

**CONSTITUTION AND BY-LAWS**  
**of**  
**St. John's Lutheran Congregation**  
**New Minden, Illinois**

Adopted January 24, 2019, and April 25, 2019  
Approved January 26, 2019, by the Southern Illinois District Board of Directors  
of the Lutheran Church—Missouri Synod

**CONSTITUTION**

**PREAMBLE**

Whereas, in response to God's love, the mission of St. John's is to extend His kingdom by using our God-given talents to proclaim the Gospel of Jesus Christ within our community and the changing world, and

Whereas, the Lord through His apostle says that in His Church "all things should be done decently and in order" (1 Corinthians 14:40), and

Whereas, the Lord blessed St. John's Congregation as originally organized in 1846, under the *Gemeinde-Ordnung* of 1862, and under the Constitution and By-Laws of 1940, and

Whereas, it is nevertheless appropriate from time to time to adopt an updated Constitution and By-Laws,

Therefore, be it resolved that the following Constitution and By-Laws henceforth be regarded the official Constitution and By-Laws of St. John's Lutheran Congregation, New Minden, Illinois, according to which this Congregation shall be governed.

**1. NAME**

The name of the Congregation shall be St. John's Lutheran Congregation, New Minden, Illinois.

**\*2. DOCTRINAL STANDARD**

This Congregation accepts and acknowledges all the Canonical Books of the Old and the New Testament as the inspired Word of God, and all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord as a true and sound exhibition of Christian doctrine taken from and in full agreement with the Holy Scriptures; and in this Congregation no doctrine shall be taught or tolerated which is at variance with these Symbols of the Evangelical Lutheran Church, viz:

- 2.1 The Three Ecumenical Creeds; The Apostolic, The Nicene and The Athanasian.
- 2.2 The Unaltered Augsburg Confession.
- 2.3 The Apology of the same.
- 2.4 The Smalcald Articles.
- 2.5 Luther's Large Catechism.
- 2.6 Luther's Small Catechism.
- 2.7 The Formula of Concord.

According to this norm of doctrine all doctrinal controversies which may arise in the Congregation shall be decided and adjudicated.

### **\*3. HOLY COMMUNION**

The Lord's Supper is celebrated in the confession and glad confidence that, as He says, our Lord gives into our mouths not only bread and wine but His very body and blood to eat and to drink for the forgiveness of sins and to strengthen our union with Him and with one another. All who partake of the Lord's Supper shall examine themselves as set forth in 1 Corinthians 11:23-32, but especially as pertains to the following: Our Lord invites to His table those who trust in His words, repent of all sins, and set aside any refusal to forgive and love as He forgives and loves us, that they may show forth His death until He comes. Those who eat and drink our Lord's body and blood unworthily do so to their great harm. Holy Communion is a confession of the faith we share.

### **\*4. MARRIAGE**

The marriage policy of St. John's Lutheran Congregation in New Minden, Illinois, a member congregation of the Lutheran Church—Missouri Synod, is and always has been consistent with the Synod's beliefs on marriage. We believe that marriage is a sacred union of one man and one woman (Gen. 2:24-25, Matt. 19:4-6), and that God gave marriage as a picture of the relationship between Christ and His bride the Church (Eph. 5:32). The official position of The Lutheran Church—Missouri Synod, as set forth in 1998 Res. 3-21 ("To Affirm the Sanctity of Marriage and to Reject Same-Sex Unions"), is that homosexual unions come under categorical prohibition in the Old and New Testaments (Lev. 18:22, 24; 20:13; 1 Cor. 6:9-10; 1 Tim. 1:9-10) as contrary to the Creator's design (Rom. 1:26-27). These positions and beliefs can be found on the LCMS website, along with other statements, papers, and reports on the subject of homosexuality and same-sex civil unions and "marriage." Pastors of St. John's Lutheran Congregation will not officiate over any marriages inconsistent with these beliefs, and our church property may not be used for any marriage ceremony, reception, or other activity that would be inconsistent with our beliefs and this policy.

### **5. MEMBERSHIP**

- 5.1 Baptized members are all who have been baptized in the name of the Father and of the Son and of the Holy Spirit and who are under the spiritual care of the Pastor of this Congregation, including the children who have not yet been confirmed into communicant membership. In the case of children who have been baptized in another Christian congregation, baptized members are received through the consent of one or both parents or guardians.
- 5.2 Communicant members are those baptized members who (a) declare their adherence to all the Canonical Books of the Old and the New Testaments as the only divine rule and norm of faith and life, (b) while they may be deficient in the knowledge of all the Lutheran Symbols, are familiar at least with the Unaltered Augsburg Confession and Luther's Small Catechism and declare their acceptance thereof, (c) do not live in manifest works of the flesh (Gal. 5:9-21) but lead Christian lives, (d) together with the Congregation partake of the Lord's Supper with due frequency, if they be of sufficient age, (e) permit themselves to be fraternally admonished and corrected when they have erred, and (f) are not members of any ungodly organization, secret society, or group with religious beliefs that contradict the Bible's teaching of salvation through Christ alone or the doctrinal standard as set forth in Article 2.

- 5.2.1 Communicant members are received through the Rite of Confirmation or Sacrament of Holy Baptism as appropriate. Persons coming with a communicant letter of transfer from a congregation in church fellowship with St. John's shall be received into Communicant Membership by the Pastor and Elders, provided the applicants conform in all respects to the requirements of membership. This reception shall be reported to the Congregation in a timely fashion and ratified in a subsequent meeting of the Voters' Assembly. Other persons shall submit their application to the Pastor, and having given satisfactory evidence of qualifications for communicant membership, shall be received as communicant members by the Pastor and Elders through profession of faith or reaffirmation of faith. This reception into communicant membership shall also be ratified by the Voters' Assembly in a subsequent meeting.
- 5.3 Voting members: All communicant members of the Congregation who have completed their 18<sup>th</sup> birthday are encouraged to become Voting Members. An applicant for voting membership shall give notice of his or her intention to the Pastor or one of the Elders and shall read a copy of this Constitution and these By-Laws, which shall be furnished to him or her. At a subsequent meeting of the Voters' Assembly and in the presence of the applicant the Elders shall present such application. Upon majority vote of the voting members present he or she shall sign the Constitution and By-Laws of the Congregation, thereby signifying his or her acceptance of all the provisions thereof. Thus he or she is declared a Voting Member.

