

**ST. JOHN EV. LUTHERAN CHURCH**

6950 Ward Road  
North Tonawanda, New York 14120

**CONSTITUTION**

Congregation Approved Revision: July 27, 2014 (Pending LCMS Review)

Previously Approved/Reviewed Revision: January 27, 2008

**PREAMBLE**

The word of God requires that a Christian congregation shall conform to the Divine Word in doctrine and practice (Ps. 119:105; Matt. 28:18-20; Gal 1:6-8; 2 Tim. 4:1-5) and that all things be done decently and in order (1 Cor. 14:40). Therefore, we a congregation of Lutherans in North Tonawanda (St. Johnsburg), Town of Wheatfield, Niagara County, New York accept and subscribe to the following Constitution and By-Laws in accordance with which all spiritual and material affairs of our congregation shall be governed.

Article 1.

**NAME**

The name of this corporation or congregation shall be: ST. JOHN EVANGELICAL LUTHERAN CHURCH, U.A.C., of North Tonawanda (St. Johnsburg), Town of Wheatfield, Niagara County, New York.

Article 2.

**SYNODICAL AFFILIATION**

This congregation shall be affiliated with the Lutheran Church-Missouri Synod as long as the confessions and constitution of the Synod are in accord with the confessions of this congregation as laid down in article 3 of this Constitution. It shall be the duty of the congregation and its individual members to support, collaborate with and assist Synod in effecting all sound measures intended for the upbuilding of the Kingdom of God.

Article 3.

**CONFESSIONAL STANDARDS**

This congregation acknowledges and accepts all the canonical books of the Old and New Testament as the revealed and inspired Word of God, and the Symbolical Books of the Evangelical Lutheran Church, Contained in the Book of Concord of 1580, as the true and pure exposition of Christian doctrine as it is revealed in Holy Scripture, according to which, therefore, all Christian doctrine shall be taught in our midst and doctrinal controversies, should such arise among us, be judged and decided.

These Symbolical Books are: The Three Ecumenical Creeds (The Apostles' Creed, the Nicene Creed, the Athanasian Creed); the unaltered Augsburg Confession; the Apology of the same; the Smalcaid Articles; Luther's Small and Large Catechism; and the Formula of Concord.

Article 4.

**PURPOSE**

The purpose of the congregation is to serve its members and to spread the Kingdom of God by the preaching of His Word, by the administration of the Sacraments, and by the religious instruction of youth and adults according to the confessional standard of The Lutheran Church (Article 3), and to foster Christian fellowship and charity. In furtherance of these purpose, the congregation may acquire, hold, or sell real and other property as its needs may require.

Article 5.

**MEMBERSHIP**

The membership of this congregation consists of the following:

A. Baptized Membership:

Baptized members are all the members who have been baptized, including the children on the membership rolls who have not yet confirmed their baptismal vows.

B. Communicant Membership:

Communicant members are those:

- 1) Who are baptized in the name of God the Father, Son and Holy Ghost;
- 2) Who accept all the canonical books of the Old and New Testaments as the only divine rule and standard of faith and life, and give evidence of continued spiritual growth;
- 3) Who are familiar at least with Luther's Small Catechism and declare their acceptance of it;
- 4) Who attend divine services faithfully;
- 5) Who lead Christian lives and do not manifest works of the flesh (Gal. 5:19-21)
- 6) Who partake of the Lord's Supper Frequently after their confirmation;
- 7) Who contribute regularly and faithfully, as God has prospered them, toward the building of Christ's Kingdom in the congregation and throughout the world;
- 8) Who devote their time and talents to the extension of the Kingdom of God;
- 9) Who permit themselves to be fraternally admonished and corrected when they have erred;
- 10) Who are not members, affiliates, or supporters of secret societies or other organizations conflicting with the word of God.

C. Voting Membership:

All confirmed members who have reached their 18<sup>th</sup> year, have read and signed and agree to follow the Constitution and By-laws of the congregation, and have been accepted by the Voter's assembly shall be entitled to vote and hold office, unless otherwise excluded from doing so within the constitution and/or by-laws of St. John Ev. Lutheran Church.

Article 6.

