

Trustees on Committee

Pat Baeske, chair

Bill Poletti, member

Rochelle Hobson, member

Don Baden, ex-officio

Carolyn Clark, alternate

POLICY COMMITTEE AGENDA
FAIRVIEW HEIGHTS PUBLIC LIBRARY
HELD IN LIBRARY LOWER-LEVEL CONFERENCE ROOM August
26, 12:00 p.m.

The Library Policy Committee Meeting will be available remotely due to localized justification of COVID occurrences. The meeting can be accessed via conference call or the **GoToMeeting** app: <https://global.gotomeeting.com/install/528142357>.

PLEASE MUTE YOUR PHONE/COMPUTER DURING THE MEETING.

Phone Number: 224-501-3412 Meeting ID Access: 528-142-357

Questions via email will be accepted at fhpl@fhplibrary.org

1. CALL TO ORDER - ESTABLISH QUORUM – RECORD MEETING
2. ROLL CALL
3. PUBLIC PARTICIPATION
4. PROPOSED AMENDMENTS TO BYLAWS
5. ADJOURN

PROPOSED BYLAWS AMENDMENT

SECTION 6

A quorum of the full board shall consist of five members. A majority of those present shall decide the vote taken on any questions for the transaction of business at any meeting of the Board. A library board member may attend any meeting of the body as defined in the Open Meetings Act via electronic means within the following Rules:

- A. Electronic Attendance at Meetings Rules Statement.** It is the decision of the Library Board of Fairview Heights, Illinois, that any member of the Library Board may attend any open meeting of the Library Board via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.
- B. Prerequisites.** The member should notify the Library Secretary and/or Library President and the Librarian at least 48 hours before the meeting, unless impractical, so that necessary communications equipment can be arranged in the meeting room. Inability to make the necessary technical arrangements will result in denial of a request for remote attendance. A member of the Library Board may attend a meeting electronically if the member meets one of the following conditions;
- (1) The member cannot attend because of personal illness or disability; or
 - (2) The member cannot attend because of employment purposes or the business of the Library of Fairview Heights, Illinois; or
 - (3) The member cannot attend because of a family or other emergency **C.**

Authorization to Participate.

- (1) The Library Secretary and/or Library President, after receiving the electronic attendance request, shall inform the Library Board of the request for electronic attendance.
- (2) After establishing that there is a quorum physically present at a meeting where a member of the Library Board desires to attend electronically, the Library President or other presiding officer shall state that:
 - (a) a notice was received by a member of the Library Board in accordance with these Bylaws Rules, and
 - (b) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by a majority of the members of the Library Board physically present at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the Library Board physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the Library Board and the presiding officer shall declare the requesting member present. After such declaration

by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

D. Adequate Equipment Required. The member participating electronically and other members of the Library Board must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the Library Board shall provide equipment adequate to accomplish this objective at the meeting site.

E. Minutes. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.

F. Rights of Remote Member. A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the Secretary and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

G. Committees, Boards and Commissions. These rules shall apply to all committees, established by authority of the Fairview Heights Library Board.

H. Severability. In the event that any section, clause, provision, or part of this shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

FAIRVIEW HEIGHTS PUBLIC LIBRARY BOARD OF TRUSTEES BY- LAWS

These by-laws have been established in accordance with Chapter 75 of the Illinois Compiled Statutes as a guide for members of the Fairview Heights Public Library Board of Trustees in conducting the Library's business.

ARTICLE I GENERAL PROVISIONS

SECTION 1

The library shall be known as the Fairview Heights Public Library (hereafter referred to as the "Library").

SECTION 2

These by-laws specify the duties of the officers of the Board of Library Trustees (hereinafter known as "The Board") and describe procedures by which meetings of the Board are conducted. They also prescribe methods by which the business of the Board

is to be carried on, describe the authority and duties of the Library Director, and provide other general rules.

SECTION 3

The term of each member of the Board shall commence on the first day of the term to which he or she is appointed and continue to the first day of the term of his or her successor, unless state law shall otherwise provide.