## **6. DUTIES OF MEMBERS**

- 6.1 All members of this Congregation shall make diligent use of the means of grace in order that by God's grace they may be kept for eternal salvation and their entire lives may be conformed to the word of God.
- 6.1.1 As empowered by the Holy Spirit, it shall also be the duty of every member to exercise faithful stewardship of God's many gifts, impart and accept fraternal admonition as the need becomes apparent, and be readily available for service in the kingdom of Christ within and beyond the Congregation. Each member shall thus contribute according to his ability towards the maintenance of Church and School and in general to assist in bearing the burdens of the Congregation through the use of their time, talents, and treasures.
- 6.2 Parental members: It shall be the duties of such members of this Congregation as have the parental care of children:
- 6.2.1 To bring them for the blessing of the Sacrament of Holy Baptism at their earliest opportunity.
- 6.2.2 To ensure their ongoing instruction and nurture in the Christian faith in preparation for the Rite of Confirmation and communicant membership.
- 6.2.3 To educate the children in a Lutheran day school, or otherwise to provide for their proper training in pure Christian doctrine.
- 6.3 Voting members: It shall be the duty of every voting member, if possible, to attend the meetings of the Voters' Assembly. By failing to attend a meeting a member waives the right of casting his or her vote during such meeting. Each voting member shall accept nomination for office, committee appointments, etc., if at all possible, and generally participate in the business activities of the Voters' Assembly.

- 6.3.1 When a voting member, due to age or other infirmity, is no longer able to attend the quarterly Voters' Assembly meetings, he or she may be designated an honorary voting member. This may be done by resolution of the Voters' Assembly after recommendation by the Board of Elders, who shall make such recommendation after consulting the individual or his/her authorized representative. An honorary voting member shall always have the right to vote (should he or she be able somehow to attend any regular or special Voters' Assembly meeting in the future), but honorary members shall no longer count in the roll of Voters from which a quorum is determined.
- 6.3.2 Voting members with an acceptable written excuse on file with the Board of Elders shall not count in the roll of Voters from which a quorum is determined at a Voters' Assembly meeting. Voting members thus excused shall have the right to vote when they are again able to attend and participate in any regular or special Voters' Assembly meeting.
- 6.3.3 When voting members, without an acceptable written excuse on file with the Board of Elders, have been absent at quarterly Voters' Assembly meetings for an entire calendar year, they shall be fraternally encouraged by the Board of Elders to attend.

## **7. TERMINATION OF MEMBERSHIP**

Termination of membership will be handled as follows:

- 7.1 Communicant members desiring to join another congregation in church fellowship with this Congregation shall present their request for transfer to the Pastor and Elders, to whom authorization is granted to issue such transfers. Such transfer of membership shall be ratified by the Voters' Assembly in a subsequent meeting. For their own spiritual welfare, communicant members who move to another location are urged to request such a letter of transfer as soon as possible.
- 7.2 In cases where communicant members have joined another congregation outside our own fellowship, they shall, upon the recommendation of the Pastor and Elders, be considered such as have terminated their membership, and their names shall be removed from the membership list by a resolution of the Voters' Assembly.
- 7.3 The names of members whose whereabouts are unknown and cannot be established shall be removed by the Voters' Assembly, and forthwith such membership is terminated.
- 7.4 Any member who conducts himself in an unchristian manner shall be admonished according to the various degrees of admonition in Matthew 18:15-20, always with a view toward restoring the brother or sister in Christ (Galatians 6:1-2, James 5:19-20). If he or she repeatedly and deliberately refuses to amend his or her sinful life after patient admonition, he or she shall be excommunicated.
  - 7.4.1 If the member repeatedly and deliberately refuses to meet with the Pastor or Elders or their representatives to discuss legitimate concerns about his or her spiritual welfare, he or she has thereby excluded himself or herself.
  - 7.4.2 A unanimous vote shall be required for every resolution by the Voters' Assembly for excommunication or self-exclusion; the member in question shall not be entitled to vote. This action must always be taken with the intention that the fallen brother or sister will be brought to repentance and restoration to communicant membership in the Congregation. When God in His mercy grants such repentance to life, the Congregation shall gladly welcome him or her back into full communicant membership (2 Corinthians 2:5-11).
- 7.5 A person whose communicant membership has been terminated has forfeited all rights of a member of this Congregation and all claims upon the property of the Congregation as such, or upon any part thereof, so long as he or she is not reinstated into membership.

## **8. VOTERS' ASSEMBLIES**

The regular meetings of the Voters' Assembly shall be four in number during each calendar year, to be held in January, April, July, and October.

- 8.1 Additional Voters' Assembly meetings may be called at any time by the chairman and/or Elders. Such meeting must be announced at least 24 hours in advance at a Sunday worship service or by making a good faith effort to contact each voting member individually.
- 8.2 No Voters' Assembly meeting shall be capable of transacting business and passing valid resolutions unless at least one-third of the voting members are present throughout the duration of the meeting. The roll of voters from which a quorum is determined is specified in Article Subsections 6.3.1 and 6.3.2 above.
- \*8.3 In matters of doctrine and conscience a unanimous vote shall be required for a final decision; other matters shall be disposed of by the votes of a majority of the voting members present at a Voters' Assembly meeting properly convened.

## **\*9. EXCLUSIVE RIGHT OF THE VOTERS' ASSEMBLY TO CALL AND ELECT**

The right of choosing and calling pastors, teachers, and other commissioned workers and of electing all other officers of the Congregation shall ever be vested in the Congregation through its Voters' Assembly and shall never be delegated to an individual or to a minor body or circle within the Congregation.

