Director prior to registration and enrollment. Denials by the Department Head may be appealed to the Director or Assistant Director.

All coursework must be done on the employee's own time and may not interfere with the performance of the employee's duties, although the work schedule may be adjusted with the approval of the supervisor.

Covered expenses eligible for reimbursement are limited to tuition, textbooks, and lab fees.

Evidence of satisfactory completion of the course is required. For a grade of "B" or better, or a "pass" grade in a "pass/fail" course, the employee is eligible for 100% reimbursement of covered expenses. For a grade of "C" or equivalent, the employee is eligible for 70% reimbursement. For a grade below "C" or receipt of a "fail" in a "pass/fail" course, the employee would be ineligible for reimbursement.

The maximum reimbursement per employee is \$5,000 per calendar year. The total reimbursement to all employees shall not exceed the amount budgeted in a given year.

If a participant's employment with the Library is terminated for any reason, 50% of all reimbursement for covered expenses paid in the final 12 months of the employee's tenure with the Library must be repaid.

8.5.11 Workers' Compensation

An employee who incurs an illness or injury as a result of job related duties shall be entitled to worker's compensation benefits in accordance with the Illinois Workers' Compensation Act.

Nothing in this section shall preclude the Library from requiring that the employee return to work on a light duty basis if a physician certifies that the employee is capable of performing such light duty.

Philip Hupfer seconded the motion. The motion passed.

The next order of business was Approval of the March 16, 2010 Accounts Payable. Marsha Baker moved:

THEREFORE BE IT RESOLVED:

That the March 16, 2010 check register be approved for payment.

Minutes
Elmhurst Public Library Board of Trustees
March 16, 2010
page 15

Susan Sadowski seconded the motion. Ms. Sadowski asked Director Boria to explain several items on the check register. Ms. Boria pointed out that half of the fee for the upcoming Elmhurst READS speaker would be reimbursed by the Friends of the Library. The motion carried.

Director Boria presented the Financial Reports and directed the Trustees' attention to the Fund Statements. Trustee Dyer had asked about disbursement amounts for January fines and miscellaneous fees, and she explained that these amounts were added in and then taken out because they represented credits against a SWAN invoice and were never received as cash payments.

In her Director's Report, Ms. Boria stated that circulation had risen in February even though the visitor count was lower. However, last February's visitor count was 13% higher than the year before, so last year was the anomaly. She reported that the Friends' Trivia Night had gone well, although there were fewer people in attendance due to its being held on Valentine's Day weekend. The event will be held again next year, but on a different weekend. She asked Asst. Director Caltvedt to discuss the Kill-a-Watt and Thermal Leak Detector devices that the library had recently acquired for circulation. These items will support the Cool Cities Coalition's efforts to reduce residential energy consumption. Finally Ms. Boria reminded the Trustees of the appearance by Elmhurst READS author Robert Kurson the following Thursday. She stated that the library programs leading up to his appearance had been very successful.

In her President's Report, President Walsh read a letter from Metropolitan Library System Director Alice Calabrese-Berry congratulating Director Boria on receiving the 2010 Elmhurst Jaycees' Distinguished Service Award. President Walsh also reported on the Library's budget presentation to the City Council the previous evening.

Asst. Director Caltvedt presented a staff report on e-book readers, in particular the Sony Touch Reader that the Library has acquired for demonstration purposes. She compared it to the earlier e-book readers that had failed to be adopted widely a decade ago and discussed the issue of "pay per view" e-book reading versus the library model of subscription-based lending of e-books. The Library provides e-books that are compatible with many readers through My Media Mall, but Ms. Caltvedt noted that the Amazon Kindle can only be used to read books purchased through Amazon.

The first item of Unfinished Business was adoption of revisions to the Board Bylaws. Susan Sadowski moved:

THEREFORE BE IT RESOLVED:

That the Bylaws of the Board of Trustees are adopted as presented and shall become effective immediately.