SECTION 4

Board offices shall be located at 10017 Bunkum Road, Fairview Heights, IL 62208-1703

SECTION 5

The mission of the Fairview Heights Public Library is to offer our citizens an opportunity to learn, enjoy and experience the world through a wide variety of materials, programs and services.

ARTICLE II TRUSTEES

SECTION 1

The responsibility of management of the Library and its services is vested in the Board of Trustees, which shall be constituted and hold authority as specified in the Illinois Compiled Statutes 75 ILCS 5/4.

SECTION 2

The Board shall be composed of (9) nine members appointed by the Mayor of the City of Fairview Heights. Trustees must be at least 18 years of age and reside within the city limits of Fairview Heights.

SECTION 3

Each member shall be appointed for a term of three years, with three members appointed each year.

SECTION 4

The Board will hire a qualified Library Director who will be responsible for the day-to-day operations of the Library.

SECTION 5

Trustees who resign their appointments prior to the end of their term or decide not to accept reappointment shall provide written notice, at least one month in advance, to the Librarian and/or Board President.

ARTICLE III TRUSTEE ETHICS

SECTION 1

Trustees may not solicit or accept a gift that appears to be offered because of his or her official position. Trustees shall not act or vote on any contract, work, or business of the Library upon which the Trustees has a beneficial interest, either directly or indirectly. The Trustee must excuse himself or herself from any discussion or voting on that interest.

SECTION 2

Trustees shall adhere to the Fairview Heights Public Library Ethics Statement for Public Library Trustees. (Addendum)

SECTION 3

Annually, Trustees must file a "statement of Economic Interest" as required by the Illinois Government Ethics Act. Each Trustee is responsible for the timely filing of such statement with the St. Clair County Clerk's office.

ARTICLE IV OFFICERS AND DUTIES

SECTION 1

The officers of the Board shall be the President, Vice President, Secretary, and Treasurer.

SECTION 2

The Board shall elect its officers from among its members at the regular August meeting of each year. Officers shall serve for a term of one year. If a vacancy occurs in any office, that vacancy shall be filled for the balance of the term by Board appointment.

SECTION 3

The President shall supervise the affairs of the Board and preside at all meetings. The President shall be an ex-officio member of all committees. He or she may approve the regular bills list for months in which no meeting is scheduled.

SECTION 4

The Vice President shall preside at meetings in the absence of the President. He or she may approve the regular bills list for months in which no meeting is scheduled.

SECTION 5

The Secretary shall prepare a written record and permanent minutes of the Board's proceedings. If a member is absent or abstaining from the vote, the record will so indicate. The Secretary shall be the custodian of all Board records. He or she shall file the minutes, keep records of all official Board actions; and provide for Board correspondence.

SECTION 6

The Treasurer shall review all payment vouchers drawn from the Board's funds. Two signatures are required on checks drawn on Board funds over \$1000.00 as stated in the policy Manual of the Fairview Heights Public Library under the Routine Banking

Procedure. The Library Director and all officers listed on the checking account signature card are authorized to sign checks drawn on Board funds.

SECTION 7

The Board's fiscal year shall be May 1 through April 30.

ARTICLE V MEETINGS

SECTION 1

Regular meetings shall be held on the third Thursday of each month (except December and July) at 7 p.m. in the Library. If the third Thursday falls on a holiday, the regular meeting will be held on the third Wednesday of that month, or at such other time as the Board may designate.

SECTION 2

Each member is expected to attend all meetings. If not able to attend, it is requested you inform the Library Director prior to the meeting. ILCS 75 5/4-4 specifically lays out conditions for removal from the Library Board of Trustees.

SECTION 3

The date, place, and time of a regular meeting may be changed by affirmative vote of a majority of Trustees present and voting at the regular meeting.

SECTION 4

Special meetings may be requested at any time at the call of two members of the Board, only for the transaction of business stated in the call. Notice with the agenda of the special meeting must be given at least 48 hours in advance, except in the case of a bona fide emergency. Notice must be posted in at least two conspicuous places

SECTION 5

All meetings of the board, its committees and subcommittees shall be open to the public and conducted in accordance with Illinois Open Meetings Act.