## **\*10. REQUIREMENTS FOR CALLED WORKERS**

The Pastoral Office in this Congregation shall be conferred upon such ministers or candidates only as profess their acceptance of and adherence to all the Canonical Books of the Old and New Testaments as the inspired Word of God, and all the symbols of the Evangelical Lutheran Church enumerated in Article 2 as derived from such Word of God, and pastors as well as school teachers and other commissioned workers shall be pledged to faithful adherence to the Word of God and the Symbols of the Lutheran Church by the call extended to and accepted by them. Only qualified men may serve as pastors in this Congregation (1 Corinthians 14:33-40, 1 Timothy 2:11-15, 3:1-7, Titus 1:5-9). Called workers shall also be examples to the flock in Godly living.

## **\*11. EXCLUSIVE USE OF DOCTRINALLY PURE MATERIALS**

The Congregation commits itself to exclusive use of doctrinally pure agenda, hymnbooks, and catechisms in Church and School. Therefore all worship and teaching in this Congregation and its Lutheran Day School shall be conducted in accordance with the doctrinal standard of Article 2.

## **\*12. SUPREMACY OF THE VOTERS' ASSEMBLY UNDER THE WORD OF GOD**

The Voters' Assembly of the Congregation as a body shall have the supreme power in the external and internal administration and management of its own ecclesiastical and congregational affairs.

- 12.1 No decisions, enactment, or performance in behalf of the Congregation or with reference to a member thereof as such shall be valid, whether it have proceeded from an individual or from a body within the Congregation, unless it shall have been enacted or performed according to a general or special power conferred by the Voters' Assembly; and whatever may have been ordered or decided by individuals or minor bodies within the Congregation under a power conferred by the Voters' Assembly shall always be subject to revision and final decision by the Voters' Assembly.

- 12.2 No board or committee shall have any authority beyond that which has been conferred upon them by the Voters' Assembly and whatever power may have been delegated to them shall be at all times liable to change or rescission by the Voters' Assembly.
- 12.3 But not even the Voters' Assembly shall be empowered to order, enact, or decide anything contrary to the Word of God and the Symbols of the Evangelical Lutheran Church. Any such ordinance, enactment, or decision shall be null and void.

### **13. REMOVAL FROM OFFICE**

Any pastor, commissioned worker, or officer of the Congregation may, in Christian and lawful order, be removed from office.

- 13.1 The final decision to remove a pastor, commissioned worker, or officer requires a balloted two-thirds majority vote at a Voters' Assembly meeting.
- 13.2 Sufficient and urgent causes for removing a pastor, teacher or other commissioned worker, or an elected officer are: persistent adherence to false doctrine, scandalous life, and willful neglect of or inability to perform official duties (1 Timothy 3:2-13, Titus 1:6-9).
- 13.3 Should it be necessary to reduce staff, reductions in force shall be carried out with Christian charity, thoughtfulness, and respect.

### **\*14. SEPARATION**

If at any time a separation should take place in this Congregation on account of doctrine the property of the Congregation and all the benefits therewith connected shall remain with those members who shall continue to adhere to the unalterable articles and subsection as set forth in Article 17 of this Constitution.

### **15. DISSOLUTION**

In the event that the Congregation dissolves, all property shall be disposed of by the final Voters Assembly for the payment of debts and all just claims against the Congregation. Any and all surplus and all rights connected therewith shall be conveyed to and become the property of a not-for-profit entity adhering to the Doctrinal Standard in Article 2, as designated by the Voters' Assembly.

### **16. ALTERATION OR REPEAL**

To alter or repeal any alterable or repealable article of this Constitution, it shall be requisite that in two consecutive constitutional meetings of the Voters' Assembly two-thirds of all the voting members present cast their votes in favor of such alteration or repeal. The proposed amendment shall be submitted to the Southern Illinois District of the Lutheran Church—Missouri Synod prior to final adoption.

### **\*17. UNALTERABLE AND IRREPEALABLE ARTICLES AND SUBSECTION**

Of this Constitution Articles 2, 3, 4, 9, 10, 11, 12, 14, and 17 shall be unalterable and irrepealable. Of this Constitution Article Subsection 8.3 shall be unalterable and irrepealable.

## **BY-LAWS**

### **A. CALLING A PASTOR OR COMMISSIONED WORKER**

In the case of the election of a pastor or commissioned worker, a joint call may be issued in conjunction with a sister congregation in partnership with St. John's.

- A.1 For the calling of a pastor or other commissioned worker (with the exception of a teacher for the Lutheran Day School), it shall be the responsibility of the Board of Elders, acting as the call committee, to prepare and publicly announce a list of suitable candidates on one Sunday minimum before a constitutionally qualified Voters' Assembly meeting. The list shall be made up of names suggested by appropriate Synodical officials and, in addition, any communicant member may suggest names which shall be added to the list. If no protest is entered and sustained, and these persons are accepted by vote at that Voters' Assembly meeting, the persons chosen by vote or ballot and published in the manner aforesaid shall stand recognized as candidates by the entire Congregation.
  - A.1.1 The candidate receiving a majority of the votes cast shall be declared elected. If no candidate receives a majority of the votes cast, the candidate receiving the smallest number of votes shall be eliminated and another ballot taken. This process shall be repeated if necessary until one of the candidates receives a majority of the votes cast.
- A.2 In the case of the election of a teacher for the Lutheran Day School, a list of suitable candidates shall be prepared by the Trinity-St. John Board of Education, acting as the call committee, as directed in the Solemn Agreement governing the School. This list shall be publicly announced by the Trinity-St. John Board of Education on one Sunday minimum before a constitutionally qualified Voters' Assembly meeting. The balloting at the meeting shall proceed as in the case of calling a pastor or other commissioned worker.
- A.3 In the event that the candidate does not accept the call, the Congregation shall then reinitiate the process by referring back to the original list of candidates. Additional names may be added to the list of candidates.
- A.4 When a candidate is called directly from one of our Colleges, Universities, or Seminaries, the call shall be submitted through the appropriate Synodical channels.