**THE OFFICES OF PASTOR AND TEACHER**

The pastoral office of this congregation as well as that of a called teacher in the parochial school shall be conferred upon such as ministers, teachers, and candidates only as profess and adhere to the confessional standard set forth in Article 3 of these Constitution and are will qualified for their work. Pastors and teachers shall, in the call extended to and accepted by them, be pledged to this confessional standard.

Article 7.

**POWERS OF THE CONGREGATION**

A. General:

The congregation as a body, through the voting members, shall have supreme power to administer and manage all its external and internal affairs. The establishment and conduct of all institutions and societies within the congregation, such as the parochial school, Sunday School, youth societies, ladies organizations, Men's Club, etc. shall at all times be subject to the approval and supervision of the congregation. The congregation, however, shall not be empowered to decide anything contrary to the Word of God and the confessions of the Lutheran Church (Article 3), and any such decision shall be null and void.

- B. **Right of Calling:**  
The right of calling pastors, teachers, or co-workers shall be vested in the Voter's Assembly of the congregation and shall never be delegated to a small body or to an individual. The candidate receiving the majority of all votes cast shall be considered elected by the congregation. Final action of such election is to be made unanimous.
- C. **Decisions:**  
Matters of doctrine and conscience shall be decided by the Word of God; other matters shall be decided by the Voter's Assembly by a majority vote unless otherwise specified by the Constitution or By-Laws.
- D. **Powers of Officers:**  
Congregational officers or committees, whether elected or appointed by the voters, shall have no authority beyond that which has been conferred upon them, and whatever power may have been delegated to them may at any time be altered or revoked by the voters.
- E. **Removal from Office:**  
Any officer, pastor, teacher, or co-worker may be removed from office by the congregation by ballot, in Christian and lawful order, for one of the following causes; persistent adherence to false doctrine, scandalous life and inability to perform his official duties or willful neglect of them. Or Synod may demand the demotion of the same when these causes are, following investigation, found to be manifest.

Article 8.

**OFFICERS, BOARDS, COMMITTEES**

The officers of this congregation shall be such officers, boards, or committees as the By-laws or the necessity of this congregation may prescribe. Women cannot hold an office which call upon them to carry out the specific functions of the pastoral office as defined by preaching in or serving as the leader of the public worship service, the public administration of the sacraments, and/or the public administration of the office of the keys. Accordingly, a woman shall not serve as pastor or elder of this congregation.(1 Corinthians 14; 1 Timothy 2)

Article 9.

**PROPERTY RIGHTS**

Any gifts or bequests to the congregation shall be the sole property of St. John Ev. Lutheran Church. If at any time a separation shall take place on account of doctrine, the property of the congregation and all benefits therewith connected shall remain with those members who continue to adhere in confession and practice to Article 3 of this Constitution. In the event the congregation shall totally disband, the property and all rights connected therewith shall be transferred to the Eastern District of the Lutheran Church-Missouri Synod.

Article 10.

**DOCTRINAL LITERATURE AND CHRISTIAN INSTRUCTION**

Only such hymns, prayers and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the confessional standard of Article 3. Likewise, in all classes for instruction in Christian doctrine, only such books shall be used as conform to this standard. All parents in the congregation shall be under obligation, either to send their children to our Christian school or otherwise to provide for them adequate instructions in the true Christian Doctrine.

## **BY-LAWS**

The congregation may adopt such By-laws as may be required for the accomplishment of it's purpose.

### Article 12.

#### **CHANGING THE CONSTITUTION**

A. Unalterable Articles:

The following articles of this Constitution or sections thereof shall be unalterable and irrevocable: 2, 3, 4, 5-A, 5-B, 6, 7-B, 7-C, and 10.

B. Amendments:

Amendments to this Constitution and the By-Laws may be adopted in a regular Voter's Assembly, provided

- 1) That they do not conflict with provisions laid down in Article 3 or with any section of any other Article that pertains to Scriptural doctrine and practice; and
- 2) That the proposed amendment has been submitted in writing as a previous Voter's Assembly.

The affirmative vote of two-thirds majority of the voting membership present at the Voter's Assembly shall be required for the adoption of an amendment.

