

1 **GOVERNING BOARD OF THE OAKLAND TOWNSHIP LIBRARY**
2 **BYLAWS**

3
4 **ARTICLE 1**
5 **AUTHORITY, NAME AND MEMBERSHIP**

6
7 Section 1 Establishment – This Michigan public library was
8 established pursuant to 1877 PA 164 (PA 164) by virtue of
9 the affirmative vote of the electors of the Charter
10 Township of Oakland on August 5, 1980.

11
12 Section 1A Name – This is the governing board (Board) of a public
13 library named the Oakland Township Library. The Board
14 may be referenced using the acronym OTLB where the
15 context is clear.

16
17 Section 1B Authority – The Board exercises all the powers and
18 authority delegated to it under PA 164 and the laws of the
19 State of Michigan.

20
21 Section 2 Membership – The Board consists of six (6) members
22 elected and qualified as provided by law.

23
24 Section 2A Vacancy – In the event that the office of a member shall
25 become vacant as provided by law, the vacancy shall be
26 filled as provided by the law.

27
28 Section 2B Statement of Censure – If in the view of members of the
29 Board, the behavior of a member impairs the effective
30 discharge of the Board’s responsibilities, the Board may
31 adopt a statement of censure which shall be included in
32 the minutes of the Board. A statement of censure shall
33 require a majority roll call vote of all members elected or

1 appointed and serving. A motion to adopt a statement of
2 censure shall be in writing and be provided to all members
3 at least seven (7) days before the regular or special
4 meeting at which it will be discussed.

5
6 Section 2C Requirement to Vote – A member shall vote for or against
7 each motion before the Board unless an abstention from
8 voting is supported by law. The minutes of a meeting shall
9 record the votes of each Board member on each motion.
10 The minutes may record a vote as unanimous when such is
11 the case.

12
13 ARTICLE 2
14 OFFICERS

15
16 Section 1 Enumeration and Titles – The officers of the Board shall be
17 a president, a vice-president and a secretary.

18
19 Section 2 Term – Officers shall serve one (1)-year terms. Terms shall
20 begin after the adjournment of the annual organization
21 meeting and end at the adjournment of the following
22 year’s annual organization meeting. An officer shall serve
23 until the end of the meeting at which a successor is duly
24 elected. The Board shall fill a vacancy in any office by
25 appointment for the unexpired term.

26
27 Section 3 Nomination and Election – The president shall appoint a
28 nominating committee not less than thirty (30) days prior
29 to the date of the annual organization meeting. The
30 committee shall present a slate of officers at or prior to the
31 meeting. Additional nominations may be made from the
32 floor at the annual organization meeting.

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1 Section 3A Removal from Office – Upon the unanimous vote of all
2 members elected or appointed and serving and excluding
3 the officer in question, the Board may remove with
4 immediate effect an officer from office and declare the
5 office to be vacated.

6
7 Section 4 Duties of Officers

8 a. The president shall

- 9 (1) Preside at all meetings of the Board
- 10 (2) Appoint all committees and liaisons though the Board may
11 adopt a motion to reject an appointment
- 12 (3) Execute all documents authorized by the Board
- 13 (4) Prepare a draft agenda for all regular and special meetings
- 14 (5) Serve as the official spokesperson for the Board unless
15 within authorization specified another member or firm has
16 been designated for that purpose
- 17 (6) Subject to Article 3, call special meetings, reschedule
18 meetings, or cancel meetings of the Board
- 19 (7) Perform other duties associated with the office

20
21 b. The vice president shall

- 22 (1) Preside at meetings in the absence of the president
- 23 (2) Temporarily serve as president when the president is
24 unable to discharge the responsibilities of the office or the
25 office of president is vacant
- 26 (3) Temporarily preside at a meeting during the pendency of a
27 motion, discussion and vote to adopt a statement of
28 censure or to remove the president from office

29
30 c. The secretary shall

- 31 (1) Keep a true and accurate record of all meetings of the
32 Board
- 33 (2) Issue notices

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- 1 (3) Attest the authenticity of documents
- 2 (4) Distribute agendas of all regular and special meetings
- 3 (5) Correspond with persons or organizations when and in the
- 4 manner directed by the Board
- 5 (6) Serve as vice president when the vice president is absent,
- 6 unable to discharge the responsibilities of the office or the
- 7 office is vacant
- 8 (7) Perform other duties associated with the office
- 9

10 ARTICLE 3 11 MEETINGS

12
13 Section 1 Regular Meetings – Except as provided by law or in these
14 bylaws, regular meetings shall be held at least once each
15 calendar quarter with the date and hour to be set by the
16 Board at its organization meeting.