### **B. DUTIES OF THE PASTOR**

Duties of the Pastor shall include but not be limited to the following:

- B.1 Proclaim the Word of God in its truth and purity and administer the Sacraments in accordance with the institution of our Lord.
- B.2 Visit the sick for the purpose of comforting or admonishing them as their case may require.
- B.3 Impart a thorough instruction in Christian doctrine to children and adults before their confirmation and first communion.
- B.4 Support and promote the Lutheran Day School and Lutheran High School in cooperation with the school administrators and the Boards of Christian Education.

### **C. ELECTION OF OFFICERS**

The election of all other officers shall be held in the January Voters' Assembly meeting in this manner:

- C.1 A nominating committee, composed of all the out-going officers, shall set up a slate of candidates for each elective office, two candidates for each office, and prepare a printed ballot for the January Voters' Assembly meeting when the election shall take place. The Chairman shall chair the nominating committee meetings, but shall vote only when he is an outgoing officer. The Pastor shall serve the nominating committee in an advisory capacity.
- C.2 The nominating committee shall publicize its proposed ballot at least one month before the January Voters' Assembly meeting. A candidate on the ballot, who after prayerful consideration determines he/she is unable to serve, has until two weeks before the Voters' Assembly meeting to notify the nominating committee of his/her inability to serve. Should such notice be given, the nominating committee shall replace that name on the ballot and publish the revised list.
- C.3 The Voters' Assembly shall have the privilege to add, by acclamation, one candidate for each office to be voted on before the slate has been accepted by the Voters' Assembly.
- C.4 A candidate must be a voting member for one year prior to holding an elected office.
- C.5 In the event of a vacated office, a nominating committee, as spelled out above (in Subsection C.1), shall submit a ballot of two candidates, of whom one shall be elected in a subsequent Voters' Assembly meeting.

### **D. BOARD OF ELDERS**

The Voters' Assembly shall choose from its eligible members a Board of Elders. This board shall consist of three members. The Pastor shall be ex officio a further member of this board. The members of this board, with the exception of the Pastor, shall be chosen in the manner prescribed for the election of officers as set forth in Article C (Election of Officers). The Elders shall serve three years, one elected every year. An elder cannot succeed himself in office. Since the office of Elder may at times involve specific functions of the pastoral office, the office of Elder shall be limited to men.

The duties of the Elders shall include but not be limited to the following:

- D.1 Help the Pastor govern the congregation after the instructions laid down by our Lord in the Scriptures.
- D.2 The Elders shall assist the Finance Board in setting up the annual congregational budget; such budget, of course, being subject to the approval of the Voters' Assembly.
- D.3 The Elders shall act as the representatives of the Congregation in all legal matters not pertaining to the physical property of the Congregation.
- D.4 It shall be the further duty of the Elders to see to it that a printed master copy of the Constitution and By-Laws is kept up to date for new voting members to sign.



## **E. BOARD OF CHRISTIAN EDUCATION**

The Voters' Assembly shall elect a Board of Christian Education consisting of three members and the Pastor, who shall serve ex officio. The members of the Board of Christian Education shall be elected in the manner as set forth in Article C (Election of Officers). They serve for three years and may succeed themselves. Only one member shall be elected every year.

- E.1 With regard to Trinity-St. John Lutheran School, the Board shall carry out its duties as described in the Solemn Agreement governing the operation of the School.
- E.2 St. John's Board of Christian Education shall also oversee St. John's other agencies for children and youth, such as the Sunday School, Vacation Bible School, Weekday Religion Classes, and the Youth Group.
- E.3 The Board of Christian Education shall assist the Finance Board in setting up the annual congregational budget; such budget, of course, being subject to the approval of the Voters' Assembly.

## **F. CHAIRMAN**

The Voters' Assembly shall also choose a Chairman who is to serve for three years. This chairman is to be elected in the manner prescribed in Article C (Election of Officers) and shall take the Chair in the meeting following that in which he was elected. The Chairman cannot succeed himself. Since the office of Chairman may at times involve specific functions of the pastoral office, the office of Chairman shall be limited to men. In the absence of the Chairman, or when it may be deemed expedient, the Voters' Assembly shall appoint a Chairman pro tempore for one meeting or a part thereof.

- F.1 His duties shall be the customary duties required of a Chairman, among them the duty to see that the resolutions passed by a voters' meeting are carried out.
- F.2 The Chairman shall be ex officio a member of all congregational committees and boards.

## **G. SECRETARY**

The Voters' Assembly shall have a stated secretary, elected in the manner prescribed in Article C (Election of Officers). The Secretary serves for three years and cannot succeed himself/herself. In the absence of the stated Secretary, or when it may be deemed expedient, the Voters' Assembly shall appoint a secretary pro tempore for one meeting or a part thereof.

The duties of the Secretary shall include but not be limited to the following:

- G.1 Keep a record of the transactions of all meetings of the Voters' Assembly and enter such records in a book provided for the purpose after their approval by the Voters' Assembly.
- G.2 Maintain an up to date master copy of the Constitution and By-Laws at all times.

## **H. TREASURER(S)**

The Voters' Assembly shall elect a General Treasurer and such assistant treasurers as it may deem proper for the administration of special treasuries, also in the manner prescribed in Article C (Election of Officers). During a serious illness of any Treasurer of the Congregation, the books and pages and other valuable articles in his or her keeping and belonging to the Congregation shall be taken into custody by any person whom the Board of Elders may appoint for this purpose. All treasurers, whether elected or appointed, will serve for three years and may succeed themselves.

The duties of the Treasurer(s) shall include but not be limited to the following:

- H.1 All monies and commercial papers of the Congregation as such and not entrusted to assistant treasurers shall be kept and disbursed by the General Treasurer.
- H.2 Each treasurer shall keep a written account of all amounts received and disbursed by him or her and enter such accounts in books which shall be and remain the property of the Congregation. All these books together with the proper vouchers shall be audited at least once a year by the Auditing Committee and a report of such an audit shall be submitted to the Voters' Assembly at the regular January meeting.

