

Gravenhurst Public Library Board Procedural By-Law No. 2023-01

Being a By-law to govern the proceedings
for the Corporation of the Gravenhurst Public Library
and for the administration of the Gravenhurst Public Library
(Repeal By-law No. 2021-01)

**NOW THEREFORE THE GRAVENHURST PUBLIC LIBRARY BOARD HEREBY
ENACTS AS FOLLOWS:**

1. That Appendix A : Motions, Appendix B : Record of Future Changes and Appendix C : Closed Session Template are part of this by-law.
2. This By-law shall come into full force and effect on the day of passage.
3. That By-law No. 2021-01 is repealed.

READ A FIRST, SECOND AND THIRD TIME and finally passed this 11th day of May 2023.

Karen Underwood
Board Chair (Print Name)

Karen Underwood
Board Chair (Signature)

Julia Reinhart
CEO/Chief Librarian (Print Name)

Reinhart
CEO/Chief Librarian (Signature)

MISSION STATEMENT

To provide the Gravenhurst community with excellence in library service by anticipating and responding to the changing library and information needs of the community, by serving all members of the community and by generating community pride in the library and local heritage. The library also provides a repository of local heritage through the Gravenhurst Archives.

SECTION 1 Definitions

“Board” means the Gravenhurst Public Library Board.

“CEO/Chief Librarian” means CEO/Chief Librarian of the Gravenhurst Public Library.

“Chair” means the chair of the Gravenhurst Public Library Board or in their absence the presiding officer.

“Closed session” means the Gravenhurst Public Library meeting for the purposes of business identified in section 16.4 of the Ontario **Public Libraries Act**, R.S.O. 1900.

“Committee” means Standing Committees, Ad Hoc committees or any committee composed of directors of Gravenhurst Public Library Board.

“Deputations” means a person or persons’ request to address the Board on one issue.

“Director” means a member of the Gravenhurst Public Library Board.

“Ex-officio” means the Board’s authority to give power for specific purposes.

“Meeting” means any regular, special, committee or other meetings of the Gravenhurst Public Library Board.

“Non-director” means any person attending a meeting that is not a Director of the Gravenhurst Public Library Board.

“Presiding officer” means the person who officiates over the meeting.

“Quorum” means that for a nine member board the quorum is five (5). Where five (5) members, (a Quorum of the Board) assemble as committees or get together for the purpose of dealing with Library information it becomes an actual Board meeting. It should be understood that the Board is obligated to follow the rules and regulations of Board meetings contained in this By-Law i.e. Special Meeting.

“Recorded vote” means a recording of the name and vote of each Director for publication in Board minutes.

“Rules of procedure” means the rules and regulations provided in this By-Law.

SECTION 2

Composition of the Board

While the Ontario *Public Libraries Act*, s. 9(1) prescribes a board of no fewer than five (5) Directors, and gives the municipal council the power to make appointments, the Library Board endorses a board that consists of at least five (5), and no more than nine (9) members.

The Council for the Town of Gravenhurst will appoint all Directors of the Board at the first meeting of council in each term. It shall not appoint more of its own members to the Board than the number that is one less than a majority of the Board.

A Director shall hold office for a term concurrent with the term of the appointing municipal council, or until a successor is appointed.

A Director of the Board may apply for reappointment at the conclusion of each term of Council to a maximum of two consecutive terms, plus one preceding partial term for a Director initially appointed to fill a vacancy mid-term.

A Director seeking re-appointment must follow the same process of application for consideration as for new candidates to the Board.

Each Director is responsible to present a motion for Board approval when they will be absent for three (3) consecutive months.

If any Director is disqualified from holding office, the Board shall declare the seat vacant and inform the Town of Gravenhurst Council.

When a vacancy occurs on the Board, the Town Council shall appoint a person to fill the vacancy and hold the office for the unexpired term, except where the unexpired term is less than forty-five (45) days.

SECTION 3 Board Meetings

Board Meetings

All meetings other than those listed under "Closed Meeting Session" shall be open to the public.

Meetings of the Board shall be held in the Library or a place designated and used by the Board from time to time.

Directors shall attend and participate in all regular and special meetings.

If a Director is absent from meetings for three (3) consecutive months without authorization by Board motion the seat shall be declared vacant under section 13.c of the Ontario **Public Libraries Act**.

Regular Meetings

There shall be seven (7) to ten (10) meetings per year, with additional meetings as determined by the Board.

Cancellation or rescheduling of meetings shall be determined by the presiding officer and notice given to Directors and/or deputations within forty-eight (48) hours of the intended time.

The Board's meetings shall be held at 6 pm on the second Thursday of the month (except in July and August) unless the meeting falls on a day before a statutory holiday then the meeting shall take place on the Thursday of the week prior.

Special Meetings

The presiding officer may call a special meeting of the Board provided a majority of Directors are available to attend.

The notice of a special meeting shall be distributed to all Directors and include only those agenda items to be dealt with at the time.

Urgent and emergency meetings shall be at the call of the presiding officer.

Special meetings do not deal with regular meeting agenda items, only the item for which the special meeting is called.