## **BY-LAWS**

Congregation Approved Revision: July 27, 2014 (Pending LCMS Review)

Previously Approved Revision: September 22, 2009

### Article 1

## **MEMBERSHIP**

#### A. Admission into Communicant Membership:

1) By Confirmation:

All who are received by this sacred act will become communicant members.

2) By Transfer:

Persons coming with a communicant letter of transfer from a congregation in church fellowship provided they conform in all respects to the requirements of membership of this congregation, will be received by the Pastor and/or Elders whose action will be reported at the next meeting of the Voter's Assembly.

3) By Profession of Faith and/or Adult Baptism:

Other persons will submit their application to the Pastor and having given satisfactory evidence of qualifications for communicant membership to the Pastor and at least one Elder, they will be received as communicant members and approved at the next meeting of the Voter's Assembly.

#### B. Admission into Voting Membership:

1) Reception:

Any confirmed member of the congregation upon reaching the age of eighteen (18), who has attended at least one previous Voter's meeting and signed the Constitution and By-Laws, will be considered a voting member of the congregation and therefore be eligible to hold office, if duly elected, unless otherwise excluded from doing so within the constitution and/or by-laws of St. John Ev. Lutheran Church.

2) Duties:

It will be the duty of every voting member to attend at least two (2) Voter's meetings within the previous 12 months. By failing to attend such meetings, a member waives the right to cast his/her vote during the meeting. He/she will accept nomination for office, committee appointments, etc., if possible, and generally participate in the business activities of the Voter's meetings. Special situations can be discussed with the Church Council.

#### C. Termination of Membership:

1) Transfer to other Missouri Synod Congregations

Members desiring to join a congregation in church fellowship will present their request for transfer in writing to the Pastor and Elders. Such transfer of membership request will be reported at the next Voter's meeting.

- 2) **Joining other Churches:**  
In cases where members have joined another congregation outside our own fellowship, they will, upon recommendation of the Pastor and Elders, be considered to have terminated their membership and their names will be removed from the membership list by a resolution at the next Voter's meeting.
- 3) **Whereabouts Unknown:**
  - a. Any member who has not communed at least once in the past year, but is able, will be placed on the mission or inactive list and is to be admonished by the Elders according to Matthew 18:15-20. In the event such admonishment is refused or ignored, the member is will be requested in writing to attend the next voter's meeting to determine membership status according to Matthew 18:15-20.
  - b. The names of members whose whereabouts are unknown and cannot be established will be removed from membership upon recommendation of the Pastor and Elders at the next Voter's meeting.
- 4) **Excommunication:**
  - a. Public and impenitent sinners are, after conscientious but fruitless admonition according to the order prescribed in Matthew 18:15-20, to be excommunicated from the congregation. On account of this excommunication, such persons forfeit all privileges of a communicant member as long as they do not repent. Likewise they have no claim upon the property of the congregation during their separation.
  - b. A unanimous vote at the Voter's meeting will be required for every resolution for excommunication which terminates membership.
  - c. When the excommunicated person shows himself/herself penitent and desires to be reinstated, and accordingly confesses his/her sin before the Pastor or any member of the congregation, he/she is to be received again as a brother and this is to be reported to the church at the next Divine Service.

Article 2  
**MEETINGS**

- A. Regular Voter's Meetings will be held in April, June, September and December.
- B. The Annual Reports of the congregation will be submitted at the December meeting.
- C. The annual elections will be held at the June Voter's meeting with terms to begin September 1<sup>st</sup>.
- D. Special meetings will be held subject to the call of the President or the Pastor or at the written request of seven (7) voting members. Such requests will specify the purpose of the meeting. No other business will be transacted.
- E. Regular Voter's meetings will be announced twice in the Church bulletin, on two different Sundays and at least once in church. Special meetings will be announced once in the bulletin, a week in advanced, if possible, and the same Sunday in church.

- F. When a meeting has been properly called, those attending such meeting will represent the congregation and will be capable of transacting business and adopting valid resolutions. In matters pertaining to doctrine and conscience, unanimous consent is required to adopt valid resolutions, while in all routine external matters a majority of those present will prevail. A quorum will consist of at least fifteen (15) members for voter's meetings and 50% for council meetings.