## **I. TRUSTEES**

The Voters' Assembly shall elect four Trustees who will serve for three years and the senior member shall be the Chairman. Only one trustee shall be elected every year, except every third year when two (2) trustees shall be elected. A trustee cannot succeed himself/herself. Their election shall be in the manner prescribed in Article C (Election of Officers). In all their work as trustees, they are accountable to the Congregation through the Voters' Assembly.

The duties of the Trustees shall include but not be limited to the following:

- I.1 Take care of the property of the Congregation by seeing to it that the buildings are kept in good repair and that the property as a whole presents a neat appearance. When work is to be done on the property, the Trustees shall oversee the work.
- I.2 Act as the representatives of the Congregation in all legal matters pertaining to the physical property of the Congregation.
- I.3 Perform all work within an expenditure limit that shall be set by the Voters' Assembly.
  - I.3.1 This pre-determined limit may not be exceeded by the Trustees without approval of the Voters' Assembly except in an emergency situation when failure to act immediately would cause further damage to Church property.
- I.4 The Trustees shall assist the Finance Board in setting up the annual congregational budget; such budget, of course, being subject to the approval of the Voters' Assembly. An estimate of the next year's budget shall be presented to the Voters' Assembly at its October meeting.

## **J. FINANCE BOARD**

The Voters' Assembly shall elect a Finance Board consisting of eight members. The General Treasurer shall be a further member of this Board *ex officio*. The members of the Finance Board shall serve two years. Their election is to be in the manner prescribed in Article C (Election of Officers). Members of the Finance Board cannot succeed themselves, and every year four new members are to be elected. Before this elected board conducts any business it must choose from its members a chairman and a secretary. The Secretary of the Finance Board shall also be the Financial Secretary of the Congregation.

The duties of the Finance Board shall include but not be limited to the following:

- J.1 Set up the Congregation's budget together with the Trustees, Elders, and the Board of Christian Education.
- J.2 Collect the offerings at every service with the assistance of the ushers.
- J.3 Count the money on a regular basis, record and deposit said monies, and do everything in its power to keep the finances of the Congregation in the best condition possible.
- J.4 Insure that the Congregation is in compliance with Internal Revenue Service regulations.

## **K. KITCHEN COMMITTEE**

The Congregation shall elect a Kitchen Committee. This Committee shall consist of three members, one elected each year. Any communicant member of the Congregation shall be eligible to serve. The members of this Committee shall be chosen in the manner prescribed for the election of officers as set forth in Article C (Election of Officers). They shall serve for three years and cannot succeed themselves. The senior member shall be the chairman.

- K.1 The purpose of the Kitchen Committee is to promote and facilitate Christian fellowship, especially the blessings enjoyed when brothers and sisters in Christ sit down and eat together.
- K.2 The Kitchen Committee shall oversee the Kitchen in the Schoolhouse and the Kitchenette in the Church Fellowship Hall. They are to see to it that the appliances, furnishings, utensils, and supplies therein are adequately maintained.
- K.3 The Committee shall ordinarily be responsible for coordinating funeral luncheons.
- K.4 The Committee shall have oversight of a Kitchen Fund, to be administered by a treasurer of its choosing, as set forth in Article M.1.
- K.5 Necessary expenditures up to \$500.00 from the Kitchen Fund may be made by the Committee without consulting the Voters' Assembly. When expenditures exceeding \$500.00 are necessary, the Voters' Assembly must be consulted.

## **L. AUDITING COMMITTEE**

The Chairman of the Congregation shall appoint an Auditing Committee, consisting of three communicant members, one appointed each year to a three-year term. Those holding another office are eligible to serve, with the exception of any treasurer or Finance Board member.

- L.1 The duties of the Auditing Committee are prescribed in Article Subsections H.2 and O.1.3.

## **M. CEMETERIES**

In order to provide a peaceful resting place for the bodies of the saints to await the resurrection of the body on the Last Day, the Congregation has established two cemeteries. The two cemeteries owned by the Congregation shall be administered by the Cemetery Committee. The Cemetery north of the church shall be known as Cemetery No. 1 and the Cemetery in the southeast corner of the church property as Cemetery No. 2.

### **M.1 Election of Officers.**

For the purpose of managing and directing the affairs of St. John's Lutheran Cemeteries, the Voters' Assembly shall elect a committee of four members, who from their number shall elect a Chairman and a Secretary. These members are to serve a term of two years. In order to have some members on this committee who are acquainted with the work of the same, the elections shall be staggered, with two members eligible for re-election to a two-year term in one year and the other two members eligible for re-election to a two-year term in the year following the previous election. In addition to these four members, the Voters' Assembly shall elect a Cemetery Treasurer who shall serve three years and who shall constitute the fifth member of the Committee with a full voting right. The members of this Committee shall be chosen in the manner prescribed for the election of officers as set forth in Article C (Election of Officers). All five members of the Committee may be re-elected.

### **M.2 Upkeep Fund and Perpetual Care Fund**

Financial assets for the maintenance of the Cemeteries consist of two funds: The Upkeep Fund and the Perpetual Care Fund.

M.2.1 The Upkeep Fund is used for expenses so that the Cemeteries present a neat appearance. These expenses include, but are not limited to, the caretaker's salary, equipment and fuel, capital improvements, and road maintenance.

M.2.1.1 Money for the Upkeep Fund may be obtained by these five ways:

M.2.1.1.1 The Congregation shall contribute 25% of the total upkeep expenses annually from its treasury to cover costs associated with church grounds and school grounds.

M.2.1.1.2 On the first Sunday in February or another Sunday near this date, an envelope contribution shall be received from every communicant member of this Congregation.

M.2.1.1.3 A portion of the sale price of the lots, as indicated in M.3.6.

M.2.1.1.4 Interest from the Perpetual Care Fund.

M.2.1.1.5 Gifts or bequests to St. John's Cemetery.

