

AGENDA 1.0

MARKHAM PUBLIC LIBRARY BOARD

REGULAR MEETING

Notice of meeting to be held on Monday, February 24, 2020 7:00 p.m., Markham Village Library, Program Room, 6031 Highway 7, East, Markham ON L3P 3A7

AGENDA

- 1.0 **Call to order/Approval of agenda**
- 1.1 Declaration of conflict of pecuniary interest
- 1.2 Delegation (none)
- 1.3 Chair's Remarks

- 2.0 **Approval of Minutes:**
- 2.1 Library Board Minutes January 27, 2020

- 2.2 **Consent Agenda:**
All items listed under the Consent Agenda are considered to be routine and are recommended for approval by the Chair. They may be enacted in one motion or any item may be discussed if a member so requests

- 2.3 Declaration of Due Diligence by the CEO

- 2.4 Communication and Correspondence:
 - 2.4.1 GALLUP: In U.S. Library Visits Outpaced Trips to Movies in 2019
<https://news.gallup.com/poll/284009/library-visits-outpaced-trips-movies-2019.aspx>
 - 2.4.2 OLA: Announces 2020 Board of Directors
 - 2.4.3 markhamreview.com: Markham Reads
<https://markhamreview.com/markham-reads/>
 - 2.4.4 Black History Month Events
 - 2.4.5 NEWMARKETTODAY.ca: Newmarket's new "library of things"
<https://www.newmarkettoday.ca/local-news/newmarkets-new-library-of-things-offers-everything-but-the-kitchen-sink-11-photos-2073247>
 - 2.4.6 Ottawacitizen.com: Keep Ottawa library's doors open to the homeless
<https://ottawacitizen.com/opinion/columnists/mckenney-keep-ottawa-librarys-doors-open-to-the-homeless>
 - 2.4.7 yorkregion.com: How Markham's Updated Leisure Master Plan will play out for residents

- 3.0 **CEO's Highlights, February 2020**

- 4.0 **Annual Policy Review**
(To be under taken at the January meeting)

- 5.0 **Internal Monitoring Reports:**
(Compliance list of internal monitoring reports and discussion led by members)
- 5.1 Executive Limitation: EL-2d Financial Condition (D. Whetham/ M. Sawh)
- 5.2 Executive Limitation: EL-2j Communication and Counsel to the Board
(R. Chan / D. Walker)

AGENDA 1.0

- 6.0 **Ends**
- 7.0 **Governance:**
 - 7.1 Revised By-Laws (January 2020)
 - 7.2 Proposed Amendment to Minimum Number of Regular Board Meetings
 - 7.3 OLBA Update (B. Hendriks)
- 8.0 **Ownership Linkage:**
 - 8.1 Input from Board Members: Reports from OLA Attendees
- 9.0 **Board Advocacy**
- 10.0 **Education**
- 11.0 **Incidental Information**
- 12.0 **New Business**
- 13.0 **Board Evaluation:**
 - 13.1 Questionnaire Results: The Board and the CEO
- 14.0 **In Camera Agenda:**
 - To discuss a confidential personnel matter
- 15.0 **Adjournment**

Members are requested to call Susan Price at (905) 513-7977 ext. 4311 (or e-mail sprice@markham.library.on.ca) by 4:00 p.m. on Monday, February 24, 2020.

NEXT MEETING: Monday, March 23, 2020, 7:00 p.m.
Markham Village Library, Program Room
6031 Highway 7 East, Markham L3P 3A7

AGENDA 2.2

TO: Markham Public Library Board
FROM: Catherine Biss, CEO& Secretary-Treasurer
PREPARED BY: Susan Price, Board Secretary
DATE OF MEETING: February 24, 2020
SUBJECT: **CONSENT AGENDA**

RECOMMENDATION:

That the Consent Agenda comprising of Agenda 2.2 to 2.4. 7 and the same are hereby approved as written and the CEO of the Library is hereby authorized and directed to take such action that may be necessary to give effect to the recommendations as therein contained:

2.2 CONSENT AGENDA:

2.3 Declaration of Due Diligence by the CEO

2.4 Communication and Correspondence:

2.4.1 GALLUP: In U.S. Library Visits Outpaced Trips to Movies in 2019

<https://news.gallup.com/poll/284009/library-visits-outpaced-trips-movies-2019.aspx>

2.4.2 OLA: Announces 2020 Board

2.4.3 markhamreview.com: Markham Reads

<https://markhamreview.com/markham-reads/>

2.4.4 Black History Month Events

2.4.5 NEWMARKETTODAY.ca: Newmarket's new "library of things

<https://www.newmarkettoday.ca/local-news/newmarkets-new-library-of-things-offers-everything-but-the-kitchen-sink-11-photos-2073247>

2.4.6 Ottawacitizen.com: Keep Ottawa library's doors open to the homeless

<https://ottawacitizen.com/opinion/columnists/mckenney-keep-ottawa-librarys-doors-open-to-the-homeless>

2.4.7 yorkregion.com: How Markham's Updated Leisure Master Plan will play out for residents



Catherine Biss
CEO & Secretary-Treasurer

MARKHAM PUBLIC LIBRARY BOARD

DECLARATION OF DUE DILIGENCE BY THE CEO

I, Catherine Biss, Chief Executive Officer of the Markham Public Library Board (the “Board”), hereby declare that to the best of my knowledge and belief, Markham Public Library is in compliance with the following from January 22,2020 to February 18,2020.

- 1) All wages owing have been paid to all employees of the Board;
- 2) All payroll remittances, consisting of income tax, CPP, EI premiums and Employers Health Tax relating to employee remuneration have been appropriately calculated and withheld, and promptly remitted;
- 3) All the Harmonized Sales Taxes owing have been appropriately calculated based on the Board’s current operating procedures and promptly remitted on a quarterly basis;
- 4) All federal and provincial regulatory filings have been made;
- 5) The Board has been informed of any complaints of harassment, including sexual harassment, involving a staff person;
- 6) The Board has been informed of any contraventions of the Occupational Health and Safety Act;
- 7) Other than as previously disclosed to the Board, there are no actual, threatened or potential claims against the Board or its Directors.



Catherine Biss, CEO & Secretary-Treasurer

February 18, 2020
Date



.. ontario library association

Ontario Library Association Announces 2020 Board of Directors

NEWS RELEASE

TORONTO, ON (January 28, 2020): The Ontario Library Association (OLA) is thrilled to announce the 2020 OLA Board of Directors.

"The 2020 Ontario Library Association Board is proud to provide leadership on the association's various goals, including government relations, professional development for members, and improving support and inclusion of First Nations libraries," says Andrea Cecchetto, 2020 President. "Through the experience and expertise of our board members, elected from all the library sectors in the province, we work collaboratively to provide oversight for the association and representation for its members. We're excited for 2020, where we will continue to work towards completing our ambitious strategic plan, and to beginning the consultations with our membership on our future strategic priorities."

OLA consists of six divisions that represent the diversity of the library and information community. The OLA Board consists of an executive committee, as well as presidents and vice presidents who represent each division. Members of the OLA Board will be introduced at the Association's Super Conference in Toronto on Thursday, January 30, 2020.