Article 3  
**ELECTION OF CONGREGATION OFFICERS**

Annually, in the June Voter's meeting, candidates are to be submitted for the following offices by the Nominating Committee. Any other candidates can be nominated from the floor by any voting member. Any nomination from the floor will be accepted only if the nominee expresses willingness to serve either verbally at the voter's meeting or, if not present, in writing prior to the meeting.

- 2 Elders for a term of 2 years
- 3 Trustees for a term of 2 years
- 2 Board of Christian Education members for a term of 2 years
- 2 Board of Stewardship members for a term of 2 years
- 2 Board of Evangelism members for a term of 2 years
- 1 Chairman of the Board of Social Ministry for a term of 2 years
- 1 Chairman of the Board of Youth Ministry for a term of 2 years
- President for a term of 2 years
- Vice-President for a term of 1 year (from the Elders)
- Recording Secretary for a term of 1 year
- Financial Secretary for a term of 2 years\*\*
- Treasurer for a term of 2 years\*\*
- Assistant to Financial Secretary for a term of 2 years\*\*
- Assistant to Treasurer for a term of 2 years\*\*
- Cemetery Superintendent for a term of 2 years
- \*\* Alternate years.

The following are to be appointed by the President during the June meeting with the effective date of office being September 1st.

- 2 Delegates for Lutheran Service Society.
- 1 Delegate and 1 Alternate for Eastern District Convention.
- 1 Lutheran Hour Representative.
- 1 Property and Benefit Administrator for a term of 2 years.
- 2 Members for Youth Ministry for a term of 2 years.

Any other representative to other organizations and all appointments are subject to approval at the next Voter's meeting.

In the event that two or more candidates are to be elected for a particular office, the plurality rule of election will be in effect and the candidates receiving the largest number of votes will be declared elected even though they may not have received the majority vote. In the event of a tie, another ballot will be cast for the candidates involved. Voting is to be by secret ballot. In the event of a vacancy of an elected office, a temporary appointment will be made until the next election.

Article 4  
**THE CHURCH COUNCIL**

The Church Council will consist of the following members:

President, Vice-President (who will serve as chairman of the Church Council), the Elders, Recording Secretary, Treasurer, Assistant to the Treasurer, Financial Secretary, Assistant to the Financial Secretary, Chairman of the Board of Trustees, Chairman of the Board of Christian Education, Chairman of the Board of Stewardship, Chairman of the Board of Evangelism, Chairman of the Board of Social Ministry, Chairman of Youth Ministry and Property and Benefit Administrator. The Pastor, School Principal, and Sunday School Superintendent will serve as advisors to the Council. A quorum will consist of 50% of the Council members.

If for unavoidable reasons, the Chairman of any Board or Committee cannot be present, he will delegate a member of that Board or Committee to represent him at the meeting of the Church Council.

Additional members may be added to any Board or Committee of the Council as ~~the~~ needed. These additional members will serve as long as needed, but will not become members of the Church Council.

The Church Council is to appoint a chairperson of the counting teams.

In general, all matters which are presented at the Voter's Meeting, should be discussed first by the Church Council and then submitted with the Council's recommendation to the Voter's Assembly. No voting member of the congregation, however, will be deprived of the right to present any matter directly to the Voter's Assembly.

Article 5  
**DUTIES OF OFFICERS**

The President will preside at all regular and special Voter's meetings. He will be ex-officio, a non-voting member, of all other Boards and Committees. He is authorized to sign any contracts related to real estate property of the Congregation along with the Chairman of the Trustees.

The Vice-President will assist the President in the performance of his duties, and in the event of the President's absence or inability, take his place and discharge the duties of the President's office during his absence or until a successor to the office has been elected. He will be the chairman of the Church Council. In the event that both the President and the Vice-President are absent for a regularly called meeting, the Assembly will appoint one to preside. If the President is unavailable, the Vice President is authorized to sign any contracts related to real estate property of the congregation along with the Chairman of the Trustees.

The Recording Secretary will retain all legal documents and contracts. He/She will also keep minutes of all Council, Voter's and Special Meetings as well as a roll of all its members in attendance for each meeting. In the event of his/her retirement or resignation from office, he/she will deliver to the Church Council all papers, documents, record books and all other property in his/her keeping that belongs to the congregation. He/she will publish the minutes of the Voter's meeting in the manner which determines the most effective way to reach all members.