M.2.2 The Perpetual Care Fund has been established to provide earnings for the Upkeep Fund. Contributions may be added to the principal of the Perpetual Care Fund, but the principal shall remain in the account and shall not be distributed. The interest earned on the principal of the Fund is transferred to the Upkeep Fund for the purposes specified in Subsection M.2.1.

M.2.2.1 Money for the Perpetual Care Fund may be obtained by these three ways:

M.2.2.1.1 A portion of the sale price of the lots, as indicated in M.3.6.

M.2.2.1.2 Gifts or bequests specifically designated for “Perpetual Care Fund.”

M.2.2.1.3 The Voters’ Assembly may, by majority vote, move funds from the Upkeep Fund to the Perpetual Care Fund. Once this is done, these funds become part of the principal which shall remain in the account and shall not be distributed. (See M.2.2.)

M.3 Sale of Burial Places

M.3.1 Purchasers of lots or their heirs are to have and to hold permanent possession of their lots as a place of burial, and for no other purpose whatsoever. No one is permitted to give, transfer, assign, or sell their lot or burial place to another person or persons without the permission of the Cemetery Committee.

M.3.2 No lots shall be sold or ownership assigned to people who are in no way affiliated with the Lutheran Church—Missouri Synod.

M.3.3 Price of lots on Cemetery #2 shall be as follows: 10’ x 10’ lot - \$300.00. Individual graves to members of this Congregation shall be free on Cemetery No. 1.

M.3.4 The lots shall be sold in numerical order.

M.3.5 The indenture conveying title to a burial place shall not be delivered until the full purchase price has been paid. If the burial place is not paid for within the time agreed upon, the Congregation reserves the right to remove all bodies which may have been buried on said lot.

M.3.6 The amount received from the sale of lots is to be disbursed into two funds: the Upkeep Fund and the Perpetual Care Fund as specified here:

	<u>Upkeep Fund</u>	<u>Perpetual Care Fund</u>
10x10 Lot (St. John’s Member) \$300.00	\$25.00	\$275.00
10x20 Lot (St. John’s Member) \$600.00	\$50.00	\$550.00
10x10 Lot (Non-member) \$800.00	\$25.00	\$775.00
10x20 Lot (Non-member) \$1600.00	\$50.00	\$1550.00

M.4 Care of Burial Places

M.4.1 Proprietors of lots and graves are not allowed to raise their lots or graves above grade.

M.4.2 Proprietors of lots and graves are not allowed to enclose their lots or graves with a wall, fence, or coping.

M.4.3 Proprietors shall have the right to erect any tombstones, monument, or other sepulchral structure (except it be made of metal or concrete) on their respective lots, all of which shall be properly set in masonry and on solid footing. Should any inscription, effigy, or other structure be deemed by the Cemetery Committee unfitting or incompatible with the character of the cemetery, it shall be lawful for the Cemetery Committee to prohibit the erection of such structure, inscription, or effigy or if erected, to remove the same.

M.4.4 All cornerstones and footstones must be accurately set within the lot, according to the directions of the Committee and shall not extend above the ground.

- M.4.5 All monuments, headstones, and cornerstones must be kept in good order by the owner of the lot and his or her heirs.
- M.4.6 Proprietors of lots or graves are not allowed to plant trees, shrubbery, or flowers on their lot or grave.
- M.4.7 All workmen employed in the construction of vaults, erection of monuments, etc., are subject to the control and the direction of the Committee. All workmen failing to comply with this rule will not be permitted to work on the grounds and will be refused admission to the cemeteries.
- M.4.8 Cutting sod or digging inside the cemetery property is strictly forbidden. Should some fill dirt be necessary, confer with the Committee.

#### M.5 Burials

- M.5.1 All arrangements for burials shall be made with the Cemetery Committee consistent with the laws and regulations of the State of Illinois.
- M.5.2 The undertaker shall begin work on any grave only after he receives authorization from a member of the Committee.
- M.5.3 Burial of Non-LCMS members shall be limited to immediate family members of the proprietor (such as for example, spouse, son, daughter, son-in-law, or daughter-in-law).
- M.5.4 A Christ-centered committal service may be performed on the cemetery by a Christian Pastor of another Christian denomination.
- M.5.5 Secret Societies as a body with their regalia, banners, etc., shall not enter these cemeteries or practice any of their ceremonies on them.

#### M.6 Duties of Officers

- M.6.1 The Cemetery Committee shall manage and direct the affairs of these cemeteries: it shall be empowered to order improvements in the name of the Congregation; it is authorized to incur expenditures not to exceed \$500.00 before being authorized to do so by the Voters' Assembly. For expenditures of \$100.00 or less, only the majority vote of the Cemetery Committee is necessary; for expenditures of more than \$100.00 and not exceeding \$500.00, the vote of the Committee must be unanimous.
- M.6.2 The hiring of the caretaker, however, and the price to be paid him shall be subject to approval of a majority of the Voters' Assembly.
- M.6.3 The Cemetery Committee shall meet at least once a year. Extra meetings may be called by the Chairman or by at least two members.
- M.6.4 The Cemetery Committee shall constitute the Investment Committee.
  - M.6.4.1 This Committee shall approve all investments recommended by the Cemetery Treasurer.
  - M.6.4.2 The Cemetery Committee as trustees of the Perpetual Care Fund shall administer said fund.
  - M.6.4.3 Reasonable care in the selections of securities or investments shall be exercised. Loans without interest shall not be made. Loans to St. John's Lutheran Congregation may be made at such rates and to the amount as may be determined by the Cemetery Committee.

- M.6.5 Three members present at called meetings of the Cemetery Committee shall constitute a quorum.
- M.6.6 The Chairman of the Cemetery Committee shall oversee the Cemetery Committee and will see to it that the name and location of each burial is recorded in a permanent record.
- M.6.7 The Secretary shall record the proceedings of all meetings of the Cemetery Committee; he or she shall send all necessary notices; receive and answer all correspondence; he or she shall notify each member of the Cemetery Committee of the date, place, and time of meeting.
- M.6.8 The Cemetery Treasurer shall have charge of the financial affairs of the Cemetery Committee, subject in all matters relative thereto to the supervision and control of the other members.
  - M.6.8.1 The Cemetery Treasurer shall receive all moneys and shall pay all bills approved and counter-signed by the Chairman.
  - M.6.8.2 The Cemetery Treasurer shall render a statement to the Committee when required and an annual report to the Congregation at the end of its fiscal year.