2020 Ontario Library Association Board

Executive Committee

Andrea Cecchetto
Markham Public Library

President

Richard Reid
Durham District School Board

Past President

Sabrina Saunders
The Blue Mountains Public Library

Vice President / President Elect

Janneka Guise
University of Toronto

Treasurer

L'Association Bibliothèque de l'Ontario-Franco (l'ABO-Franco)

Hélène Carrier
Université d'Ottawa

Présidente

Catharine Lachaine
Université d'Ottawa

Vice-Présidente

Ontario College and University Library Association (OCULA)

Angela Henshilwood
University of Toronto

President



∴ ontario library association

Zachary Osborne
Unity Health Toronto

Vice President / President Elect

Ontario Library Boards' Association (OLBA)

Ben Hendriks
Markham Public Library Board

President

Caroline Goulding
Dryden Public Library Board

Vice President / President Elect

Ontario Library Information Technology Association (OLITA)

Sarah Macintyre
Ottawa Public Library

President

Michelle Goodridge
Wilfrid Laurier University

Vice President / President Elect

Ontario Public Library Association (OPLA)

Erika Heesen
Perth Union Public Library

President

Douglas Davey
Halton Hills Public Library

Vice President / President Elect

Ontario School Library Association (OSLA)

Maureen McGrath
Algonquin and Lakeshore Catholic District
School Board

President

Beth Lyons
Peel District School Board

Vice President / President Elect

-30-

About the Ontario Library Association: The Ontario Library Association (OLA) is a centre of excellence for the library and information sector, with more than 5,000 members who work in public, school, academic and special libraries. OLA members advocate for the right of individuals to have free and equitable access to information. Our members research, develop and participate in educational programs designed to provide exemplary library services. Signature OLA events include the annual Super Conference and the Forest of Reading® program.

Media Contact:

Lauren Hummel
Manager, Marketing and Communications
Ontario Library Association

Black History Month events to enlighten, educate, entertain in York Region
Cooking workshop, movies, celebration and drum show planned

WHATSON Feb 06, 2020 by Simone Joseph

There's plenty of events to choose from this month if you are looking to become enlightened, entertained or educated during Black History Month.

1. Movies: Harriet and Black Soul — Feb.11 (Markham).

The Markham Public Library presents Oscar-nominated film, Harriet and National Film Board of Canada movie, Black Soul.

The library will screen two films to celebrate Black History Month. The library will show a special free screening of Harriet (rated PG-13) and Black Soul, an animated short by Martine Chartrand. It follows a young boy as he takes a look back at his heritage. Free popcorn, cookies and drinks will be provided. Attend for the chance to win a secret prize. This event runs 6:30 to 9 p.m. at Milliken Mills Library, 7600 Kennedy Rd. No. 1, Markham.

2. Celebration: Third Annual Black History event — Feb 15 (Richmond Hill)

The York Region Alliance of African Canadian Communities invites you to join its 3rd Annual Black History celebration event.

This event aims to celebrate "the success of our black families by building stronger black communities in YR". The theme this year is Unifying and Supporting the Next Generation. Enjoy hearing a panel of Black York Region Influencers and mentors, as they share stories of their journeys.

This program provides life skills through an African centered rites of passage process, utilizing the Nguzo Saba (Seven Principles). There will be opportunities to network with many York Region public service agencies and community organizations. This event is for the entire family. There will be a black marketplace, drumming, entertainment and children's area. The event runs from 10:30 a.m. to 3:30 p.m.

This is a free event at Richmond Green Secondary School.

For more information, contact Ann Marie, vice-chair of YRAACC, at 647-280-9879 or info@yorkregionaacc.ca, or to learn more about York Region Alliance of African Canadian Communities, visit www.yorkregionaacc.ca.

3. Cooking Workshop and Social: Afro-Caribbean — Feb. 21 (Newmarket)

Join Chef Maxine Knight, culinary program director for York Region Food Network, during this interactive cooking demo examining the theme 'What does our food history look like?'. In this workshop, participants will go on a culinary journey from pre-colonial African food to modern day Caribbean Cuisine as they taste their way through the islands and share stories, experiences and recipes. If you need assistance, please call 905-953-5300, ext. 2844 or 2846. Space is limited, so register early.

The event is 6:30 to 9 p.m. at the Newmarket Recreation Youth Centre (56 Charles St.) This is free and family friendly. You must register in advance. Sponsored by the York Region Food Network.

4. Being Black in Canada — Feb. 20 (Aurora)
In Conversation 7 to 8:30 p.m. at Aurora Public Library, 15145 Yonge St.
Join journalist Brock Weir for a panel discussion about the challenges and celebrations experienced by black people today. Topics discussed will include race and economic mobility, systemic discrimination and the arts and culture scene. Free.

5. Mystic Drumz — Feb. 29 (Bradford West Gwillimbury)
Travel back in time with Mystic Drumz and learn about some of the very first African instruments. In this interactive show, children explore percussion instruments and their rhythms. Explore different drums and more, with crafts after the show. Space is limited. This event is free with the support of the Friends of the Library and in partnership with the Bradford West Gwillimbury Diversity Action Group. The event runs Feb. 29 at 11 a.m. at Bradford West Gwillimbury Public Library, 425 Holland St. W.

How Markham's updated Leisure Master Plan will play out for residents

'Major' community centre in north part of West Markham, refresh of Milliken Mills Community Centre part of plan

NEWS Feb 10, 2020 by [Heidi Riedner](#) Markham Economist & Sun



New community centres, like the Aaniin Community Centre and Library in southeast Markham seen here, are among recommendations in the city's updated Leisure Master Plan. - Steve Somerville/Torstar

Markham council recently endorsed the city's updated 2019 Integrated Leisure Master Plan (ILMP) to meet the evolving needs of Markham's diverse, growing community while keeping pace with leisure trends.

The update identifies priorities and sets the direction for service delivery through to 2031, when the city's population is forecasted to grow by 113,200 people to

460,200, according to the city's Commissioner of Community and Fire Services, Brenda Librecz.

“We know that more growth is coming,” said Librecz. “The 2019 ILMP guides city staff to deliver integrated parks, recreation, culture and library service that meet the needs of all ages, and to pursue innovative funding and partnership opportunities.”

Plans include advancing the development of a “major” community centre and library in the north part of West Markham, as well as undertaking a refresh of the Milliken Mills Community Centre and Library.

Residents can expect more “co-location” of services in shared-use spaces buoyed by public/private partnerships, according to the plan, which creates new Neighbourhood Centre models for the city’s growth centres.

Walking is one of the fastest growing leisure activities for families (many with a dog) — so dog parks, engaging public spaces and connected walking trails are “key infrastructure” moving forward. Building more cricket pitches is also on the docket.

As part of the city's implementation of its Public Art Master Plan, a feasibility study will be conducted for a new theatre.

Expanding digital literacy programs, developing library services for Markham Centre and the north part of West Markham and delivering alternative library service and funding models for intensified areas are other key recommendations in the plan.

Since 2010, Markham has experienced population growth, an aging community and more residents living in highrise condos while at the same time continuing to be a destination for families, according to the report tabled at council last month.

The city has met 77 per cent of the 205 recommendations made under the prior integrated leisure master plan of 2010.

Major milestones included building two major community centres and one sports centre within six years: the Aaniin Community Centre and Library, the Cornell Community Centre and Library and the Markham Pan Am Centre — an international sports destination and complex. More than 90 new parks and 17 new sports fields were also constructed.



by **Heidi Riedner**

Heidi Riedner is an award-winning journalist with over 25 years experience with Torstar. She covers a wide range of issues in Georgina and Bradford, as well as York-Simcoe, specializing in political, environmental and human interest stories.

Email: hriedner@yrmg.com [Facebook](#) [Twitter](#)

<https://www.yorkregion.com/news-story/9845143-how-markham-s-updated-leisure-master-plan-will-play-out-for-residents/>

AGENDA 5.1

TO: Markham Public Library Board
FROM: Catherine Biss, CEO & Secretary-Treasurer
PREPARED BY: Michelle Sawh, Director, Administration
DATE OF MEETING: February 24, 2020
**SUBJECT: INTERNAL MONITORING REPORT – EXECUTIVE LIMITATION EL-2d,
FINANCIAL CONDITION**

EXECUTIVE SUMMARY:

This report provides the Board with an update on the year to date financial condition of the Library.

Actual and Budgeted Operating Budget expenditures are reported for the twelve-month period ending December 31, 2019. This is the final of three financial reports to the Board covering fiscal year 2019 (Jan – Dec). All expenditures were in full compliance with Board policy.

The Library ended the year in a favourable position with a year-to-date net surplus of **\$384,545** based on Library Income that exceeded budget and Expenditures that were below budget.