**BYLAWS
BOARD OF TRUSTEES
ELMHURST PUBLIC LIBRARY**

ARTICLE I - OBJECTIVES

The Board of Trustees of the Elmhurst Public Library is responsible for providing library service to meet the needs of the Elmhurst community. To this end, the Board shall:

1. Determine Library policies.
2. Employ a capable library administrator and provide for appropriate staff.
3. Secure adequate funds for library operations.
4. Approve expenditure of library funds.
5. Provide and maintain adequate facilities.
6. Insure a representative selection of library materials.
7. Promote use of the Library within the community.
8. Perform other duties as outlined in Illinois Compiled Statutes.

Trustees serve without compensation. In their position of public trust, Trustees shall avoid conflicts between private interests and official responsibilities. Prior to May 1st of each calendar year, all Trustees shall file a Statement of Economic Interest with the County Clerk, pursuant to the Illinois Governmental Ethics Act.

ARTICLE II - MEMBERSHIP

The Board of Trustees shall consist of nine (9) members appointed by the Mayor of the City of Elmhurst, with the approval of the City Council. The terms of each member shall be for three years from the 1st of July of the year of appointment and until a successor is appointed. Terms are staggered, with three expiring each year. Vacancies are filled in the same manner as the original appointments with the newly appointed Board members completing the remaining months of the term. A Board member may be removed by the Mayor subject to the approval of the City Council, in accordance with 65 ILCS 5/3.1-35-10. The Board of Trustees may recommend removal of a Trustee by majority vote if the Trustee fails to attend meetings or discharge the duties of his or her office.

ARTICLE III - OFFICERS

The officers of the Board Trustees shall be a President, Vice-President, and Secretary, each to be elected at the annual meeting by a majority vote of the Trustees present. Each term of office shall be for one year, or until a successor has been elected and qualified.

A Trustee may serve no more than three consecutive one-year terms in any one office. After serving three consecutive one-year terms as President, Vice-President, or Secretary, a Board member is ineligible to serve in that office again for one year. In the event that an officer is unable to complete his or her term of office, the Board of Trustees may elect a replacement to serve out the term.

ARTICLE IV - DUTIES OF THE OFFICERS

President: The President shall preside at all meetings of the Board of Trustees, appoint committees and committee chairs, act as ex officio member of all committees, and perform such other duties as are normally associated with the office or may be assigned to him or her by the Board.

Vice-President: The Vice-President shall, in the absence of the President, perform all duties of that office and shall have such other duties and responsibilities as the Board may determine.

Secretary: The Secretary shall be responsible for the record keeping and publication of all proceedings of the Board; shall have charge of such correspondence as is delegated by the President of the Board of Trustees; shall give due notice of all regular meetings with agenda when necessary; and at the request of the President, or of two Trustees, shall give due notice of the time, place and purpose of any special meeting. In the absence of the Secretary, the President shall appoint a Secretary pro tem.

The secretary shall preside in the absence of both the President and Vice-President.

In the event that the President, Vice-President and Secretary are absent from a meeting, the members present shall elect a President pro tem and Secretary pro tem from among themselves to serve for that meeting only.

ARTICLE V - MEETINGS

The rules contained in *Robert's Rules of Order (newly revised)* shall govern the business of the Board in all matters not covered by the bylaws.

All meetings shall be open to the public, except for Executive Sessions, as provided by the Illinois Compiled Statutes.

Five members of the nine-member Board shall constitute a quorum for conducting business. In the event of any unfilled vacancies on the Board, a quorum shall be a majority of the Trustees in office.

Regular monthly meetings of the Board shall be held in the Library at times to be established at the annual meeting. This schedule of monthly meetings shall be permanently posted in the Library and on the Library's web site.

Committee meetings shall be held in the Library as needed and an announcement shall be posted in all required locations no less than forty-eight (48) hours in advance of the meeting.

The annual meeting shall be held within the 60 days following July 1st each year. The Board shall, at the annual meeting, approve the minutes of the previous annual meeting, elect officers, establish monthly meeting dates, and conduct any other appropriate business. At the discretion of the Board, the annual meeting may be held outside of the Library.