SECTION 6

A quorum of the full Board shall consist of five members. A majority of those present shall decide the vote taken on any questions for the transaction of business at any meeting of the Board. For electronic attendance, the majority of the quorum must be present and the secretary must be notified at least 48 hours in advance. State changes to the Illinois Open Meetings Act in regards to electronic attendance will supersede the requirement.

SECTION 7

Robert's Rules of Order (newly revd.) shall govern the parliamentary procedure of the Board of Library trustees unless otherwise specified in the bylaws. Exception to this

would be where the obligations of a 'public body' as defined under the Illinois Open Meetings Act supersedes the guidance offered by Robert's Rules of Order.

SECTION 8

No vote or action of the Board shall be rescinded at any special meeting of the Board unless there be present at such meeting as many members of the Board as were present at the meeting when such a vote or action was taken.

SECTION 9

An agenda for each regular meeting shall be prepared by the Library Director preceding each meeting. Board members who wish to have items listed must give them to the Director on or before the Thursday preceding the regular meeting. The agenda and/or information packet shall be distributed to each Trustee by the Library Director prior to each regular monthly meeting. The agenda and order of business for each regular meeting shall be as follows:

1. Opening of Meeting
 - A. Call to order
 - B. Roll call
 - C. Additions to agenda
2. Consent agenda
 - A. Approval of minutes
 - B. Library Director's report
3. Approval of all financial statements, reports and bill list
4. Communication and correspondence
5. Citizens comments
6. Illinois Heartland Library System report
7. Standing committees
 - A. Personnel
 - B. Policy/By-laws
 - C. Finance
8. Special committees
9. Business
10. Closed Session
11. Adjournment

SECTION 10

As part of its agenda for regular meetings, the Board will provide time for public comments. Members of the audience wishing to address the Board are asked to introduce themselves during this portion of the meeting and identify any library issues they wish to discuss. Members of the public will be granted 5 minutes to speak. The Board may cut short any comments that are irrelevant, repetitious, or disruptive.

SECTION 11

The regular monthly meetings of the Board shall be determined annually at the November meeting. The meetings shall be held in the library. The Director shall then provide the schedule of meetings to the local papers as well as post the schedule of meetings at the library and online. Both notices shall have the dates and times of such meetings and will be open to the public.

If any regular meeting of the Board is rescheduled, public notice of such a rescheduled regular meeting or special meeting shall be given at least 48 hours before such meeting by posting public notice in at least two conspicuous places. Such public notice of a reconvened meeting need not be given if the announcement of the time and place of the reconvened meeting was made at the original meeting and there has been no change in the agenda of such meeting.

SECTION 12

In the absence of the Board President to preside over a meeting, the succession of responsibility shall be as follows: Vice-President, Secretary, Treasurer.

ARTICLE VI COMMITTEE AND LIBRARY SYSTEM REPRESENTATIVE

SECTION 1

The following shall be the standing committees of the Board:
Finance, Personnel, and Policy/By Laws

SECTION 2

Ad hoc (special) committees may be created from time to time as the Board may direct.

SECTION 3

A committee consists of three members of the Library Board of Trustees and one alternate member. In the absence of any of the three regular appointed committee members at any committee meeting, the alternate shall take over that vacant committee member's position, taking on the full privileges and responsibilities of a committee member. The president shall be an ex-officio member of all committees. All standing and special committees shall be appointed by the President, unless the Board shall otherwise direct.

SECTION 4

Members of standing committees shall serve for a term of one year.

SECTION 5

The Board, its committees and subcommittees shall operate in compliance with the Illinois Open Meetings Act.

SECTION 6

Minutes or any committee reports, or such memorandum from these meetings, shall be filed with the Secretary. These minutes and reports, immediately upon approval, shall be submitted to the Director, the documents must be posted within seven (7) days of approval by the Board in compliance with the Illinois Open Meetings Act.

SECTION 7

A member of the Board may serve as a representative to the Illinois Heartland Library System Board of Trustees.