RECOMMENDATION:

That the Report entitled “Internal Monitoring Report – Executive Limitation EL-2d, Financial Condition” be received.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL CONDITION (EL-2d)

[Report on actual expenditures compared with budget]

GLOBAL POLICY LIMITATION:

With respect to the actual, ongoing financial condition and activities of the organization, the CEO shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board priorities established in Ends policies.

CEO RESPONSIBILITY:

Consistent with statutory obligations and prudent financial management, funds will be allocated and expended in a manner that is consistent with Board priorities established in the Board Ends policies.

ASSERTION OF COMPLIANCE

Per the Report below, I assert that I am in compliance with this Global Policy Executive Limitation.



Catherine Biss
CEO & Secretary-Treasurer

- 1. POLICY LIMITATION:** *The CEO may not expend more funds than have been received in the fiscal year to date unless the debt guidelines (below) are met.*

CEO RESPONSIBILITY:

The CEO shall not operate in a deficit situation at any time during the fiscal year that cannot be repaid within 60 days.

EVIDENCE OF COMPLIANCE:

- The CEO is in compliance. As of December 31, 2019, the Library had a net budgetary surplus of **\$384,545**, based on a favourable variance in Library Income of **\$37,628** and a favourable variance in Expenditures of **\$346,917**. See Appendix "A" (Statement of Revenue and Expenditures – Twelve Months Ended 12/31/2019).
- **Library Income** – The 2019 Actual was \$1,170,060 against a Budget of \$1,132,432 creating a favourable variance of \$37,628.
- **Expenditures** – The 2019 Actual was \$14,223,268 against a Budget of \$14,570,185 creating a favourable variance of \$346,917.
- All figures in this Report are based on the Financial Statement dated December 31, 2019, received from the City of Markham's Financial Services Department on February 5, 2020.

- 2. POLICY LIMITATION:** *The CEO may not incur an amount greater than can be repaid by certain, otherwise unencumbered revenues within 60 days, or hold the controllable expenditures to avoid overspending funds.*

CEO RESPONSIBILITY:

The CEO shall not enter any commitment that cannot be fully paid from unencumbered revenues or monitor the expenditures to ensure commitments are covered, without jeopardizing the Library's financial stability.

EVIDENCE OF COMPLIANCE:

- There are no commitments beyond those identified in the current Operating Budget.

- 3. POLICY LIMITATION:** *The CEO may not allow payroll and debts to be handled in an untimely manner.*

CEO RESPONSIBILITY:

The CEO shall ensure the timeliness of all payroll and accounts payable activities.

EVIDENCE OF COMPLIANCE:

- The Library's payroll and accounts payable activities are undertaken by the City's Financial Services Department. The Library authorizes and submits payroll and payables information, and Finance then carries out the actual transactions. When the Library receives invoices, they are processed and submitted to the Accounts Payable Department in a timely fashion. The actual timing of payments to vendors and suppliers is determined by Accounts Payable through its internal processes.

4. **POLICY LIMITATION:** *The CEO may not withhold, nor otherwise delay, from the Board the results and recommendations of the auditors and the Administrative response thereto.*

CEO RESPONSIBILITY:

The Library's financial statements will be evaluated by an independent auditor on an annual basis, who will then express an opinion based on the audit, and present it to the Board.

EVIDENCE OF COMPLIANCE:

- The "Financial Statements of the Markham Public Library Board, December 31, 2018" were presented to the Board in its meeting of May 27, 2019. The *Independent Auditor's Report* indicated that "in our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the [Markham Public Library Board] as at December 31, 2018, and its results of operations, its changes in net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards."
- The minutes of the May 27, 2019 Library Board meeting records the following resolution:

Mr. Hendriks welcomed Ms. Naketa Wright, Manager, KPMG, and Mr. Reagan Travers, Manager, KPMG.

Ms. Wright advised the Board of certain standard Audit procedures, that the Audit was clean and that there were no deficiencies. All that will be required to complete the Audit is the approval of the Board and the signature of the Chair.

Moved by Mr. Alick Siu

Seconded by Councillor Keith Irish

Resolved that the report entitled "Financial Statements of the Markham Public Library Board, December 31, 2018" be received; and,

That the Board approve the Financial Statements of the Markham Public Library Board December 31, 2018; and,

That the Board Chair be authorized to sign the approved 2018 Financial Statements on behalf of the Board; and,

That the Board authorize Staff to issue the final audited Financial Statements for the fiscal year ended December 31, 2018;

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried.

AGENDA 5.1

- The independent auditor has already commenced its evaluation of the Library's 2019 financial position, and delivery of its report summarizing its findings to the Board is expected in May 2020.

5. POLICY LIMITATION: *The CEO may not acquire, lease, rent, encumber or dispose of real property.*

CEO RESPONSIBILITY:

For the purpose of acquiring, leasing, renting or encumbering, this means new property not currently under Board ownership, lease, or rental. Real property is interpreted to mean real estate, space and facilities. Disposal would mean the sale of real property.

EVIDENCE OF COMPLIANCE:

- The Library Board does not own real property, nor does it currently lease or rent any spaces. It is responsible for all services, programs and related activities provided to the public within library buildings located on municipal properties. The real property is owned by the City of Markham.
- The Library pays to the City "Occupancy Costs" for branches located within community centres, which constitutes a funding transfer to the Recreation Services Department. This transfer effectively pays for support provided to the Library by Recreation for building-related services including cleaning, utility usage, telecommunications (e.g. telephone, cable TV, etc.), and basic building maintenance and repairs.
- MPL has eight branch locations, including three stand-alone buildings (Markham Village / Thornhill Village / Unionville) and five community centre branches (Aaniin / Angus Glen / Cornell / Milliken Mills / Thornhill Community).

6. POLICY LIMITATION: *The CEO may not fail to aggressively pursue receivables, fines and fees, after a reasonable grace period.*

CEO RESPONSIBILITY:

The CEO shall ensure receivables, fines, and fees are recovered through the most current methods.

EVIDENCE OF COMPLIANCE:

- The Library recovers receivables, fines and fees on an ongoing basis. Fines and fees are incurred after customers have borrowed physical collection items and then kept them beyond the authorized loan period, or have lost and failed to return borrowed items. These receivables are usually paid by the customers voluntarily in order to keep their records in good standing. (MPL also provides customers with several options to assist them in keeping track of due dates, including pre-due notices, thereby enabling them to avoid the assessment of overdue fines.)
- MPL has an agreement with Unique Management Services (UMS), a specialized collection agency that pursues suspended customer accounts with amounts owing of greater than \$40.00 in fines, fees and lost material values, and where the customer has failed to respond to multiple MPL contact attempts over a minimum of 45 days. UMS is an international company providing service to thousands of library system clients utilizing a "gentle nudge" approach which helps to maintain customer goodwill.

AGENDA 5.1

- The table below is a summary of 2019 year-end information related to MPL's UMS transactions:

	Description	Amount
A	# of customer accounts submitted to collection agency	315
B	Fines/fees received from customers following UMS contacts	\$14,232
C	Returned items following UMS contact (value)	\$10,880
D	Subtotal – Fines/fees plus returned items (B + C)	\$25,112
E	Fees paid to UMS by MPL	\$4,019
F	Net benefit to MPL (D – E)	\$21,093
G	Net benefit ratio (Benefit per \$1 investment in service)	\$5.24

- While the relationship with UMS has been successful financially, the primary benefit is a higher return rate for overdue materials, making them available to other customers and ensuring that the Library can better achieve its service mandate within the community. The arrangement ensures that resources purchased through taxpayer-based funding remain public assets and that community access to them is maintained.

7. **POLICY LIMITATION:** *The CEO may not allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.*

CEO RESPONSIBILITY:

The CEO shall ensure that the Library submits all tax payments, filings, and other government-required payments in an accurate manner and in compliance with mandated timelines.