**M.7 Duties of the Caretaker**

- M.7.1 It shall be the duty of the Caretaker to maintain both cemeteries, the church grounds, and school grounds in an orderly and pleasing appearance.
- M.7.2 The Caretaker shall perform such other duties as are in the interest of St. John's cemeteries which the Cemetery Committee may require.
- M.7.3 The Caretaker shall sweep grass off of sidewalks and concrete in the front of church after mowing grass.

**N. CHURCH-WORKER STUDENT SCHOLARSHIPS**

This Article provides the sole method for distribution of funds from the St. John's Scholarship Fund ("Fund").

- N.1 Money collected in the annual offering, other memorials or special gifts designated for the St. John's Scholarship Fund ("Fund") and the existing principal in the Fund shall be invested in an interest-bearing account or fund ("account").
- N.2 The money collected is to be added to the principal of the fund. The principal shall remain in the account and shall not be distributed.
- N.3 The interest earned on the principal of the Fund ("earnings") shall provide educational assistance to eligible students in accordance with this Article.
- N.4 An eligible student shall be a member of St. John's Lutheran Church who is currently enrolled at a Synodical University, College or Seminary in preparation for a full-time church profession. A full-time church profession shall include, but is not limited to, Pastor, Teacher, Director of Christian Education, Deaconess, and Director of Evangelism.
- N.5 In order to receive assistance under this Agreement, an eligible student shall request such assistance in writing and shall direct the request to the Chairman of the Congregation. The deadline for such request by an eligible student is JULY 1<sup>st</sup>.

- N.6 The earnings of the Fund shall be distributed in an amount up to, but not to exceed, \$500.00 each year as follows:
- N.6.1 If there is only one eligible student, the earnings shall be sent to the educational institution that the eligible student is attending to be applied towards the eligible student's educational expenses.
  - N.6.2 If there is more than one eligible student, the earnings shall be divided equally and shall be sent in equal amounts to the educational institution that each student is attending to be applied towards the eligible students' educational expenses.
  - N.6.3 If there are no eligible students, the earnings shall remain in the account and shall accumulate as earnings.
  - N.6.4 If the earnings in one year are in excess of \$500.00, these earnings shall also remain in the account and accumulate as earnings.
  - N.6.5 In special or unforeseen circumstances (i.e. large build-up in earnings or more than one eligible student) and upon recommendation of a Steering Committee composed of the Scholarship Fund Chairperson, Senior Elder, Senior School Board Member and the Treasurer additional monies could be distributed from earnings with the approval of the voter's assembly.
- N.7 Accumulated earnings as provided in paragraph N.6.3-N.6.4 shall not be considered principal and shall be distributed as earnings in accordance with this Article.
- N.8 The Fund shall be monitored by an individual appointed by the Chairman of the Congregation ("individual"), in consultation with the Senior Elder, Senior School Board Member and the Treasurer. This individual shall annually report to the Congregation.
- N.9 Those who wish to give directly to a particular eligible student may send their gift directly to the eligible student's educational institution or the eligible student. A direct gift to a student shall not affect any distribution of earnings under this Article. The Pastor will be happy to furnish the address for making direct gifts.

## **O. AUXILIARY ORGANIZATIONS IN THE CONGREGATION**

Members of St. John's may organize themselves into societies, clubs, committees, or other service groups in order to help each other carry out the mission of the Congregation as stated in the Preamble: "In response to God's love, the mission of St. John's is to extend His kingdom by using our God-given talents to proclaim the Gospel of Jesus Christ within our community and the changing world." Such societies or groups must always conduct their business in accord with the Doctrinal Standard in Article 2.

- O.1 The Voters' Assembly may, by majority vote, allow such auxiliary organizations to elect their own treasurer and to open up their own bank accounts, but with the following stipulations:
- O.1.1 Each treasurer must be a communicant member of St. John's Congregation.
  - O.1.2 Each treasurer for each organization must be ratified each year, by name, at the January Voters' Meeting.



- O.1.3 Each treasurer shall keep a written account of all amounts received and disbursed by him or her and enter such accounts in books which shall be and remain the property of the Organization. All these books together with the proper vouchers shall be audited at least once a year by the Auditing Committee of the Congregation (Article L) and a report of such an audit shall be submitted to the Voters' Assembly at the regular January meeting.
- O.1.4 A summary of receipts and disbursements, together with beginning and ending balances, shall be published in the Congregation annually.
- O.1.5 The privilege to open such an account may be revoked by the Voters' Assembly at any time.
- O.1.6 In the case of dissolution of an Auxiliary Organization, any and all surplus and all rights connected therewith shall be the property of the Congregation or another of its auxiliary organizations as determined by the Voters' Assembly.

## **P. HISTORICAL SOCIETY**

“Therefore, since we are surrounded by so great a cloud of witnesses let us also lay aside every weight, and sin which clings so closely and let us run with endurance the race that is set before us, looking to Jesus, the Founder and Perfecter of our faith, who for the joy that was set before Him endured the cross, despising the shame, and is seated at the right hand of the throne of God,” Hebrews 12:1-3, ESV.

The name of this organization shall be St. John's Lutheran Historical Society of New Minden, Illinois, hereinafter referred to as the Society.