Annual Meeting

The Board may hold an annual meeting each year with annual reports from the officers, committee chairs and CEO/Chief Librarian, the date and time to be decided at the January meeting of each year.

The minutes of this meeting will be included with the regular meeting and adopted at the same time.

Closed Meeting Session

A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (a) The security of the property of the Board;
- (b) Personal matters about an identifiable individual;
- (c) A proposed or pending acquisition or disposition of land by the Board;
- (d) Litigation or potential litigation, including matters before administrative tribunals, affecting the Board;
- (e) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (f) A matter in respect of which a Board or Committee of a Board may hold a closed meeting under other legislation.
- (g) For orientation, development or training purposes.

Committee Meetings

Standing Committees shall be: Finance, Policy, and Strategic Planning. Committee members shall be approved by the Board and the Board Chair shall appoint the Chair for each Committee. All committees shall meet as needed at the call of the Committee

Chair and make recommendations to the Board by submitting written and/or verbal reports which may include written motions.

Ad Hoc Committees shall be struck by the Board Chair and members shall be approved by the Board. The Board Chair shall appoint the Committee Chair. The Committee will make a final report and a recommendation and will be dissolved at the completion of their task.

Written terms of reference will be provided to each Committee.

SECTION 4 Role of the Directors

Role of the Chair

It shall be the duty of the Chair:

To call the meeting to order and determine that a quorum is present.

To announce in proper sequence, the business that comes before the Board.

To receive and put to vote all motions presented by the Directors, announcing the outcome.

To expedite business.

To maintain order and decorum among the Directors.

To decide on all questions of order.

To respond to inquiries from Directors relating to procedures bearing on the business of the Board.

To represent and declare the will of the Board and comply with the decisions of the Board.

To advise the Vice Chair when they are unable to attend any meetings of the Board or Committees.

To adjourn the meeting at the conclusion of business.

To act as the official spokesperson for the GPL Board on items approved by the Library Board.

Role of the Directors

It shall be the duty of Directors:

To be respectful of the members of the Board, the Staff, members of the public and the Town of Gravenhurst Council.

To speak only on the subject of debate.

To comply with all the rules of the Board and refrain from being disruptive.

To support the decisions of the Board.

To initiate and expedite the business of the Board.

To act in good faith and in the best interest of the Gravenhurst Public Library.

To sign and adhere to a Volunteer Confidentiality statement.

SECTION 5 Order of Proceedings

Rules of Procedure

The proceedings of the Board, the conduct of Directors and the calling of meetings are governed by the Ontario ***Public Libraries Act***.

The Chair and CEO/Chief Librarian are authorized to sign by-laws, resolutions or other necessary documents on behalf of the Board.

The Chair shall be an ex-officio member on all committees of the Board.

The Chair shall call the meeting to order at the affixed time provided there is a quorum present.

If no quorum is present for fifteen (15) minutes the meeting shall be adjourned with the names of those present to be recorded.

If the quorum is lost during a meeting, the Chair may set a time to reconvene or adjourn the meeting and refer items not dealt with to the next regular meeting.

The Chair may, at their discretion, cancel a meeting for weather related conditions or emergency situations.

In the absence of the Chair, the Vice Chair shall preside and have the same powers as that of the Chair. The Chair will appoint a designate in the event that neither the Chair nor the Vice Chair can be present.

Election of Officers

As per the by-law passed by Town of Gravenhurst Council appointing the Board, the CEO/Chief Librarian will call the first meeting of the new term of the Board. The election of the Chair and Vice Chair will take place at this meeting.

These positions will be elected by a majority vote of the Board. Directors in these positions shall be allowed a maximum of four (4) consecutive years for one (1) term of the Board.

Elections shall be held by nominations only and conducted by the CEO/Chief Librarian.

Order of Business

The routine order of business shall be as follows:

1. Welcome
2. Land Acknowledgement Statement
3. Adoption of Agenda
4. Disclosure of Pecuniary Interest
5. Deputations (10 minutes maximum)
6. Adoption of Board Minutes
7. Correspondence
8. Reports / Consent Agenda
 - I. Report from the Council Representative
 - II. Report from the Board Chair
 - III. Report from the CEO/Chief Librarian
 - IV. Report from the Treasurer
 - V. Reports from Committees of the Board
9. Q and A for members of the public (15 minutes maximum)
10. Unfinished Business
11. New Business
12. Closed Session
13. Adjournment
14. Next Meeting

Changes to the agenda shall be by a vote of the majority of Directors.

Adopting the agenda means that there will be no new items of business brought forward during the meeting further to those on the agenda.

Disclosure of pecuniary interest protects the individual Director and protects the remainder of the Board from being included in any actions coming forward.

Persons making a deputation request must do so by noon six (6) business days prior to the Board meeting.

All deputations shall be included in the agenda package. Deputations shall be no more than ten (10) minutes in length.

All correspondence shall be included in the agenda package.

All motions shall be read as presented.

Any items not decided by the Board at a given meeting shall be brought forward to the next regular meeting under Unfinished Business.