EVIDENCE OF COMPLIANCE:

The CEO is in compliance. The Library met the deadline of June 30, 2019 in filing its annual 2018 Public Service Bodies Rebate Claim with the Canada Revenue Agency (CRA). This submission is required for rebate of the federal portion of the HST. All other government filings and requests were satisfied within the required timelines throughout 2019.

ATTACHMENTS:

- Appendix "A" – Statement of Revenue and Expenditures – Twelve Months Ended 12/31/2019.
- Appendix "B" – Variance Report

APPENDIX "A"
MARKHAM PUBLIC LIBRARY BOARD
Statement of Revenue and Expenditures - Twelve Months Ended 12/31/2019

LIBRARY INCOME

ACCOUNT TYPE	ACCOUNT DESCRIPTION	YEAR-TO-DATE ACTUALS	YEAR-TO-DATE BUDGET	YEAR-TO-DATE VARIANCE	CURRENT YEAR OPERATING BUDGET	REMAINDER OF 2019 BUDGET	% OF BUDGET Rec'd/Spent
REVENUE	Grants & Subsidies:						
	Det. 8350 Ontario Library Capacity Fund Grant	0	0	0	0	0	N/A
	Det. 8399 Public Library Operating Grant (Ontario)	(228,778)	(228,778)	0	(228,778)	0	100.0%
	Det. 8400 Federal Grants	0	0	0	0	0	N/A
	Det. 8401 Summer Career Placement	(52,920)	0	52,920	0	0	N/A
	Total	(281,698)	(228,778)	52,920	(228,778)	0	0.0%
REVENUE	Program Fees:						
	Det. 8800 Program Fees	(497,855)	(482,764)	15,091	(482,764)	15,091	103.1%
	Total	(497,855)	(482,764)	15,091	(482,764)	15,091	103.1%
REVENUE	User Fees & Service Charges:						
	Det. 8801 Membership Fees	(9,590)	(11,894)	(2,304)	(11,894)	(2,304)	80.6%
	Det. 8884 Fines & Fees	(199,380)	(249,728)	(50,348)	(249,728)	(50,348)	79.8%
	Total	(208,970)	(261,622)	(52,652)	(261,622)	(52,652)	79.9%
REVENUE	Sales - Print-outs / Photocopying:						
	Det. 8899 Other Services Charges (3D Printing)	(5,258)	(3,497)	1,761	(3,497)	1,761	150.4%
	Det. 9146 Photocopying	(38,786)	(30,250)	8,536	(30,250)	8,536	128.2%
	Total	(44,044)	(33,747)	10,297	(33,747)	10,297	130.5%
REVENUE	Det. 8999 Room Rentals	(56,624)	(52,935)	3,689	(52,935)	3,689	107.0%
REVENUE	Sales - Merchandise:						
	Det. 9115 Vending Machines	(308)	(1,400)	(1,092)	(1,400)	(1,092)	22.0%
	Det. 9199 Damaged & Discarded Books	(69,437)	(71,186)	(1,749)	(71,186)	(1,749)	97.5%
	Total	(69,745)	(72,586)	(2,841)	(72,586)	(2,841)	96.1%
REVENUE	Other Income:						
	Det. 9198 Fundraising	(4,433)	0	4,433	0	0	N/A
	Det. 9299 Miscellaneous Recoveries	(6,166)	0	6,166	0	0	N/A
	Det. 9350 Purchase Discounts	(61)	0	61	0	0	N/A
	Det. 9399 Sundry Revenue	(464)	0	464	0	0	N/A
TOTAL LIBRARY INCOME		(1,170,060)	(1,132,432)	37,628	(1,132,432)	37,628	103.3%

APPENDIX "A"

EXPENDITURES

ACCOUNT TYPE	ACCOUNT DESCRIPTION	YEAR-TO-DATE ACTUALS	YEAR-TO-DATE BUDGET	YEAR-TO-DATE VARIANCE	CURRENT YEAR OPERATING BUDGET	REMAINDER OF 2019 BUDGET	% OF BUDGET Received
PERSONNEL	PERSONNEL SERVICES TOTAL	12,180,821	12,509,704	328,883	12,509,704	328,883	97.4%
NON-PERSONNEL	S0b 4000 Printing & Office Supplies	38,484	38,975	491	38,975	491	98.7%
	S0b 4198 Misc. Items for Resale	6,000	0	(6,000)	0	(6,000)	N/A
	S0b 4272 Program Expenses	111,569	106,348	(5,221)	106,348	(5,221)	104.9%
	S0b 4290 Other Operating Expenses	11,717	5,862	(5,855)	5,862	(5,855)	199.9%
	S0b 5000 Utilities	161,284	168,008	6,724	168,008	6,724	96.0%
	S0b 5100 Communications	106,052	121,386	15,334	121,386	15,334	87.4%
	S0b 5200 Travel Expenses	45,722	43,720	(2,002)	43,720	(2,002)	104.6%
	S0b 5250 Staff Training	55,956	56,017	61	56,017	61	99.9%
	S0b 5300 Contracts & Service Agreements	219,359	240,313	20,954	240,313	20,954	91.3%
	S0b 5400 Maintenance & Repairs	217,986	221,215	3,229	221,215	3,229	98.5%
	S0b 5500 Rental/Lease	20,011	18,688	(1,323)	18,688	(1,323)	107.1%
	S0b 5560 Insurance	11,963	11,963	0	11,963	0	100.0%
	S0b 5600 Professional Services	59,836	52,197	(7,639)	52,197	(7,639)	114.6%
	S0b 5700 Licenses, Permits, Fees	23,034	20,400	(2,634)	20,400	(2,634)	112.9%
	S0b 5800 Promotion & Advertising	32,749	33,147	398	33,147	398	98.8%
	S0b 5900 O.I.S. Occupancy Costs	913,308	913,308	0	913,308	0	100.0%
	S0b 6000 Office Furniture (Appliances)	3,329	4,000	671	4,000	671	83.2%
	S0b 7800 Miscellaneous Expenses	4,088	4,934	846	4,934	846	82.9%
	NON-PERSONNEL TOTAL	2,042,447	2,060,481	18,034	2,060,481	18,034	99.1%
TOTAL EXPENDITURES (PERSONNEL + NON-PERSONNEL)		14,223,268	14,570,185	346,917	14,570,185	346,917	3.0%
NET EXPENDITURES (FUNDED BY CITY)		13,053,208	13,437,753	384,545	13,437,753	384,545	97.1%

AGENDA 5.2

TO: Markham Public Library Board
FROM: Catherine Biss, CEO & Secretary-Treasurer
PREPARED BY: Deborah Walker, Director, Strategy & Planning
DATE OF MEETING: February 24, 2020
SUBJECT: **Executive Limitation: EL-2j Communication & Counsel to the Board
(November 2019 to January 2020)**

EXECUTIVE SUMMARY:

This report provides the Board with a triannual affirmation that the Board is informed and supported in its work.

This is a report on communication and counsel to the Board for the period from November 2019 to January 2020. All communication and counsel requirements are in full compliance with Board policy.

RECOMMENDATION:

THAT the internal monitoring report entitled “Executive Limitation: EL-2j Communication & Counsel to the Board (November 2019 to January 2020)” be received.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMMUNICATION AND COUNSEL TO THE BOARD (EL-2j)

[Report on the CEO’s communications to the Board, ensuring that it is properly informed and equipped to make appropriate decisions.]

GLOBAL POLICY LIMITATION:

The CEO shall not permit the Board to be uninformed or unsupported in its work.

CEO RESPONSIBILITY:

The CEO will ensure the Board is informed and supported in its work.

ASSERTION OF COMPLIANCE

As per the Report below, I assert that I am in compliance with this Global Policy Executive Limitation.