ARTICLE VII LIBRARY DIRECTOR

SECTION 1

The Library Director shall be employed by the Board to serve as administrative officer with the authority and responsibility to implement the policies established by the Board. Among its duties shall be the hiring, training, supervision, evaluation and dismissal of library employees.

SECTION 2

The Library Director shall submit monthly reports on the operation of the Library and shall recommend to the Board such policies and procedures that, in its opinion, would improve the Library's efficiency and value to its patrons.

SECTION 3

The Library Director shall be responsible for the expenditure of library funds as authorized by the Board in its annual budget. The authority to spend threshold and need of a second signature to sign checks shall be \$1,000 as stated in the Routine Banking Policy.

ARTICLE VIII CIRCULATION RECORDS

Circulation records and other records identifying the names of library users with specific material hereby are recognized as confidential in nature, and access thereto is hereby restricted to library staff and those members of the public with legitimate interest therein, as hereafter provided for.

All library staff and employees are hereby advised that such records shall not be made available to casual members of the public, the press, or to any agency of State, Federal, or local government, except pursuant to such process, order, or subpoena as may be authorized under the authority of and pursuant to Federal or State law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

Library staff shall observe the following procedures: On receipt of any legal process, order, or subpoena, the library staff member will immediately consult with the Library Director, in their absence, the Board President, or the Vice-President in the President's absence. The appropriate above party will contact the Library's attorney to insure that:

- The document is in proper legal form, and
- There has been a proper showing of good cause for its issuance by a court or administrative body of competent jurisdiction.

Until the legality of such process, order, or subpoena has been affirmatively shown to the satisfaction of the Library's attorney, the staff will resist production of any records until any defects have been cured.

ARTICLE IX AMENDMENT OF BY-LAWS

SECTION 1

These bylaws will become effective when approved by a majority of the members at a regularly scheduled meeting. Upon Board approval, these bylaws will supersede all previous bylaws.

SECTION 2

Bylaws may be amended at any meeting of the Board by a vote of a majority of the members at a regularly scheduled meeting. Notice of the proposed amendment(s) must be given at a preceding meeting or has been sent to all members at least ten (10) days before the meeting is called.

SECTION 3

Bylaws shall be reviewed every 3 years.

Revision to By Laws approved: 11/17/2017, 5/20/21

ILLINOIS STATUTE RE REMOTE MEETINGS

(5 ILCS 120/7)

Sec. 7. Attendance by a means other than physical presence.

(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of (A) public bodies with statewide jurisdiction, (B) Illinois library systems with jurisdiction over a specific geographic area of more than 4,500 square miles, (C) municipal transit districts with jurisdiction over a specific geographic area of more than 4,500 square miles, or (D) local workforce innovation areas with jurisdiction over a specific geographic area of more than 4,500 square miles or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies, public bodies with statewide jurisdiction, Illinois library systems with jurisdiction over a specific geographic area of more than 4,500 square miles, municipal transit districts with jurisdiction over a specific geographic area of more than 4,500 square miles, and local workforce investment areas with jurisdiction over a specific geographic area of more than 4,500 square miles, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body. For the purposes of this Section, "local workforce innovation area" means any local workforce innovation area or areas designated by the Governor pursuant to the federal Workforce Innovation and Opportunity Act or its reauthorizing legislation.

(e) Subject to the requirements of Section 2.06 but notwithstanding any other provision of law, an open or closed meeting subject to this Act may be conducted by audio or video conference, without the physical presence of a quorum of the members, so long as the following conditions are met:

(1) the Governor or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency Act, and all or part of the jurisdiction of the public body is covered by the disaster area;

(2) the head of the public body as defined in subsection (e) of Section 2 of the Freedom of Information Act determines that an in-person meeting or a meeting conducted under this Act is not practical or prudent because of a disaster;

(3) all members of the body participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;

(4) for open meetings, members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the public body must make alternative arrangements and provide notice pursuant to this Section of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;

(5) at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the disaster, including the issued disaster declaration; and

(6) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(7) Except in the event of a bona fide emergency, 48 hours' notice shall be given of a meeting to be held pursuant to this Section. Notice shall be given to all members of the public body, shall be posted on the website of the public body, and shall also be provided to any news media who has requested notice of meetings pursuant to subsection (a) of Section 2.02 of this Act. If the public body declares a bona fide emergency:

(A) Notice shall be given pursuant to subsection(a) of Section 2.02 of this Act, and the presiding officer shall state the nature of the emergency at the beginning of the meeting.

