

Muskoka Lakes Township Public Library
LIBRARY BOARD POLICY

Policy Type: Governance By-Laws	Policy Number: GOVBL-03
Policy Title: Composition of the Board and Terms of Reference for Officers	Policy Approval Date: 10/13/20
Chairperson: V. Duke	Policy Review Date: 10/24

Intent:

The purpose of this bylaw is to guide the Township of Muskoka Lakes Council's appointment process for Library board members and to guide the Muskoka Lakes Public Library Board's (hereinafter referred to as the Board) appointment of its officers. In addition, this bylaw outlines the responsibilities of each of these officers.

Regulations:

Where required, the 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.

- section 9(1) - prescribes a board of no fewer than 5 members, and gives the municipal council the power to make appointments
- section 10(1) – outlines who is qualified to be appointed to the board
- 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
- 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
- section 10(4) - municipal council will appoint all board members at the first regular meeting of council in each term
- 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 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
- section 14(3) - a board shall elect one of its members as Chair at its first meeting in a new term
- section 14(4) – outlines the role of the Treasurer
- section 15 - the library board shall **appoint** a Chief Executive Officer (CEO), who shall also be Secretary and Treasurer of the library board
- section 15(2) - the Chief Executive Officer shall attend all board meetings.
- section 16(6) – the Chair will vote on all questions

Procedures:

Section 1: Composition of the Library Board

- a board member must be at least 18 years of age, a Canadian Citizen or Permanent Resident, within the meaning of the *Immigration and Refugee Protection Act* and a resident of the Township of Muskoka Lakes
- the municipal council, which is responsible for appointing board members, is encouraged to appoint members who are representative of diverse groups, interests and skills
- a board member may be re-appointed for one or more terms
- a board member seeking re-appointment must follow the same process of application for consideration as new candidates to the Board

Section 2: Officers of the Library Board

- if any of the officers retire, step down or are dismissed during his/her term, the Board must immediately elect or appoint a new officer.

Section 3: Terms of Reference for the Board Chair

- the Chair shall be elected at the first meeting of the Board for the 4 year term
- the Chair leads the 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
- the Chair will:
 - a) preside at regular and special meetings of the Board in accordance with the Public Libraries Act, other relevant legislation and the rules of procedure adopted by the Board
 - b) set the agenda in consultation with the Library CEO
 - c) ensure that business is dealt with expeditiously and help the Board work as a team
 - d) determine 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
 - e) ensure that vacancies on Board committees are filled as expeditiously as possible
 - f) serve as an ex-officio member of all Board committees
 - g) act as an authorized signing officer of all documents pertaining to Board business
 - h) co-ordinate the CEO evaluation process
 - i) share with the CEO the responsibility for conducting board orientation
 - j) represent 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
 - k) not commit the Board to any course of action in the absence of the specific authority of the Library Board

Section 4: Terms of Reference for the Vice-Chair

- the Vice-Chair may be elected at the first meeting of the Board for the 4 year term
- the Vice-Chair will:



- a) exercise all powers and perform all duties of the Board Chair, in the absence of the Board Chair, including presiding at Board meetings
- b) chair the Board meeting if the Board Chair attends the meeting remotely
- c) exercise such powers and duties as may, from time to time, be assigned by the Board.
- d) co-ordinate the Board's evaluation process, including collating all individual answers for the Board Self-Evaluation and report back to the Board

Section 5: Terms of Reference for the Secretary

- the Chief Executive Officer shall serve as the Secretary of the Board.
- the Secretary acts as the record-keeper to the Board. In the absence of the Secretary, the Board may appoint one of its members as the Acting Secretary.
- the Secretary will:
 - a) prepare the Board's official correspondence
 - b) keep minutes of every meeting of the Board
 - c) prepare the agenda prior to each Board meeting, in cooperation with the Chair
 - d) distribute the agenda, with all reports and enclosures, to all Board members prior to the relevant Board meeting
 - e) distribute the minutes to all Board members not less than three days prior to the next Board meeting.

Section 6: Terms of Reference for the Treasurer

- the Chief Executive Officer shall serve as the Treasurer of the Board.
- the Treasurer shall monitor the financial activities of the Library and ensure that complete and accurate records are kept in accordance with generally accepted accounting practices.
- the Treasurer will:
 - a) receive and account for all the Board's money
 - b) open an account or accounts in the name of the Board in a chartered bank, trust company or credit union approved by the Board
 - c) deposit all money received on the Board's behalf to the credit of that account or account
 - d) disburse the money as the Board directs
 - e) act as an authorized signing officer of all documents pertaining to the financial business of the Board
 - f) provide the 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 for the Chief Executive Officer (CEO)

- the Board delegates the authority for the management and operation of services to the Chief Executive Officer.
- as a **non-voting** officer of the Library Board, the CEO:
 - a) acts as the Secretary/ Treasurer to the Board
 - b) sits ex-officio on all the committees of the Board and acts as a resource person
 - c) assists and supports the Board at the presentation of the library budget before the township council



- d) reports directly to the Board on the affairs of the library and makes recommendations he/she considers necessary
- e) interprets and communicates the Board's decisions to the staff

Related Documents:

- *Public Libraries Act*, R.S.O. 1990, chapter P44
- MLPL GOVBL-01 Statement of Authority
- MLPL GOVBL-02 Meetings of the Board
- MLPL GOVBL-04 Board Members Code of Conduct
- MLPL GOV-03 Purpose of the Board
- MLPL GOV-04 Duties and Responsibilities of Individual Board Members
- MLPL GOV-05 Committees of the Board