Catherine Biss
CEO & Secretary-Treasurer

- 1. POLICY LIMITATION:** *The CEO shall not neglect to submit monitoring data required by the Board (see policy on Monitoring Executive Performance) in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored and including the CEO's interpretations consistent with the "Delegation to the CEO" policy, as well as relevant data.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- On a regular schedule, the Library provides appropriate internal monitoring reports, in which the CEO discloses compliance information to the Board.
- All such reports include a statement of interpretation indicating the CEO's "reasonable interpretations" of the Board Ends and Executive Limitations Policies within the meaning of the "Delegation to the CEO" policy.
- Relevant data is included in monitoring reports to demonstrate accomplishment of the interpretation (regarding Ends) or compliance with the interpretation (regarding Executive Limitations).
- Monitoring data is also provided to the Board through the regular cycle of Strategic Plan Updates, Ends Reports, Executive Limitation Reports, and Board Statistical Reports.
- Annually, the auditor presents the previous year's financial report.

- 2. POLICY LIMITATION:** *The CEO shall not let the Board be unaware of significant changes in provincial or municipal policies, anticipated adverse media coverage, material external and internal changes (including purchases of over \$350,000), particularly changes in the assumptions upon which any Board policy has previously been established.*

CEO RESPONSIBILITY:

- The monthly CEO reports identify significant changes in provincial or municipal policies, anticipated adverse media coverage, and material external and internal changes.
- Significant changes in provincial or municipal policies reported include:
 - Bill 132 – Better for People, Smarter for Business Act, 2019.
 - Annual Survey for the Ministry of Heritage, Sport, Tourism and Culture Industries (Culture Division) – new fields for 2019 Survey report.
- Material external and internal changes reported include:
 - 2020 Library Budget Presentation and Approval.
 - The Investing in Canada Infrastructure Program (ICIP): Ontario Community, Culture and Recreation (CCR) Funding Program – Submission for Expansion of Milliken Mills Community Centre and Renovation of the Milliken Mills Library.
 - 2019 Integrated Leisure Master Plan Update Approval.
 - Library Board Presentation at General Committee November 18, 2019.
 - 2020 Operating and Capital Budgets.
 - Markham Centre Library and Secondary Plan Update.
 - Purging of Inactive MPL Customer Accounts and Write-Off of Uncollectible Debt.
 - Strategic Planning Update.
- Regarding purchases of over \$350,000, no such purchases have been made during the reporting period.
- When an event relevant to the Board's mandate arises outside the normal cycle of Board reports, staff use email communication to ensure Board awareness.
- Adverse media coverage during the reporting period is reported in the regular CEO reports. When a potentially urgent incident of adverse media coverage arises between Board meetings, staff use email to ensure the Board Chair and Vice-Chair are promptly informed.

EVIDENCE OF COMPLIANCE:

- No such adverse media coverage has taken place during the reporting period.

3. **POLICY LIMITATION:** *The CEO shall not allow the Board to be unaware that, in the CEO's opinion, the Board is not in compliance with its own policies on Governance Process and Board-CEO Linkage, particularly in the case of Board behaviour that is detrimental to the work relationship between the Board and the CEO.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- There has been no non-compliance to report on.

4. **POLICY LIMITATION:** *The CEO shall not present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision-preparation, or other.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- Staff prepare appropriate reports and presentations for Board information or recommending Board approval. The reports and presentations include points of view, issues, and options, as appropriate. Examples include:
 - November 25, 2019:
 - 6.1 Strategic Plan Update.
 - 7.1 Markham Public Library Room Rental Policy Report.
 - 10.1 Digital Inclusion.
 - December 16, 2019:
 - 10.1 New MPL Website.
 - January 27, 2020:
 - 6.1 Annual Ends Report.
 - 10.1 Strategic Planning: Update.
- Staff invite delegations of City staff to attend Board meetings to provide information on municipal aspects of Board issues, as appropriate.
 - No such delegations took place during the reporting period.
- Staff invite delegations of consultants and other external representatives to attend Board meetings to provide information on projects and initiatives of interest to the Board, as appropriate.
 - No such delegations took place during the reporting period.

5. **POLICY LIMITATION:** *The CEO shall not allow the Board to be without a workable mechanism for official Board, officer or committee communications.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- In the absence of any feedback, the CEO is in compliance.

6. **POLICY LIMITATION:** *The CEO shall not allow the Board to be without secretarial support, including draft minutes within two weeks of each Board meeting and any action list arising from meetings.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- The Board Secretary provides action lists arising from Board meetings within a week of the meeting.

AGENDA 5.2

- The Board Secretary provides a draft of the minutes to the Board within two weeks of the meeting.
- The Board Secretary responds to telephone calls and emails within 48 hours of receipt of them.

7. POLICY LIMITATION: *The CEO shall not favour or privilege certain Board members except when:*

- a) *Fulfilling individual requests for information or;*
- b) *Responding to officers or committees duly charged by the Board.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- The CEO is in compliance.

8. POLICY LIMITATION: *The CEO shall not allow the Board to be unaware of an actual or anticipated non-compliance with Ends or Executive Limitations policy of the Board regardless of the Board's monitoring schedule.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- There has been no actual or anticipated non-compliance with any policy of the Board to report on.

9. POLICY LIMITATION: *The CEO shall not fail to submit to the Board a required approval (consent) agenda containing all items delegated to the CEO, and required by law or contract to be Board-approved, along with the monitoring assurance pertaining thereto.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- During the reporting period, there was nothing in the consent agendas that was required by law to be Board-approved.

10. POLICY LIMITATION: *The CEO shall not allow the Board to be unaware of complaints identified by customers which in the judgment of the CEO are of pressing concern.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- During the reporting period, the following complaint was deemed to be of pressing concern and reported to the Board:
 - A complaint regarding the Islamic book collection at the Aaniin branch was received through Ward 7 Councillor Usman, who raised his concerns regarding this issue at the November 18th presentation to General Committee by the Library Board. (3.0 November 25, 2019). The report included information regarding the resolution of the complaint.

11. POLICY LIMITATION: *The CEO shall not allow personal information about Board members to be unprotected or compromised (except for Board member's names, photographs, and any authorized tag lines on the Library website and other promotional vehicles).*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- The Board Secretary maintains all contact information for Board members in confidential files accessible only to senior administration staff and their support staff.

AGENDA 5.2

- The Board's personal contact information is provided through electronic and paper versions to the Board members, senior Administration staff and their support staff only upon specific occasions:
 - a) Emergency,
 - b) Inviting Board members to special MPL events such as opening a library, staff celebrations, etc., and
 - c) To fulfill Revenue Canada's request for information on the "Directors, Trustees, and Like Officials worksheet."
- The Library's Human Resources policy regarding *Confidentiality of Personal Information* further provides that contact information for employees and Library Board members may not be released without the permission of the employee/Board member or the CEO. Requests for this information must be referred to the CEO, or designate.

12. POLICY LIMITATION: *The CEO shall not fail to advise the Board in a timely manner of trends, facts and information relevant to the Board's work.*

CEO RESPONSIBILITY and EVIDENCE OF COMPLIANCE:

- The monthly CEO reports include:
 - Relevant external trends, such as:
 - Library Design Trends: How Helsinki Built 'Book Heaven'; New Ottawa Public Library and Library and Archives Canada Joint Facility.
 - 2019 Urban Libraries Council Forum: Preparing to Lead on AI and Digital Citizenship.
 - The Working Poor in the Toronto Region: A closer look at the increasing numbers – 2019 Update.
 - How Poverty Holds Kids Back.
 - Statistical reports on a quarterly basis as part of the monthly CEO's Highlights Report (3.0). The statistical reports include YTD-over-YTD data regarding new member registrations, customer satisfaction, library space (in-person visits, electronic visits, room bookings), circulation, self-service, connectivity (computer usage, website and catalogue sessions, social media followers), and programs and outreach.
 - Background facts relevant to the Board's work or as follow up to Board discussions. Examples during the reporting period include:
 - 10.1 New MPL Website.
- The regular Strategic Plan Update reports include:
 - Updates regarding work plan progress.
 - Identification of strategic priorities.
 - Identification of societal and/or economic trends that have implications for library strategy.
- Information on Library program offerings is provided on a quarterly basis.
 - Events for the Next Quarter (December 16, 2019).