### **P.1 Purpose**

As an organization of St. John's Lutheran Congregation, New Minden, Illinois, the Society shall seek to give all glory to the one true God (Father, Son, and Holy Spirit) by preserving the history of God's wonderful acts at St. John's. As this is carried out in the name of Christ, it is our prayer that God would comfort the troubled, arouse the complacent, shed light on the uninformed, correct the erring, move the ungrateful to thanksgiving, restore those who have strayed, and convert other lost souls to Christ. More specifically, the purposes of the Society include, but are not limited to:

- P.1.1 To make improvements, as feasible, on the historic St. John's cemetery north of the Church (officially known as St. John's Cemetery Number One) in such a way as to enhance the testimony of faith in the resurrection of the body as promised by our Lord Jesus (John 5, 1 Corinthians 15) and confessed by our ancestors.
- P.1.2 To preserve, if possible, and improve, as feasible, the “old church” of St. John's, originally constructed in 1847 as a house of worship/parsonage, and later used as a schoolhouse and storage building, in such a way as to enhance the testimony of our ancestors, who constructed it in the confidence that the Lord Jesus Christ Himself was present with His saving gifts when they gathered there for worship (Matthew 18:20, 28:20).
- P.1.3 To serve as the archivist for St. John's Congregation, preserving documents, pictures, recordings, artifacts, and other tokens of the history of God's gracious activity in this place (1 Samuel 7:12, Psalm 103:2).
- P.1.4 To publish and distribute, as feasible, suitable documents regarding historical events in the history of St. John's Congregation, as urged by the psalmist: “We will....tell the coming generation the glorious deeds of the Lord, and His might, and the wonders that He has done” (Psalm 78:4).
- P.1.5 To facilitate genealogical research in the lives of those who went before us in the faith, a practice witnessed many times in Holy Scripture (Genesis 5, Matthew 1).

- P.1.6 To foster gatherings intended to build Christian fellowship, educate the current generation, and encourage one another in carrying out the purposes of the Society (1 Corinthians 10:31).

## P.2 Membership

All communicant members of St. John's Lutheran Church are eligible to become members of the Society. Any member whose dues are more than six months in arrears shall thereby forfeit his or her membership.

- P.2.1 Communicant members of sister LCMS Congregations are eligible to become advisory (non-voting) members.

## P.3 Meetings

The Society shall meet regularly according to a schedule agreed upon at a regular meeting. Time and place of such meetings shall be publicized in a timely manner. Those present at such a meeting shall constitute a quorum. Each eligible member present shall be entitled to one vote on each matter submitted to a vote of the members. No member shall be allowed to vote by proxy.

## P.4 Officers

Officers of the Society shall consist of President, Vice-President, Secretary, and Treasurer, and any other officers the Society shall add from time to time. In addition, the Pastor shall serve in an advisory (non-voting) capacity.

## P.5 Election of Officers

Election of Officers shall take place in the first meeting of each calendar year. The officers shall be elected to a one-year term by a majority vote of the Society members present.

- P.5.1 The outgoing officers shall constitute the nominating committee. Nominations may be made from the floor provided the consent of the nominee is secured. A majority of votes shall constitute election to office.

## P.6 Duties of Officers

- P.6.1 It shall be the duty of the President to preside at all meetings and to perform all other duties pertaining to his or her office. The President shall be an ex-officio member of all committees and shall see to the observance of all bylaw provisions and to the execution of all resolutions. The President shall call special meetings when deemed necessary. In the case of a vacancy the President may, with the consent of the Society, make temporary appointments to complete the term of the vacancy.
- P.6.2 The Vice-President shall perform all duties of the President in his or her absence, and at the request of the President shall be of such help and assistance to the President as may be required.
- P.6.3 The Secretary shall keep records of all meetings of the Society in a suitable book furnished by the Society and remaining the property of the organization and shall conduct such correspondence as may be required and perform other necessary duties.
- P.6.4 The Treasurer shall receive all monies of the Society and submit regular reports to the Society. The Treasurer shall perform all duties in accord with Article O.1 of these Bylaws.

### P.7 Subordination of the Society to St. John's Congregation through its Voters' Assembly

As the Society is established to assist St. John's Congregation, the Society shall not pursue a course of action contrary to the will of the Congregation as expressed through its Voters' Assembly.

- P.7.1 The Society shall work in cooperation with the Cemetery Committee, Trustees, and all other elected officers of the Congregation.
- P.7.2 All plans to substantially alter or change any property of the Congregation must be approved by the Voters' Assembly of St. John's.
- P.7.3 In any dispute or conflict, the sole and final arbiter shall be the Voters' Assembly of St. John's Lutheran Congregation, New Minden, Illinois.
- P.7.4 The officers of the Society shall make regular reports to the Congregation.
- P.7.5 The spending of the Society shall not exceed an expenditure limit that shall be set by the Voters' Assembly.
- P.7.6 The Society reserves the right to recommend changes to Article P should the need arise.

### P.8 Dissolution

If membership in the Society decreases to the point that fewer than four people are members, the Society shall at that time be dissolved and all its assets become the property of St. John's Lutheran Congregation, New Minden, Illinois.

## **Q. AGENDA FOR QUARTERLY VOTERS' ASSEMBLY MEETINGS**

- 1) a silent roll shall be taken by means of a sign-in sheet
- 2) opening devotion
- 3) changes or additions to the agenda
- 4) reading of minutes
- 5) admission of new voting members as described in Subsection 5.3
- 6) reports of treasurers
- 7) reports of committees and action thereon, unless such action be postponed by a vote of the Voters' Assembly
- 8) unfinished business
- 9) new business
- 10) adjournment
- 11) closing prayer

- Q.1 All matters coming under the head of new business shall be placed before the Voters' Assembly by a seconded motion, and it shall rest with the Voters' Assembly to decide whether and in what order any business shall be taken up for discussion and action. Any voter may appeal rulings of the chair to be resolved by simple majority. Whenever the votes shall be equally divided, the chairman shall cast the deciding vote.

## **R. ALTERATION OR REPEAL OF BY-LAWS**

To alter or repeal any article in these By-Laws, it shall be requisite that in two consecutive constitutional meetings of the Voters' Assembly two-thirds of all the voting members present cast their votes in favor of such alteration or repeal. The proposed amendment shall be submitted to the Southern Illinois District of the Lutheran Church—Missouri Synod prior to final adoption.

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**ST. JOHN'S LUTHERAN CONGREGATION CONSTITUTION AND BY-LAWS: INDEX OF TOPICS**

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