



Evergreen Indiana Bylaws

I. NAME AND MISSION

- a. The name of this organization shall be **Evergreen Indiana**.
- b. Evergreen Indiana is a community of independent libraries using the Evergreen ILS and providing a network of shared resources.

II. COUNCIL MEMBERSHIP

- a. **Council Members.** There shall be one class of membership in the Evergreen Indiana Council. Membership is held by the participating library entity. Each member library entity is a voting member with one (1) vote. The director of the member library or his/her designee shall cast votes.
- b. **Qualifications.** Membership shall be limited to any public entity operating in Indiana that provides library services and offers a collection for loan beyond its district of service according to the policies and procedures established by Evergreen Indiana. Former members may petition for return admission to the consortium no less than two (2) years after their exit.
- c. **Fees.** The Executive Committee (as defined in Section IV) shall establish a fee schedule for membership. Membership fees will be due annually, billed in December for the following calendar year, and shall be paid by January 31 to the sponsoring organization (herein defined as the organization that takes the lead role on matters of support, procurement, bookkeeping, training, and other services offered to all member library entities). The fee schedule will be reviewed annually at the first meeting of the calendar year by the Executive Committee; schedule increases may not exceed 5% per annum. If a member library entity fails to submit payment, 1 written notice shall be sent of delinquency status. If the member does not respond with payment within 30 days, the Executive Committee shall set termination proceedings in motion.

An exit fee equivalent to 1 full year's current membership fee, with a minimum cost of \$500 and a maximum cost of \$5000, will be charged to any member library entity that terminates an existing membership or whose membership is terminated by the Executive Committee. This exit fee shall be used to provide the exiting member library entity with a complete and current copy of its bibliographic and patron records extracted from the Evergreen Indiana database in a useful format.

Returning and out-of-standards applicant libraries are responsible for all associated migration costs for joining the consortium, including, but not limited to, library cards, rebarcoding materials, data extraction fees, and any contract exit penalties.

- d. **Application for Membership.** Prospective members may apply to join Evergreen Indiana by submitting an Evergreen Indiana Membership Agreement form to the Chair of the Executive Committee. The Executive Committee shall vote on all prospective membership applications.
- e. **Term.** Membership shall be on a calendar year basis, effective upon receipt of a signed Evergreen Indiana Membership Agreement. Membership is automatically renewed on an annual basis unless notification of termination is given as described in item g below, "Termination".
- f. **Member Representatives.** Each member library entity shall appoint a Member Representative who shall receive all communications.
- g. **Termination.** Any member library entity may terminate membership in Evergreen Indiana by providing written notice to the Chair of the Executive Committee as stated in the Evergreen Indiana Membership Agreement. The Executive Committee may, by two-thirds (2/3) majority of all Executive Committee representatives, terminate a membership whenever in its judgment the best interests of Evergreen Indiana would be served.

III. COUNCIL MEMBERSHIP MEETINGS

- a. The Evergreen Indiana Council shall meet at least once a year in Spring with the time and location to be determined by the Executive Committee. Other membership meetings may be called by the Executive Committee. Members will be notified at least thirty (30) days in advance of the annual meeting.
- b. Minutes of meetings shall be kept and distributed to the membership.
- c. The Chair of the Executive Committee shall convene a called Council meeting upon receiving a written request signed by two thirds of the membership.
- d. A simple majority of the membership shall constitute a quorum for membership meetings.

IV. EXECUTIVE COMMITTEE

- a. **Number and Composition.** The Executive Committee shall consist of nine (9) voting members, who shall represent member library entities, and shall be representative of the membership of Evergreen Indiana. The Executive Committee shall consist of voting and nonvoting members:
 - i. The voting members include:
 - A. Three (3) member representatives from small public library libraries.
[Definition of size used in CLASS C Certification Rule for Public Libraries.]
 - B. Three (3) member representatives from medium public libraries.
[Definition of size used in CLASS B Certification Rule for Public Libraries.]
 - C. Three (3) member representatives from large public libraries.
[Definition of size used in CLASS A Certification Rule for Public Libraries.]
 - D. If a class does not have enough member libraries to allow the election of the specified number of representatives to the Executive Committee, additional at-large members shall be elected as needed to meet the quota for the affected class. These voting member representatives shall be designated as special at-large member representatives.