17
18 Section 1A Special Meetings, Rescheduled, Recessed, or Cancelled
19 Meetings – The Board or the president may call a special
20 meeting of the Board, and may reschedule, recess or
21 cancel a regular or special meeting. Notice of a special
22 meeting shall state the time and place of the meeting and
23 the purpose(s) for which the meeting has been called.

24
25 Section 1B Board Initiated Special Meetings – Three (3) members may
26 call, reschedule, recess, or cancel a special meeting of the
27 Board by contacting the Board president in writing. The
28 president may not reschedule, recess, or cancel a Board
29 initiated special meeting.

30
31 Section 1C Organization Meetings – The Board shall hold an annual
32 organization meeting in the first quarter of the calendar
33 year. The agenda shall include the election of officers and

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1 the adoption of a meeting schedule for the ensuing year,
2 including regular meetings and the organization meeting.
3 The Board may include on the agenda such other matters
4 as it wishes to consider.

5
6 If following a township election, the Board president is not
7 re-elected to the Board, the re-elected Board member
8 receiving the highest number of votes shall preside at the
9 first organization meeting of the Board following the
10 election. If no member is re-elected, the new member
11 receiving the highest number of votes shall preside.

12
13 Section 1D The Board shall give notice as provided by law whenever a
14 regular or special meeting is scheduled, rescheduled,
15 recessed, or cancelled.

16
17 Section 2 Order of Business – The order of business for regular
18 meetings shall include, but not be limited to, the following
19 items:

- 20 (1) Call to Order
- 21 (2) Agenda
- 22 (3) Public Comment
- 23 (4) Minutes
- 24 (5) Approval of Expenditures
- 25 (6) Communications
- 26 (7) Reports
- 27 (8) Old Business
- 28 (9) New Business
- 29 (10) Adjournment

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1 Section 3 Quorum – A quorum for the transaction of business at any
2 meeting shall consist of a majority of the members of the
3 Board elected or appointed and serving.

4
5 Section 4 Voting – A motion is adopted if a majority of the quorum
6 approves the motion unless otherwise required by law or
7 these bylaws.

8
9 Section 5 Minutes – Minutes of all meetings of the Board are
10 required to be kept and must contain at least the following
11 information: date, time, place, members present, members
12 absent, decisions made, purposes for which a closed
13 meeting is called and all roll call votes taken.

14
15 **ARTICLE 4**
16 **COMMITTEES**

17
18 Section 1 Appointment and Term – Committees and liaisons
19 appointed by the president shall consist of one or more
20 members to undertake specific purposes as the president
21 or the Board may determine.

22
23 A committee or liaison appointment shall be considered to
24 be discharged upon the completion of the purpose for
25 which established or appointed or at any other time when
26 discharged by the president.

27
28 Section 2 Duties – All committee and liaison representatives shall
29 report to the Board in a manner and pursuant to a
30 schedule determined by the Board.

31

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1 Section 3 Powers – A committee and liaison representative shall
2 have only advisory powers unless granted specific power to
3 act by the Board.

4 5 ARTICLE 5 6 FINANCE

7
8 Section 1 Fiscal Year – The fiscal year of the Board and the library
9 shall be the same as the Charter Township of Oakland
10 including any phase-in schedule for a change of fiscal year
11 adopted by the Township.

12
13 Section 2 Disbursements – The Board shall approve all vouchers for
14 disbursement of library funds. The Board may adopt,
15 amend or repeal general vouchers authorizing
16 disbursements for expenses pursuant to terms and
17 conditions that it determines expedient. An adopted
18 budget is not a general voucher.

19
20 Section 3 Audit – The Library Fund created pursuant to PA 164,
21 Section 5, shall be audited in the same manner and by the
22 same CPA firm as engaged to perform the annual audit of
23 township financial records and reports.