(B) The public body must comply with the verbatimrecording requirements set forth in Section 2.06 of this Act.

(8) Each member of the body participating in a meeting by audio or video conference for a meeting held pursuant to this Section is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(9) In addition to the requirements for open meetings under Section 2.06, public bodies holding open meetings under this subsection (e) must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this paragraph (9) shall be made available to the public under, and are otherwise subject to, the provisions of Section 2.06.

(10) The public body shall bear all costs associated with compliance with this subsection (e).

(Source: P.A. 100-477, eff. 9-8-17; 101-640, eff. 6-12-20.)

FACT SHEET

OPEN MEETINGS ACT

Remote Meetings During Disaster Declarations



[Public Act 101-0640 \(available via this link\)](#), which went into effect on June 12, 2020, includes changes to the [Open Meetings Act](#) (OMA) that April 12, 2021 allow public bodies subject to OMA to conduct remote meetings under certain conditions. Remote meetings are allowed only when a disaster declaration has been issued by the Governor or the Director of the Illinois Department of Public Health (IDPH) and the head of the public body has determined that an in-person meeting is not practical or prudent. Remote meetings are not required in these circumstances, but are allowed. The new requirements for public bodies to utilize these measures during a disaster declaration are as follows:

MEETING REQUIREMENTS DURING A DISASTER DECLARATION

- 1) Standard 48-hour notice of a meeting must be provided, except for an emergency meeting, to all members of the public body, posted at the meeting location, on the public body's website and provided to any news media that has requested notice;
- 2) During the meeting, participating members of the public body must be verified and must be able to hear one another, as well as hear all discussion and testimony;
- 3) During open meetings, members of the public who are present at the meeting location of the public body must be able to hear all discussion, testimony and votes of the members of the body;
- 4) If attendance at the regular meeting location is not feasible due to the disaster, alternative arrangements must be made and the notice of the meeting must include the arrangements that will provide live public access to hear all parts of the open meeting (i.e., phone number or web-based link);
- 5) At least one member of the public body, the chief legal counsel or the chief administrative officer must be physically present at the meeting location, unless it is not feasible due to the disaster (other members of the public body may attend in person or remotely);
- 6) All votes must be by roll call, identifying each member and recording their vote on each issue;
- 7) Standard minutes of all meetings must be kept, approved and made available for public review as usual; and
- 8) A verbatim audio or video recording of all meetings held under these provisions must be made and must be available to the public for review. These recordings are public records and must be maintained pursuant to OMA.

CONSTITUTING A QUORUM AND PARTICIPATION

Each member of the public body participating by audio or video conference for a meeting held under these provisions is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

IN THE EVENT OF A BONA FIDE EMERGENCY UNDER THESE PROVISIONS

If a disaster declaration is in place, these provisions may be utilized for emergency meetings. Notice of an emergency meeting must be given as soon as practicable prior to the meeting and to any news media that has requested notice. The presiding officer must state the nature of the emergency at the beginning of the meeting. The public body must comply with the verbatim recording requirements of [Section 2.06 of OMA](#).

ADDITIONAL RESOURCES

The Illinois Municipal League (IML) has additional resources about OMA available, including [The Sunshine Laws publication \(available for purchase via this link\)](#), and [Frequently Asked Questions \(available via this link\)](#) written and updated by IML legal staff.

Please consult with your legal counsel or retained attorney for legal advice prior to taking any formal or informal action during a declared disaster.



ILLINOIS MUNICIPAL LEAGUE

500 East Capitol Avenue | PO Box 5180 | Springfield, IL 62705-5180 | Ph: 217.525.1220 14 | Fx: 217.525.7438 | www.Impl.org