Special at-large member representatives elected under this provision shall be replaced by member representatives elected from within the class at the first election after the class has a sufficient number of members.
 - ii. Replacement will be based on the remaining term of office, shortest to longest, depending on the number of Executive Committee member representatives that the class is now eligible to elect.
- b. **Non-voting Members.** The following shall be non-voting members of the Executive Committee with appointments being made by the agencies and organizations listed:
 - i. State Librarian or his/her designee
 - ii. Director of Evergreen Indiana as employed by the Indiana State Library
 - iii. Representative from AIME
 - iv. Representative from Special Library Association
 - v. Representative from the Academic Libraries of Indiana
 - vi. Representative from ADOLPLI shall represent the Class A libraries until at least one Class A library is eligible to serve as a voting member of the Executive Committee.
- c. **Nomination.** The Executive Committee Chair shall appoint a Nominating Committee to solicit and propose a slate of candidates for annual election to Executive Committee posts as follows:

For purposes of establishing staggered terms for the members of the Evergreen Indiana Executive Committee, the initial members shall serve the following terms:

- i. One (1) year for three (3) members NOTE: July 1, 2008 – June 30, 2009
- ii. Two (2) years for three (3) members NOTE: July 1, 2008 – June 30, 2010
- iii. Three (3) years for three (3) members NOTE: July 1, 2008 – June 30, 2011

When positions are vacated during a term held on the Executive Committee, nominations will be sought for these vacated positions. However, the vacated position during a term will be filled by the Council members voting on at least two nominees via official ballot.

Prior to the election of new members to the Evergreen Indiana Executive Committee, the Nominating Committee, at the direction of the Executive Committee Chair will solicit nominations for the posts to be filled from all Evergreen Indiana Member library entities by publishing a list of available positions. The Nominating Committee shall make all possible efforts to provide at least two (2) nominations for each post.

- d. **Election.** Executive Committee members shall be elected by a majority vote of the Council members voting. Nominees will be announced at the Annual Meeting and ballots shall be sent by mail to all Evergreen Indiana Council Members. A designated closing date shall be set at least four (4) weeks after the date ballots are mailed. Ballots shall provide for write-in votes. Ballots returned shall be counted if they are received on or before the designated close of ballot date. Newly elected members will be announced in time for incoming members to attend at least one (1) committee meeting prior to taking office.
- e. **Term.** Executive Committee members will serve a term of three (3) years to commence on July 1.

Following the initial year of organization, members of the Executive Committee will be elected each year according to the following schedule:

- i. One member from small public library membership annually
- ii. One member from medium public library membership annually
- iii. One member from large public library membership annually and/or
- iv. One member from at-large membership when appropriate per Section IV /a/vi.

Three (3) of the members of the Executive Committee will be elected the first, second and third year of a three year cycle and three will rotate off the Executive Committee. Executive Committee members are limited to two successive terms on the Executive Committee.

The term of the member's successor is not extended by the time that has elapsed before the successor's appointment and qualification. When a member is appointed to fill a vacancy on the Executive Committee, the new member's term will be the unexpired term of the member being replaced.

- f. **Officers.** The Executive Committee shall elect the following officers: Chair, Chair-Elect and Secretary.
- g. **Officers' Duties.** The Chair, Chair-Elect, and Secretary will perform the following duties and may perform other duties assigned by the Executive Committee:
 - i. **Chair:** The Chair will preside over all Evergreen Indiana Council and Executive Committee meetings.
 - ii. **Chair-Elect:** The Chair-Elect will assume the authority and responsibilities of the Chair in the Chair's absence or unavailability, and will become Chair in the following term.
 - iii. **Secretary** The Secretary shall be responsible for maintaining the minutes of the Executive Committee meetings and Evergreen Indiana Council membership meetings.
- h. **Officers' Election and Term.** The Executive Committee Officers shall be elected by a majority vote of the Executive Committee. The term of office shall be one year, to commence on July 1 with the exception of the first year which will begin as soon as possible after July 1 [The first year will be a partial year.] Officers cannot serve a second consecutive term in the same office. An announcement of the newly elected officers will be sent to the membership promptly following the election.
- i. **Vacancies.** Vacancies on the Executive Committee shall be filled by appointment by the Executive Committee until the next election of members of the Executive Committee.
- j. **Removal.** A two-thirds (2/3) vote of no confidence from Evergreen Indiana membership shall dissolve the Executive Committee. Should the Executive Committee be dissolved, a Nominating Committee elected from the membership shall propose a new slate of candidates.
- k. **Quorum.** A two thirds (2/3) majority of voting members of the Executive Committee shall constitute a quorum for the transaction of business at meetings.
- l. **Meetings.** The Executive Committee shall hold at least two meetings per year, with other meetings scheduled as needed. The general membership shall be notified in advance of all Executive Committee meetings. All Executive Committee meetings are open to member libraries and other interested parties. Only elected Executive Committee members may vote at Executive Committee meetings.
- m. **Attendance.** If a member of the Executive Committee misses more than two (2) consecutive meetings, the member may be replaced for the duration of that term by appointment of the Executive Committee.
- n. **Participating Electronically.** Members may participate in an Executive Committee meeting or any subcommittee meeting remotely (and may vote and will be counted present) as long as the conditions below are met:

