

DEFIANCE PUBLIC LIBRARY SYSTEM

BOARD OF TRUSTEES BY-LAWS

Updated 2021.04.08

A. Library Board

The name of this board is the Board of Trustees of the Defiance Public Library System, serving the area of the County of Defiance. The official address shall be 320 Fort Street, Defiance, Ohio 43512.

All authority resides in the Board, a body politic and corporate, which shall meet and take action as a quorum. A quorum is a majority of the full membership of the board. Individual trustees do not have the power or authority to commit the library to any obligation or position, nor to speak for the Board unless duly authorized.

The board shall have all the powers granted to it by statute and to those matters which may be implied from such powers.

Ref: ORC 3375.12, 3375.13, 3375.121, 3375.33 – 3375.41

B. Library Board Duties

The Board of Trustees is a policy-making body that oversees the management of Defiance Public Library System. The Board has the dual responsibility for implementing statutory requirements pertaining to library service and for acting as a steward of the community's investment. The Board is vested by the public with the following responsibilities:

- Hire the Director and Fiscal Officer and evaluate their performance.
- Approve library employee compensation.
- Appropriate funds and maintain fiscal accountability.
- Set long range goals for the library and evaluate programs.
- Approve library personnel, operation, service and management policies.
- Ensure adequate funds for programming, operations, and maintenance of collections and facilities.
- The acquisition, improvement, maintenance, insurance, use, and disposition of property and records.

- The acceptance of gifts.
- Serve as public advocates of the library.
- Set aside any unencumbered surplus remaining in the general fund for any purpose, including a building and repair fund, the purchase of equipment and supplies, or library operations.

Ref: ORC 3375.3, 3375.40, 3375.401, OAC 117-8-02

C. Library Board Membership

The Defiance Public Library is organized as a municipal library under ORC Section 3375.121. The boundaries, as defined by the State Library of Ohio, are: Those portions of the Defiance City, Ayersville Local, Central Local, Edgerton Local, Hicksville Exempted Village, and Northeastern Local School Districts located within Defiance County.

The taxing authority is the City of Defiance. The Library's Board of Trustees consists of seven members, each appointed by Defiance City Council to a four-year term. All Library Trustees serve without compensation; however meeting and travel cost may be reimbursed. Vacancies shall be filled by nomination by the Board and appointment by Defiance City Council for the unexpired term.

Ref: ORC 3375.01(G), 3375.12, 3375.121, 3375.63, 5705, OAC 3375

D. Library Board Officers

The officers shall be a president, vice-president, and a secretary elected from among the appointed trustees at the annual organizational meeting of the Board in January. Officers shall serve a term of one year from the meeting at which they are elected or until their successors are duly elected.

President — The president shall preside at all meetings of the board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as ex-officio of all committees, and generally perform all duties associated with that office.

Vice-President — The vice-president shall assume and perform the duties and functions of the president, in the event of the absence or disability of the president, a vacancy in that office, or by special assignment.

Secretary — The secretary shall preside at board meetings in the absence of the president and vice president. The secretary shall keep, or cause to be kept, a true and accurate record of the board meetings.

Ref: ORC 3375.32, 121.22

E. Library Board Meetings

At least four members (4) of the Board shall constitute a quorum for the purpose of conducting a meeting and doing business. Lack of a quorum shall automatically adjourn a board meeting.

Open Meetings/Ohio Sunshine Law

The Sunshine Law applies to the Board and to all committees created by the Board. A meeting to which the Sunshine Law applies is any prearranged discussion of the public business of the Board or committee, including regular, special and emergency meetings, work sessions, retreats, planning meetings and study groups. A majority of members may gather at social or other events but may not discuss public business.

Organization Meeting

An annual organizational meeting will be held in January each year. At the annual meeting the Board will administer oaths to new trustees, elect officers, set the date and time of regular meetings for the year, and appoint a Fiscal Officer and set their bond.