AGENDA 7.1

TO: Markham Public Library Board
FROM: Catherine Biss, CEO & Secretary-Treasurer
PREPARED BY: Susan Price, Board Secretary
DATE OF MEETING: February 24, 2020
SUBJECT: **Amendment MPL Board By-laws Section 4.4**

Section 4.4 (Board Meetings) of the MPL Board By-laws has been amended according to the Board resolution approved at the Regular Board meeting January 27, 2020.

Recommendation:

That the Board receives the revised version of the Markham Public Library By -Laws effective January 2020.

A handwritten signature in black ink, appearing to read 'C. Biss', is centered on the page. The signature is fluid and cursive.

Catherine Biss
CEO & Secretary-Treasurer

Attached: Appendix "A"

Markham Public Library Board By-laws

Approved: February 2, 2004

Revised: February 2008, December 2010, January 2011, September 2012, December 2012, January 2013,
June 2018, November 2018, September 2019, January 2020

PREAMBLE

WHEREAS the *Public Libraries Act*, R.S.O. 1990, chapter P 44, (hereinafter called the "Act") provides that public libraries shall be under the management and control of a Board, which is a corporation;

1. GENERAL

1.1 Name

AND WHEREAS, By-law # 13 – 71 of the Council of the City of Markham (hereinafter called the "Council") establishes the Markham Public Library Board (hereinafter called the "Board"). (Revised September 2012)

1.2 Enactment

Therefore, the Board enacts the following By-laws for regulation of the Board's business.

1.3 Purpose

In accordance with the Act, Section 20, the Board's purpose is to provide the Markham community with comprehensive, efficient public library services reflecting Markham's unique needs.

1.4 Corporate Seal

The Board shall have a seal, an impression of which is stamped on the margin hereof. The seal shall be affixed under the direction of the Board to all deeds, contracts or documents requiring the seal, and which seal shall be attested to by the signatures of the Board Chair and Chief Executive Officer (hereinafter called the "CEO/Secretary-Treasurer), or by such member and/or such other Board officer as the Board shall direct.

The corporate seal shall be kept in the custody of the CEO/Secretary-Treasurer.

1.5 Powers and Duties

The Board's powers and duties shall be all those described in the Act. Accordingly, the Board is responsible for operating one or more Libraries in accordance with the Act and Regulation.

1.6 Definitions

The provisions of the By-laws shall be interpreted in accordance with the Glossary of Terms, attached as Appendix "A."

2. BOARD COMPOSITION

- | | | |
|------------|--------------------------------|--|
| 2.1 | Size and Composition | The Board shall consist of twelve to fifteen members, of whom three shall be members of the said Council and the remainder of whom shall be citizen appointees. |
| 2.2 | Appointments | Council appoints all members to the Board. |
| 2.3 | Qualifications | Citizen appointees must meet the qualifications set out in Section 10 (1) of the Act. |
| 2.4 | Term | A Board member shall hold office for a term concurrent with the Council term, or until a successor is appointed. |
| 2.5 | Reappointment | A Board member may be reappointed for one or more further terms, concurrent with the Council term. |
| 2.6 | Resignations/ Vacancies | If a vacancy arises in Board membership, Council shall appoint a person to fill the vacancy and to hold office for the unexpired term, except if the unexpired term is less than 45 days. |
| 2.7 | Disqualification | If a Board member is absent from Board meetings for a period of three consecutive calendar months, without authorization by a Board resolution, that member's seat becomes vacant and the remaining members shall forthwith declare the seat vacant and notify Council accordingly. |
| 2.8 | Youth Representative | The Board may appoint a non-voting teen Member who lives and/or goes to school in the City of Markham. Staff will select a candidate from the current list of registered volunteers with the Library. The teen must be under 18 years of age and will serve a one-year term, September to June. Responsibilities will include attending monthly meetings (not in camera), represent interests and issues of Markham's youth in Board discussions and represent the Library at selected events or programs. |

3. BOARD OFFICERS

- 3.1 Chair** The Board shall elect the Chair for a one-year term and until a successor is elected provided the successful candidate has at least one year MPL Board experience. (Revised December 2012)
- 3.2 Vice-Chair** The Board shall elect the Vice-Chair for a one-year term and until a successor is elected provided the successful candidate has at least one year MPL Board experience. In the absence of the Chair, the Vice-Chair shall preside and shall have all of the Chair's powers and responsibilities. (Revised December 2012)
- 3.3 Secretary-Treasurer** The Board shall appoint a Secretary-Treasurer. Typically, that shall be the CEO or the CEO's designate.
- The Secretary-Treasurer shall:
- (a) Receive, keep safely, and account for all the Board's money.
 - (b) Open an account or accounts in the Board's name 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 accounts.
 - (d) Disburse funds as required by provincial and federal legislation, City and Library By-laws, and Board resolutions.
- The Board Secretary shall:
- (a) Keep minutes of every Board and Committee Meeting.
 - (b) Conduct the Board's official correspondence.
- 3.4 Chief Executive Officer** The Chief Executive Officer of the Markham Public Library is the Board's employee to whom the Board delegates the supervision and direction of the Library and its staff and who shall be known in these By-laws as the "CEO/Secretary-Treasurer."

4. BOARD MEETINGS

- 4.1 Meetings** All Board meetings shall be open to the public.
- 4.2 Inaugural Meeting in New Term** The Act, Section 14 (1) and (2) and the City of Markham By-law # 287 – 85 authorize the CEO/Secretary-Treasurer to call the first Board Meeting in each new term.
- 4.3 First Meeting** The First Meeting shall be held in January of each year, except following an election year, when the first Board meeting in each new term is called upon receipt of appointment confirmation from the City Clerk.
- Nominations may be declared informally one month prior and up to and including the First Meeting.
- The CEO/Secretary-Treasurer calls the meeting to order and conducts the elections for the Chair and Vice-Chair positions.
- Once the Chair and Vice-Chair are elected for their terms, the Chair presides over the remainder of the meeting.
- 4.4 Regular Meetings** The Board shall hold no less than seven scheduled meetings each year. These Regular Meetings shall be held at 7:00 p.m. on the fourth Monday of the month between September and June.
- The Board shall not hold a Board meeting that falls on a municipal, provincial or federal election date.
- The Board Secretary shall provide a meeting date schedule to members at the beginning of each year.
- The Board Secretary shall provide to each member written notice of all Regular Meetings, together with the proposed agenda and the minutes of the immediately preceding Regular Meeting and of any Special Meetings, at least five days in advance of such meetings. The Board Secretary shall provide to each member advance electronic minutes.
- 4.5 Meeting Notification** The notice shall be in the form of a written agenda accompanied by its supporting documents.
- The Board Chair, in consultation with the CEO/Secretary-Treasurer, shall prepare the agenda. Any member wishing to place an item on the agenda may make a request to do so through the Chair or CEO/Secretary-Treasurer no later than ten days prior to the meeting. Such requests shall then be considered at the Chair's discretion. Minutes of the previous regular meeting and any special meetings shall be provided to the members in the same manner as the agenda.
- The package shall be delivered electronically to the members' designated addresses at least five days prior to the upcoming meetings.
(Revised January 2013)
- Lack of receipt of notice for a Regular Meeting shall not affect the validity of holding the meeting or any action taken thereat, provided a quorum is obtained.

4.6 Order of Business

The order of business at regular meetings shall be as follows:

- Call to order/Approval of Agenda
 - Declaration of Conflict of Interest
 - Delegation
 - Chair's Remarks
- Consent Agenda
 - Minutes of previous regular meeting
 - Declaration of Due Diligence by the CEO
 - Communication and Correspondence
- CEO's Highlights
- Annual Monthly Policy Review
- Internal Monitoring Reports
- Ends
- Governance
- Ownership Linkage
- Board Advocacy
- Education
- Incidental Information
- New Business
- Board Evaluation
- In Camera Agenda (if any)
- Adjournment

(Revised January 2013)

4.7 Special Meetings

The Chair or any two members may summon a Special Meeting at any time. The meeting's purpose must be stated in the notice and no other business will be transacted without the consent of a Board majority.