- i. Members must request authorization to participate in a meeting using electronic communication at least 2 weeks before the meeting to allow for arrangements to be made for the member's participation by electronic communication. Authorization requests must be submitted to the committee chairperson who shall also have the authority to grant such requests and the duty to coordinate the means of electronic communication used.
 - ii. The minimum number of committee/subcommittee members who must be physically present at the place where the meeting is conducted must be greater than 2 of the members or 1/3 of the members.
 - iii. All votes during a meeting where there are members present electronically must be taken by roll call vote.
 - iv. Members participating in a meeting by electronic communication must confirm in writing (via email to the recording secretary) the votes cast by the member during the meeting within 5 days after the date of the meeting.
 - v. Members must attend at least one meeting in person per year.
 - vi. With the exception of lawfully held executive sessions, the public must still be able to attend the meetings.
- o. **Powers.** The Executive Committee shall:
- i. Formulate polices pertaining to Evergreen Indiana.
 - ii. Act upon recommendations pertaining to Evergreen Indiana.
 - iii. Make recommendations regarding information technology pertaining to Evergreen Indiana and other related issues, e.g. personnel, upgrades, enhancements, support, etc. to the Indiana State Library.
 - iv. Conduct research involving library entity patrons and/or personnel to determine the best practices at any given time.
- p. **Voting.** Only Executive Committee members may cast votes at an Executive Committee meeting. Proxy representation and proxy voting are not allowed. If an elected member cannot attend an Executive Committee meeting, the member has the option of participating via technology, as outlined below, or will forfeit the right to cast votes at that meeting.
- If an elected Executive Committee member cannot attend an Executive Committee meeting, the member may make advance arrangements with the Chair and the hosting site to participate electronically, by conference call or other technology that allows full member participation, with the understanding that these technologies are not conducive to full transcription of the meeting discussion, and that only minimal transcription of actual motions on the floor may be possible when the question is called.
- q. **Electronic Balloting.** At the direction of the Chair of the Executive Committee, items may be brought to the Executive Committee for electronic ballot.
- i. Notice of issues for electronic ballot must be electronically mailed to each member of the Executive Committee two (2) weeks prior to the designated "close of ballot" date.

- ii. Ballots returned shall be counted if they are dated on or before the designated close of ballot date.
- iii. Membership shall be notified in advance in cases of electronic balloting.

V. SUBCOMMITTEES

- a. Appropriate subcommittees including but not limited to Patron Services, Cataloging and Bibliographic Management, Acquisitions/Serials and eContent, will address requests, grievances and suggestions for enhancements from the member libraries. Subcommittee members will be recommended by Evergreen Indiana Council members and approved by the Executive Committee.

VI. CHANGE OF THE BYLAWS

- a. Evergreen Indiana Bylaws may be amended at any time by a two-thirds (2/3) majority vote of the member libraries.
- b. Sixty (60) days prior written notice shall be given to all member libraries of proposed amendments.
- c. Proposed amendments may originate from Evergreen Indiana membership with signatures from one-third (1/3) of the Council Member libraries.

VII. RULES OF ORDER

- a. Evergreen Indiana meetings, including the Executive Committee meetings, shall be governed by Robert's Rules of Order, latest edition.

Adopted September 9, 2008.

Revised March 24, 2013 and June 10, 2014.