Ref: ORC 3375.32

Regular Meeting

The regular meeting shall be held each month and shall be open to the public. It shall be the responsibility of the Director, in cooperation with the Board President/Vice-President, to prepare an agenda of the items of business to come before the Board. The agenda shall be delivered to each Board member so as to provide proper time for the member to study the agenda.

Special Meeting

Special Board meetings can be called at the request of the Director, Fiscal Officer, Board President, or any two board members by serving notice of time, place and purpose least 24 hours in advance. At special meetings the only business to be conducted shall be the business for which the meeting was called.

Emergency Meeting

An emergency meeting is a special meeting that is convened when a situation requires immediate official action and is scheduled with less than 24-hour notice.

Executive Session

The Board and its committees reserve the right to meet privately in executive session to discuss those items permitted in ORC 121.22. An executive session will only be held at a regular, committee or special meeting. A majority of a quorum of the Board or committee present must vote, by roll call vote to hold an executive session. The motion to go into executive session must include a specific statement of the reason for the executive session. No official action may be taken in executive session.

Meeting Notice

Notice of all Board and Committee meetings shall be posted on the public bulletin board at the Main Library and the Defiance City offices. The local media and any person requesting notice will be notified. Special meeting notice shall be posted, and provided to requesting media and individuals, at least 24 hours in advance. In the event of an emergency meeting, notice will be provided to local media at the time the meeting is scheduled.

Rules of Proceedings

Meetings of the Board will follow parliamentary procedures as outlined in Roberts Rules of Order, latest edition, except as provided by these bylaws or Ohio law.

Except when a larger majority is required by law, an affirmative vote of the majority of Trustees present at a meeting shall be necessary to approve any action before the Board.

The following actions shall be approved only upon the affirmative vote of two-thirds (2/3) of the full board:

- a. A resolution to put a tax levy on the ballot.
- b. A resolution to purchase, lease, or dispose of real property.

Public Participation at Board Meetings

The Board of Trustees recognizes the value and importance of allowing members of the public to express themselves on library matters of community interest.

Any person or group wishing to place an item on the agenda shall contact the Director no later than ten (10) days prior to the meeting and include the topic to be discussed. Such requests shall be subject to the approval of the Board President/Vice-President.

The board shall provide a period for public participation at every regular meeting of the Board. Before making their statement, the speaker must state their first and last name and address. Each statement by a participant shall be limited to five (5) minutes duration, unless extended by the presiding officer. All statements shall be directed to the presiding officer, no person may address or question Board members individually. The portion of the meeting during which the participation of the public is invited shall be limited to twenty (20) minutes, unless extended by a vote of the Board.

F. Committees

Committee members will be assigned annually.

Committee meetings shall be open to the public.

All committees shall make a progress report to the library Board at the next regular Board meeting.

A committee holds only advisory powers unless by suitable action of the Board, it is granted special power to act.

Standing committees of the Board include:

- Branches & Outreach
- Buildings & Land
- Finance
- Library Policy
- Personnel

The President may appoint special committees for specific purposes as may be required from time to time. The committee shall be considered to be discharged upon completion of the purpose for which it was appointed.

Ref: ORC 121.22

G. Ethics and Conflicts of Interest

Trustees must avoid situations in which personal interests may be served or financial benefits gained at the expense of library users, colleagues, or the Library. It is incumbent upon any Trustee to disqualify themselves immediately whenever the appearance of a conflict of interest exists.

A trustee must respect the confidential nature of library business and privileged information while being aware of and in compliance with applicable laws governing freedom of information. Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.

Trustees shall observe ethical standards with absolute truth, integrity, and honor.

Trustees who accept library board responsibilities are expected to perform all of the functions of library trustees.

Trustees must abide by the protections to the public embodied in Ohio's ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code, and as interpreted by the Ohio Ethics commission (<http://www.ethics.ohio.gov>) and Ohio courts.

Ref: ORC 102, 2921

H. Indemnification

Members of the board are covered by the library's Errors and Omissions coverages, including their liability resulting from either institution or individual lawsuits.

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