Special Emergency Meetings may be called with notice twenty-four hours prior to the meeting.

Lack of receipt of notice for a Special Meeting shall not affect the validity of holding the meeting or any action taken thereat, provided a quorum is obtained.

4.8 In-Camera Meetings

When the Board determines that matters should be dealt with in the absence of the public, a motion to move into an In-Camera session must be moved, seconded, and approved by majority vote, prior to the meeting being closed. Motions to move In-Camera are not debatable.

The following subjects may be discussed at properly constituted closed meetings:

- (a) Debate as to whether or not an item is properly in-camera or not, if in the Chair's opinion, such discussion would be prejudicial if discussed at an open meeting.
- (b) The security of the Board's property.
- (c) Personal matters about an identifiable individual.
- (d) A proposed or pending acquisition or disposition of land by the Board.
- (e) Labour relations or employee negotiations.
- (f) Litigation or potential litigation, including matters before any Court or Administrative Tribunal, affecting the Board.
- (g) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (h) A matter in respect of which a Board or Board committee may hold a closed meeting under another Act.
- (i) A request under the *Municipal Freedom of Information and Protection of Privacy Act*.

A meeting may be closed to the public during a vote only if:

- (a) Conditions permitting or requiring the meeting to be closed to the public exist.
- (b) If the vote is for a procedural matter or for giving directions or instructions to Board officers, employees or agents or Board committee or persons retained by or under contract with the Board.

The Board may invite appropriate persons, such as the CEO/Secretary-Treasurer and Board Secretary, to attend an In-Camera session. The Board Secretary takes the minutes of In-Camera meetings. Minutes are kept brief and do not contain the discussions at the In-Camera meeting. Motions passed In-Camera are ratified when the Board returns to its Regular Meeting. Minutes are approved at a subsequent In-Camera meeting. Minutes are circulated to the Board and appropriate staff.

Bill 49, Part 1, *Freedom of Information, Access to Records*, Section 6, states that the 'head' of the organization or the Library Board may refuse to disclose a record "that reveals the substance of deliberations of a meeting of a council, board, commission or other body or a committee or one of them if a statute authorizes holding that meeting in the absence of the public."

Through a motion made while in regular session, the Board may declare that In-Camera minutes are not to be filed in the official minute book to become part of the public record. If such a motion is passed, the minutes, once approved, will be returned to the Board Secretary by each member for destruction.

Where minutes are to be excluded from the official minute book, the original minutes and approved minutes are separated from the regular Board minutes and kept in a locked cabinet within the CEO/Secretary-Treasurer's permanent files. Neither staff nor the public is permitted to review them and they do not become part of the public record.

4.9 Meeting Procedures

The Chair will preside at all Board meetings, maintain order, decide whether motions are in order, and rule on all procedural matters.

If the Chair is not present at the time for the meeting to begin, the Vice-Chair will call the meeting to order and will preside for that meeting or until the Chair arrives.

If both the Chair and Vice-Chair are not present within fifteen minutes after the time for the meeting to begin, the CEO/Secretary-Treasurer will call the meeting to order and will preside for the election of an Acting Chair. While presiding, the Acting Chair will have all the Chair's rights, duties, and responsibilities.

4.10 Attendance

Members shall notify the Board Secretary if they are unable to attend the Regular Meeting. Meeting attendance shall be recorded.

For absence from Board Meetings for three consecutive months without a recorded Board resolution authorizing the absence, see section 2.7 Disqualification.

4.11 Conflict of Interest

The *Municipal Conflict of Interest Act* shall govern the Board, and the agenda shall include provision for members to disclose a direct or indirect pecuniary interest in a matter and the general nature thereof.

4.12 Delegations

Residents and community association representatives may attend and address the Board as a delegation at any Regular Meeting. In order to appear as a delegation, the following conditions must be met:

- (a) Requests to speak as a delegation may be received in person at the meeting and a 5 minute time limit will be allowed per delegation. Requests to present for a maximum of 15 minutes must be made in person, or by fax or e-mail at least one week prior to the date of the meeting. The request must include the issue (s) to be presented, naming the organization or interested parties to be represented.
- (b) The Board reserves the right to request any additional information regarding a particular issue or association.
- (c) The Board will provide delegations with a maximum of 15 minutes to make a presentation, unless extended by Board motion.
- (d) The Board reserves the right to limit the number of delegations per meeting.
- (e) A delegation may not appear before the Board on the same issue a second time, unless approved by Board motion.
- (f) Delegations may choose to remain for the balance of the public meeting, but may not speak to other agenda items.
- (g) Through the CEO/Secretary-Treasurer, the Board will communicate its decision to the delegation in writing. The Board is not obligated to respond or make a decision at the time of the presentation.

4.13 Quorum

A quorum shall be a simple majority of the Board.

As soon as there is a quorum present, the Chair shall call the meeting to order.

Where a quorum is not present within thirty minutes after the hour fixed for a meeting, the Board Secretary shall record the names of the members present. In the absence of a quorum, the meeting may continue; however, no motion may be made or passed.

- 4.14 Voting** The Chair or Acting Chair may vote with the other members upon all questions. The Chair or Acting Chair shall cast a vote after all members have voted.
- Any question on which there is a tie vote shall be deemed to be negative.
- Voting shall be by a show of hands, unless otherwise indicated. Upon the request of a member who is present when a question is stated, a recorded vote shall be taken.
- 4.15 Rules of Order** The Chair may use Robert's *Rules of Order* as a tool to govern proceedings and member conduct.
- 4.16 Chair's Procedures** The Chair will:
- (a) Open meetings by taking the chair and calling the meeting to order.
 - (b) Determine the presence of a quorum.
 - (c) Maintain a list of members who have signaled the Chair that they wish to speak or ask questions.
 - (d) Recognize members in the order in which they signaled that they wished to speak or ask questions.
 - (e) Receive and submit, in the proper manner, all motions presented by the members, unless a motion is contrary to the Board's By-laws. If the Chair rules that a motion is contrary, the Chair will tell the members immediately, before putting the question, and will cite the rule or authority applicable to the case without argument or comment.
 - (f) Determine whether a question is properly one of privilege and admissible and to be dealt with immediately. The Chair's ruling on order or procedure may only be appealed by Board motion, duly seconded. If the motion is carried, the Chair's decision is overturned.
 - (g) State and put to a vote all motions, which are moved and seconded in the course of proceedings, and announce the results.
 - (h) Expedite business.
 - (i) Decide all questions of order.
 - (j) Ensure appropriate conduct of members and the public.
 - (k) Sign on behalf of the Board, where applicable.
 - (l) Ensure the decisions of the Board are in conformity with the laws and By-laws governing Board activities.
 - (m) Preside over meeting process analysis before adjournment.
 - (n) Declare the meeting adjourned when the Board so votes.
- 4.17 Member's Conduct** A member will be courteous and will not engage in any action that disturbs the meeting.

A member will not:

- (a) Use unparliamentary or offensive language, including any expressions or statements in debate or in questions that attribute false or undeclared motives to another member, charge another member with being dishonest, be abusive or insulting, or cause disorder.
- (b) Make any noise or disturbance that prevents members from being able to participate in a meeting.
- (c) Speak beside the debated question.
- (d) Reflect upon any prior Board determination, except to conclude such remarks with a motion to rescind such determination.
- (e) Interrupt a member who is speaking, except to raise a matter of privilege or a point of order.
- (f) Disobey Board By-laws.
- (g) Disobey the Chair's decision on questions of order or practice or on the interpretation of Board By-laws.
- (h) Speak more than once to the same question except:
 - Upon the consideration of a report referred by a committee to the Board for a decision
or
 - In explanation of a statement that may have been interpreted incorrectly
or
 - With Board permission, after all other members who wish to speak have spoken at least once

A member who wishes to speak will signal the Chair and wait for the Chair's recognition.