Special meetings may be called by the President, or upon the written request of two Trustees. Only such business as stated in the call may be transacted at a special meeting. Except in the case of a bona fide emergency, notice of call shall be sent to all Trustees and posted in all required locations no less than 48 hours prior to a special meeting.

An annual letter shall be sent to the local press informing them of the schedule of monthly meetings and that committee meetings are held as posted in the Library.

The fullest participation and attendance in all Board meetings should be achieved whenever possible. The use of telephone conferencing for meeting attendance and voting is permissible so long as the conduct of the meeting is in accordance with the Open Meetings Act and any Board members attending the meeting through telephone conferencing are not counted as part of a quorum. The location of the meeting shall be equipped with a suitable speakerphone system in order that the public audience, the Board members in attendance, and any staff or guests will be able to hear any input, vote, or discussion of the teleconference. Sufficient security and identification procedures shall be employed to ensure that any and all Board members attending are, in fact, authorized Board members with the right to speak and vote. All Board members attending meetings by telephone conference are entitled to vote as if they were personally and physically present at the meeting site, so long as the telephone connection exists. This policy shall not be construed to mean that teleconferencing shall be regularly used but shall be used only as necessary to allow the participation of Board members who are unable to attend in person due to circumstances beyond their control. The meeting minutes shall indicate those Board members who attend by telephone connection, and in the event the entire meeting is not so attended, shall indicate those portions of the meeting which were attended by telephone conference.

ARTICLE VI - ORDER OF BUSINESS

The Chair of the meeting shall establish the agenda as required. The agenda shall be posted for public review in accordance with Illinois law.

ARTICLE VII - APPOINTMENTS

The President shall appoint such committees as he or she deems necessary to formulate policy and efficiently carry out the financial, operational and other responsibilities of the Board.

The President may appoint members of the Board to act as liaison agents between the Library and other institutions in the community.

ARTICLE VIII - THE LIBRARY DIRECTOR

The Board shall appoint and establish the compensation of a Library Director, who will be responsible for the administration of the Library. The Library Director shall report directly to the Board and shall be authorized to develop library programs, establish the organizational structure, purchase materials, and undertake such other activities as may be necessary for the library's operation, subject to the policies established by the Board. The Library Director shall make reports at the meetings of the Board in such form and on such subjects as the Board may direct.

ARTICLE IX - AMENDMENTS

Amendments to these bylaws may be proposed at any regular meeting of the Board and shall become effective as and if adopted by a majority vote of the Board at a subsequent meeting.

ARTICLE X - INDEMNIFICATION OF TRUSTEES, OFFICERS AND EMPLOYEES

If any claim or action not covered by insurance or ordinance of the City of Elmhurst is instituted against a Trustee of the Elmhurst Public Library arising out of an act or omission by a Trustee acting in good faith for a purpose considered to be in the best interest of the Library; or if any claim or action not covered by insurance or ordinance is instituted against an officer or employee of the Library allegedly arising out of an act or omission occurring within the scope of his/her duties as such an officer or employee; the Elmhurst Public Library shall, at the request of the Trustee, Officer or Employee:

- A. Appear and defend against the claim or action; and
- B. Pay or indemnify the Trustee for a judgment and court costs, based on such claim or action; and
- C. Pay or indemnify the Trustee for a compromise or settlement of such claim or action, providing the settlement is approved by the Board of Trustees.

Decision as to whether the Library shall retain its own attorney or reimburse the Trustee, Officer or Employee expenses for their own legal counsel shall rest with the Board of Trustees and shall be determined by the nature of the claim or action.

For the purpose of this Article, the term Trustee, Officer or Employee shall include former Trustee, Officer or Employee of the Library. This Article shall not apply if the Board of Trustees finds that the claim or action is based on malicious, willful or criminal misconduct. In such case, indemnification will be determined after an investigation of the facts.

Amended to reflect Board action at the February 16, 2010 regular meeting.

Marsha Baker seconded the motion. The motion carried.

There was no further Unfinished Business.

There being no New Business, the meeting was adjourned at 8:07 p.m.

Linda Wheaton, Secretary