24 25 ARTICLE 6 26 PARLIAMENTARY AUTHORITY AND AMENDMENTS

27
28 Section 1 Parliamentary Authority – The rules contained in the most
29 current edition of **Robert’s Rules of Order** shall be the
30 parliamentary authority governing meetings of the Board
31 and committees.

32

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1 Section 2 Suspension of Rules – The Board may temporarily suspend
2 any rule or resolution it has adopted whether contained in
3 these bylaws or otherwise. A suspension expires as of the
4 adjournment of the meeting at which adopted unless a
5 longer period is stated in the suspension.
6

7 Section 3 Amendments – These bylaws may be amended by a two-
8 thirds (2/3) vote of the entire Board elected or appointed
9 and serving. Written notice of one or more proposed
10 amendments shall be provided to all members at least ten
11 (10) days prior to the meeting at which such action is
12 proposed to be taken. Amendments shall become effective
13 immediately upon proper adoption by the Board.
14
15

16 Original Bylaws adopted November, 1980
17 First Amended and Restated Bylaws adopted September, 2002
18 Second Amended and Restated Bylaws adopted May 19, 2014.
19 Third Amended and Restated Bylaws adopted August 19, 2021.
20 Fourth Amended and Restated Bylaws adopted May 25, 2022.
21
22

23 _____
24 President
25 Oakland Township Library Board
26

27 _____
28 Secretary
29 Oakland Township Library Board
30

MEMORANDUM

Date: May 15, 2022

From: Michael Tyler

To: Oakland Township Library Board

Subject M22-04 Item on the May 19th meeting agenda related to adopting an amendment to the library board bylaws.

For your consideration, here is a draft motion for the item on the agenda about amending Article 5 Section 1 of the OTLB bylaws to conform the fiscal of the Library Board with the fiscal year of Oakland Township, including a phase-in period.

This amendment was first discussed, and the draft language proposed, at the meeting of the Library Board held November 18, 2021. For your convenience, attached is a copy of the memo from Oakland Township about the change in the fiscal year that was also distributed at the November 18 meeting.

Per the language of the amendment, and the Oakland Township memo, at the OTLB meeting in August, the budget for 2022-23 will be amended to reflect its status as the 9-month phase-in budget ending on December 31, 2022, and a budget for calendar year 2023, (January 1, through December 31), will be proposed. The change in the fiscal year does not change the dates when tax bills are sent and the deadlines for paying taxes.

If the proposal amendments are approved, working with the Secretary, I will put together and send to the board a complete updated version the bylaws, including this amendment. I will also send a copy to our attorney, Ann Seurnyck.

M22-04 Amending Article 5, Section 1, of the bylaws of the Oakland Township Library Board:

*After consideration and review, including review at its meeting on November 18, 2021, the Oakland Township Library Board hereby amends Article 5 of its bylaws as shown. (New language is shown in **bold face type**. Language to be deleted is shown with ~~strikethrough~~.)*

Section 1 Fiscal Year – The fiscal year of the Board and the library shall be ~~April 1 through March 31~~. **the same as the Charter Township of Oakland including any phase-in schedule for a change of fiscal year adopted by the Township.**

Motion by: _____, Supported by: _____

MEMORANDUM

DATE: September 28, 2021

TO: Oakland Township Department Managers

FROM: Adam Kline, Oakland Township Manager
Julie DeClercq, Accounting/Finance Administrator

RE: Fiscal Year Change

The Board of Trustees passed a resolution at their September 14, 2021 meeting to change the fiscal year of Oakland Township from a March 31st year-end to a December 31st year-end. This allows the accounting year to be more aligned with the collection of property taxes. Please note the upcoming changes below:

The current fiscal year is unchanged	- 4/1/21 – 3/31/22
The next transitional year	- 4/1/22 – 12/31/22
The first calendar year	- 1/1/23 – 12/31/23

Per discussion with Plante Moran - this will have a substantial impact on our budgeting process because we will not be including any current property tax revenue for the transitional year. Other forms of revenue should remain unchanged, and we will be budgeting for 9 months of expenditures. The taxes that will be levied in December 2022 will be recognized as revenue in the 2023 calendar year. Please keep this in mind as you consider the timing of capital purchases during budgetary planning – which will begin in the next month or so.