A member will address to the Chair all remarks and questions, including questions intended for another member or staff.

4.18 Public Conduct

Members of the public will be courteous and will not engage in any action that disturbs the meeting.

Members of the public will not:

- (a) Make any noise or disturbance that prevents members from being able to participate in a meeting.
- (b) Address the Board without a prior appointment, or without Board permission at a meeting.
- (c) Use unparliamentary or offensive language.

5. MOTIONS

- 5.1 Decisions** All decisions will be made on the basis of motions.
- 5.2 Moving a Motion** To make a motion, a member must have the floor first.
- A motion properly moved before the Board must be completed before any other motion can be received, except a motion to amend or adjourn, or on a matter of privilege.
- 5.3 Seconding a Motion** Another member must second every motion.
- A motion will not be debated until it has been moved and seconded and put on the floor by the Chair.
- The Chair will not put any matter to the vote, and a member will not move a procedural motion to have the vote taken, until every member who wishes to speak has spoken at least once. Members who have already spoken may speak again only after all other members have been given the opportunity to speak. A member may not speak more than twice on an issue without a Board resolution. After members debate a motion, the Chair puts the question to a vote and announces the voting result.
- Any member may require the question or motion under discussion to be read at any time during the debate.
- There will only be one substantive motion before the Board at any one time. An amendment may be made to a motion, but may not negate the main motion or materially alter its intent.
- 5.4 Notice of Motion** All Board Member motions other than routine business or those arising out of reports from standing or special committees may be void unless the mover gives notice thereof the day the Board package is released prior to a meeting. This notice shall be given in writing to the Board Secretary and it shall be accompanied by a copy of the proposed motion and said notice and copy shall be mailed to all Members five days before the meeting.
- 5.5 Amending a Motion** Only one motion to amend the main motion shall be allowed.
- 5.6 Withdrawing a Motion** When a motion is before the Board and the mover wants to withdraw or modify it or substitute another motion, the Chair shall grant permission if no member objects. If a member objects, the Chair will have to put the question on granting the request to a vote, or someone can make a motion to grant it. A motion to withdraw another motion cannot be debated or amended.
- 5.7 Adjournment** A motion to adjourn is not debatable, cannot be amended and, if resolved in the negative, cannot be made again until after the Board shall have completed some intermediate proceeding.

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6. MINUTES AND AGENDAS

- 6.1 Distribution** Regular Board Meeting agendas and minutes are public information and will be made available to the public.
- Copies of all approved Regular Meeting and Committee Meeting minutes are retained in an official minute book filed in the Administration Centre.
- 6.2 Regular Meeting Minutes** The Board Secretary records minutes for later transcription in draft form and forwards to members before the next meeting.
- Amendments are brought to the following Regular Meeting for adoption in the minutes.
- The minutes shall be confirmed at the following Regular Meeting.
- 6.3 Committee Minutes** The Board Secretary, or Committee member, records Committee Meeting minutes.
- 6.4 New Business** At the beginning of any Regular Meeting, the Chair may announce additional items to be added to the agenda.

7. SIGNING AUTHORITIES

- 7.1 Purpose** This section identifies the individuals (the Signatories) who are authorized on behalf of the Library Board to provide instructions and directions to the financial institution (the Bank) holding the Board's bank account(s).
- 7.2 Scope** The Signatories named below are authorized to create, execute and deliver any and all documentation that may be required by the Bank for the opening and ongoing operation of the Board's account(s). The Signatories are also authorized to perform transactions and otherwise conduct all aspects of the Board's banking relationship with the Bank on behalf of the Board.
- 7.3 Signatories** In accordance with the above, the Signing Authority on behalf of the Board is given to any two of the following individuals:
- Board Chair
 - Board Vice-Chair
 - CEO & Secretary-Treasurer
 - Director, Administration
- 7.4 Updating of Information** Updated information regarding the Signatories, including specimen signatures, will be provided to the Bank as required and in a timely fashion.

(Section 7 added January 2013)

8. REVIEW AND AMENDMENTS TO BY-LAW

- 8.1 Conflict** In the event of a conflict between this By-law and the provision of either the *Public Libraries Act* or an applicable City of Markham By-law, the provisions of the *Public Libraries Act* or the City of Markham By-law shall prevail to the extent of any conflict.
- 8.2 Review** Revisions to any of the guiding authorities (*Public Libraries Act*, City of Markham By-laws, Policy Governance) may necessitate a review of these By-laws.
- 8.3 Amendments** By-law amendments require a two-thirds majority vote by the members.
- 8.4 Effective Date** These By-laws or amendments are effective at the time of approval by Board motion.

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APPENDIX “A”**GLOSSARY OF TERMS**

Adjourn	To end the meeting
Agenda	A list of business items to be considered at a meeting, arranged in the order in which they are intended to be addressed
Amendment	A formal proposal to change the words of a pending motion
Board	The Markham Public Library Board
CEO/Secretary-Treasurer	The Chief Executive Officer of the Board
Chair	The person who presides at the meeting
Committee	Any Committee, task force, or work group appointed by the Board
Council	The Council of the City of Markham
Delegation	One or more residents or community association representatives who address the Board
Floor, on the	The current subject of debate
Floor, to have the	To have the right to speak without interruptions, except on a matter of privilege or a point of order
In-Camera	In private. Only Board members, CEO/Secretary-Treasurer, Board Secretary, and persons authorized by them may be present at an In-Camera Meeting.
Libraries	Markham Public Library
Member	A member of the Markham Public Library Board
Minutes	The legal record of the Board, or a Committee, proceedings and decisions. Corrections must relate to matters of fact only. A member who does not agree with a decision cannot have the decision changed by changing the minutes. The appropriate remedy is to move a motion to reconsider.
Motion	A formal proposal placed before the meeting by one member, the mover of the motion, for debate and decision
Move	To formally propose a motion or amendment
Mover	The person who proposes a motion or amendment
Notice of motion	Formal advice to the Board that a member proposes to move a motion at a future meeting. It usually includes the wording of the proposed motion.
Order	Behaviour in a meeting, which allows members to conduct business without disruption

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Order, call a Member to	A way for the Chair to point out to a member that the member has broken the rules or is speaking out of turn
Order, call the meeting to	An announcement by the Chair to indicate that the Chair is about to start the meeting. Also, it is a way for the Chair to enforce discipline on the meeting after the rules have been broken.
Order, point of	A way for a member to draw attention to a breach of the rules
Quorum	The minimum number of members who must be present at a meeting to make the proceedings valid. A simple majority of the Board.
Rescind	To revoke a previous decision
Resolution	A motion that has been moved, seconded and carried
Ruling	A decision by the Chair on a procedural point. Any member may appeal it, in which case the ruling is immediately put to a vote without debate.
Second	To formally endorse a motion or amendment immediately after it has been moved
Seconder	The person who formally endorses a motion or amendment. A seconder need not wait for recognition by the Chair. Seconding does not necessarily mean that a seconder supports the motion, only that the seconder agrees that it should be considered.
Show of hands	The usual way of voting. Those for and those against the motion are asked to raise their hands. The hands are counted, the result announced, and the motion declared either carried or lost.
Time limit	The maximum time allowed for a speech by an individual member, set by the Chair
Two-thirds majority	Two-thirds, or the closest whole number that is greater than two-thirds
Un parliamentary	Words or expressions that are disrespectful or language offensive. It includes swearing and derogatory and racial remarks.
Vice-Chair	The Board Vice-Chair
Vote, cast a	A single vote (usually the prerogative of the Chair) that decides an issue when the vote has resulted in a tie
Vote, majority	One more than half the number of members present
Vote, recorded	A vote in which each member is asked individually and publicly to announce his or her vote for or against the motion. It is a way for a member to protect himself or herself legally by having his or her vote against a motion recorded in the minutes. It must be requested immediately before the start of voting.
Vote, tie	An equal number of votes for or against a motion
Voting	See Show of hands