
Lanark Highlands Public Library



Policy Type: **Bylaws**

Policy Number: **BL-02**

Policy Title: **Composition of the Board and Terms of Reference for Officers**

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Where required, the library board adheres to the **Public Libraries Act**, R.S.O. 1990, c. P44 as it relates to the composition of the board and the election and appointment of officers. The purpose of this bylaw is twofold: to guide the council's appointment process for board members and to guide the library board's appointment of its officers. In addition, this bylaw outlines the responsibilities of each of these officers.

Section 1: Composition of the library board

1. While the **Public Libraries Act**, section 9(1) prescribes a board of no fewer than 5 members, and gives the municipal council the power to make appointments, the library board endorses a board that consist of at least 5, and no more than 7 members.
2. In accordance with the **Public Libraries Act**, section 10(4), municipal council will appoint all board members at the first regular meeting of council in each term.
3. In accordance with the **Public Libraries Act**, section 10 (2a), municipal council shall not appoint more of its own members to the board than the number that is one less than a majority of the board.
4. In accordance with the **Public Libraries Act**, section 10 (3), a board member shall hold office for a term concurrent with the term of the appointing municipal council, or until a successor is appointed.
5. A board member may be re-appointed for one or more terms.

6. A member seeking re-appointment must follow the same process of application for consideration as for new candidates to the board.
7. In accordance with the **Public Libraries Act**, section 13, if any member of the board is disqualified from holding office, the members shall forthwith declare the seat vacant and notify the municipal council accordingly.
- 8: In accordance with the **Public Libraries Act**, section 12, when a vacancy arises in the membership of the board, the municipal council shall promptly appoint a person to fill the vacancy and to hold the office for the unexpired term, except where the unexpired term is less than forty-five days.

Section 2: Officers of the Library Board

1. In accordance with the **Public Libraries Act**, section 14, at the first meeting of the new term, members of the library board shall **elect** a chair and a vice chair from among the members.
2. In accordance with the **Public Libraries Act**, section 15, the library board shall **appoint** a Chief Executive Officer (CEO), who shall also be secretary and treasurer of the library board, as allowed by the **Public Libraries Act**, section 15(5).
3. If any of the officers retire, step down or are dismissed during his/her term, the library board must immediately elect or appoint a new officer.

Section 3: Terms of Reference for the Board Chair

1. In accordance with the **Public Libraries Act**, R.S.O. 1990, c. P44 section. 14 (3), a board shall elect one of its members as chair at its first meeting in a new term.
2. The term of office for the chair of the Lanark Highlands Public Library shall be for the term of the library board.
3. The chair leads the library board, acts as an official representative of the library, ensures the proper functioning of the board and the proper conduct of board business, in accordance with appropriate legislation and prescribed rules of procedure adopted by the board.
4. The chair will:
 - a) preside at regular and special meetings of the library board
 - b) set the agenda in consultation with the Library CEO

- c) ensure that business is dealt with expeditiously and help the library board work as a team
- d) in accordance with **Public Libraries Act**, section 16(6), vote on all questions
- e) act as an authorized signing officer of all documents pertaining to board business
- f) co-ordinate the CEO evaluation process
- g) share with the CEO the responsibility for conducting board orientation
- h) co-ordinate the library board's evaluation process
- i) represent the library board, alone or with other members of the library board, at any public or private meetings for the purpose of conducting, promoting or completing the business of the library board
- j) not commit the library board to any course of action in the absence of the specific authority of the library board

Section 4: Terms of Reference of the Vice-Chair

1. The election of vice-chair shall take place at the first meeting for the term of the library board.
2. In the absence of the board chair, the vice-chair will perform the duties of the chair, including presiding at library board meetings.

Section 5: Terms of Reference of the Secretary

1. As permitted by the **Public Libraries Act**, section 15(5), the Chief Executive Officer of the Lanark Highlands Public Library shall serve as the secretary of the library board.
2. The secretary acts as the record-keeper to the library board. In the absence of the secretary, the library board may appoint one of its members as the acting secretary.
3. In accordance with the **Public Libraries Act**, s. 15(3), the secretary will:
 - a) conduct the board's official correspondence
 - b) keep minutes of every meeting of the board
4. In addition, the secretary will:
 - a) prepare the agenda prior to each board meeting, in cooperation with the chair
 - b) distribute the agenda, with all reports and enclosures, to all board members prior to the relevant board meeting
 - c) distribute the minutes to all board members not less than three days prior to the next board meeting.

Section 6: Terms of Reference of the Treasurer

1. As permitted by the ***Public Libraries Act***, section 15(5), the Chief Executive Officer of the Lanark Highlands Public Library may be permitted to serve as the treasurer of the library board pursuant to the Public Libraries Act.
The Board may appoint an individual other than the Chief Executive Officer to serve as treasurer. If the Chief Executive Officer is not the treasurer, the board will:
 - (a) appoint a member or non-member of the board to serve as treasurer
 - (a) set out the length of the term when the appointment is made
2. The treasurer will be a non-voting member of the board if appointed from outside the board.
3. The treasurer shall monitor the financial activities of the library and shall ensure that complete and accurate records are kept in accordance with generally accepted accounting practices.
4. In accordance with the ***Public Libraries Act***, s. 14(4), the treasurer will:
 - a) receive and account for all the library board's money
 - b) open an account or accounts in the name of the library board in a chartered bank, trust company or credit union approved by the board
 - c) deposit all money received on the library board's behalf to the credit of that account or accounts
 - d) disburse the money as the library board directs
5. The treasurer will act as an authorized signing officer of all documents pertaining to the financial business of the library board.
6. The treasurer will provide the library board with a report of all financial transactions and of the financial position of the library, monthly or as otherwise required.

Section 7: Terms of Reference of the Chief Executive Officer (CEO)

1. In accordance with the ***Public Libraries Act***, section 15(2), the library board appoints the chief executive officer who shall attend all board meetings.
2. The library board delegates the authority for management and operations of services to the chief executive officer.
3. As a **non-voting** officer of the library board, the CEO:
 - a) acts as the secretary to the library board

- b) does not vote on board business
- c) sits ex-officio on all the committees of the library board and acts as a resource person
- d) assists and supports the library board at the presentation of the library budget before the council
- e) reports directly to the library board on the affairs of the library and makes recommendations he/she considers necessary
- f) interprets and communicates the board's decisions to the staff

Related Documents:

- Lanark Highlands Public Library Board. ***BL -04 - Meetings of the Board***
- ***Public Libraries Act***, R.S.O. 1990, chapter P44