Q and A may be used for questions from members of the public and shall not be more than fifteen (15) minutes in length.

The Board may hold an education component during a closed session at regular meetings.

SECTION 6 Agenda and Minutes

Order of Business

The Chair and CEO/Chief Librarian shall prepare the items for the agenda in the routine order of business.

Board Minutes

The Board minutes shall be kept by the Secretary of the Board (CEO/Chief Librarian).

The minutes shall record place, date, time, attendance of Directors present, noting the names of absentees and the time of late arrivals.

All other proceedings of the meeting shall be recorded without note or comment.

Additions or corrections of the minutes shall be dealt with at the time they come forward for adoption.

The minutes, in draft form, all written reports, all correspondence and information regarding deputations shall be included in each agenda package and sent to all members of the Board no later than forty-eight (48) hours before the Board meeting.

The agenda package shall be made available on the Town of Gravenhurst website for public viewing no later than forty-eight (48) hours prior to each meeting.

A signed copy of the minutes shall be made available to the Town of Gravenhurst Council and to the public.

Closed Meeting Minutes

Minutes of meetings closed to the public in accordance with Section 16.1 (4) of the **Public Libraries Act**, R.S.O., 1990, shall be recorded and contain a list of those persons in attendance, the section of the **Public Libraries Act** in which the Board proceeded into a Closed meeting, and whether direction was provided.

The Closed Session template (Appendix C) adopted by the Board will be used for meetings that are closed to the public.

SECTION 7 Rules of Debate and Voting

Motions

Motions to come before the Board may be in writing.

Motions are expressed as a positive statement and may be prepared in advance of the meeting.

The mover and seconder of a motion are doing so to allow the Board to deal with the subject and are not required to vote in favour of, or speak in favour of any motion.

All motions may be amended by removing and replacing words or phrases or adding to it provided it does not change the intent of the main motion.

(Refer to Appendix A: Motions for additional information)

Voting on Motions

Debate on the motion may occur before and/or after the motion is read, the Chair then calls for the vote, for or against.

Every Director including the presiding officer and the Town of Gravenhurst Council Representative is required to vote. The vote of any Director who chooses not to vote when the vote is called will be an automatic negative vote.

The Chair will determine the method of voting, by voice, show of hands, standing or otherwise.

Any Director may call for a recorded vote, either before or immediately after the vote is called by the Chair.

For a recorded vote, the Secretary shall call each Director's name as listed on the motion form and mark their answer, yes or no. Any Director deciding not to vote will be marked as a negative vote. The recorded vote in its entirety shall be included in the minutes.

The presiding officer shall not debate any subject while acting as Chair. They will leave the Chair position and appoint a Director to take the Chair position until the vote is called and the decision is announced.

A majority vote will carry the motion; with a tie vote the motion will be lost. A Director must be in attendance at the meeting to be entitled to vote.

SECTION 8 Administration

The Chief Executive Officer/Chief Librarian shall:

Be hired by the Board.

Be responsible for the general supervision over, and direction of, the operations of the Library and its employees.

Be directed by the Board through decisions made at board meetings, by majority vote; approved written policies; approved budgets and plans and the CEO/Chief Librarian job description.

Act in the capacity of Secretary and Treasurer to the Board.

SECTION 9

Authority

Where there is a disagreement concerning parliamentary procedures Robert's Rules of Order shall prevail.

Amendment

This By-Law may be amended by a 2/3 vote of all the Directors of the Board. A notice of motion shall be brought forward to enact any or all amendments to this By-Law.

APPENDIX A

Motions

- Privileged motion – this is to raise a point of order of a personal nature or to raise a point of order on parliamentary procedure.
- Main motion – this is the motion used to bring business to the Board for discussion and decision.
- Ultra Vires – This is a motion brought forward for which the Board does not have authority to make a decision.
- Refer to a committee – This is to send the item under discussion to a specified committee. This requires a majority vote.
- Motion to defer – This is to postpone a motion to a specific time or meeting for more information. This requires a majority vote.
- Motion to amend – This requires a majority vote.
- Motion to divide – This is a motion containing separate proposals which are to be divided. This requires a majority vote.
- Previous question – This motion will immediately close debate and must be approved by majority vote in order to end the discussion.
- Notice of motion – This is a motion by a member wishing to bring forward a motion for consideration at a future meeting of the Board. This motion will be included in the minutes of the meeting as well as included on the next meeting agenda for discussion and vote.
- Consent agenda – This is a list of items placed on the agenda that do not require discussion. This is meant to expedite the business at hand.

APPENDIX B Record of Future Changes

Once adopted by resolution, a record of future changes to this By-Law 2023-01 will be listed below including the date and item changed.

APPENDIX C
Closed Session Template

Gravenhurst Public Library Board – Minutes
CLOSED SESSION
[Date] – [Time]

Those in attendance were:

Board Members

Staff

I. Adoption of Agenda

II. Disclosure of Pecuniary Interest

III. Business

1.

IV. Adjournment

Moved by Director _____, seconded by Director _____, Gravenhurst Public Library Board adjourned from Closed Session at [time].

Chair

Recording Secretary