The Treasurer will receive and disburse all budgeted monies of the Congregation including the school at his/her discretion or by special direction of the church council. He/She will keep account of all money received and money disbursed. He/She will present a report of such transactions at all Church Council and Voter's Meetings. At the close of the fiscal year, he/she will present to an Auditing Committee for examination, all account books and pertinent papers. He/She will be a member of the Board of Finance.

The Financial Secretary will keep a record of all member contributions received by the Congregation. He/She will be a member of the Board of Finance.

Article 6  
(Formerly Article 7)  
**THE BOARD OF ELDERS**

The Board of Elders will consist of the Vice-President and 7 voting members, two members to be elected every year for a term of 2 years. The Board will organize itself.

The duties of this Board will be:

1. Assist the Pastor in caring for the spiritual welfare of the congregation. The Board will, together with the Pastor, discuss and deliberate the spiritual condition of the congregation and explore means of improving church and communion attendance. It will consider the work among the young and cooperate with the Evangelism Committee in carrying on an energetic missionary program. It will consider the work of the church at large and the role which the congregation will take in it.
2. The members of the Board will show concern for the congregation's welfare by speaking to members about the work of the church, by counseling the erring and reaching out to the unchurched.
3. The board will fulfill its duties relating to the Budget Process (Article 18).
4. If the pastor(s), teachers(s) or any other called servant of the congregation give offense in doctrine or life, this Board will take the initial steps toward the necessary correction.
5. The Board will make provision to relieve the Pastor of attending to minor details, so that he may devote himself to more important work, such as the preparation of his sermons, etc.
6. The Board will admonish those that seldom or not at all attend church services and the Lord's Table and/or give offense by their manner of life.
7. The Board will make provision that good order is preserved at the church services, creating an atmosphere of devotion.
8. In no case will the Board supersede the authority of the Voter's Assembly. If for reasons of charity and prudence, matters which might be presented to the Voter's Assembly are investigated, discussed and decided upon by the Board but not satisfactory to those concerned, an appeal may be made to the Voter's Assembly.
9. The Board will observe carefully the instructions in reference to admonishment which Christ Himself has given us in Matthew 18:15-20. Sins which are not generally known should not be made public. Matters of a private nature which are discussed at the meetings of the Board should be kept strictly confidential. Admonitions should be given in a friendly, brotherly, Christian spirit, so that the one who is being admonished will be made to realize that it is his own spiritual welfare that is being sought.
10. The Board will not unduly interfere with Pastor's official duties.
11. The Board will be responsible for the well being of the Pastor.
12. Assist the Pastor at all communion services and be present or be represented at all other services.

Article 7  
(Formerly Article 11)  
**THE BOARD OF EVANGELISM**

The Board of Evangelism will consist of three or more voting members two members to be elected every year for a term of 2 years. The Board will organize itself.

The duties of the Board of Evangelism will be:

1. Plan, promote and implement annually an evangelism program for the congregation and in the community.
2. Maintain all appropriate records to keep an evangelism program active.
3. Enlist aid in visiting prospective members of the church
4. Assist the Pastor in training the laity to talk about and witness to their faith to the unchurched.
5. Integrate new members into the life and work of the church.
6. In the area of public relations, it shall endeavor to publicize the Gospel and the activities of the congregation.

#### Article 8

(Formerly Article 10)

### **THE BOARD OF CHRISTIAN EDUCATION**

The Board of Christian Education will consist of five or more voting members, two members to be elected every year for a term of 2-years. The Board will organize itself with a male chairperson.

The duties of the Board of Christian Education will be:

1. Meet regularly with the Pastor, principal and Sunday School Superintendent to review the educational needs of the congregation and be concerned with the Christian education for every member.
2. Organize, manage, and assist in the supervision of all educational activities of the congregation, i.e., Christian Day School, Sunday School, Bible Classes, etc.
3. Interview prospective teachers and/or principal applicants, recommend the candidate to the Church Council and Voter's Assembly and, upon approval, have the President of the Congregation execute the call or contract.
4. Interview prospective secretarial candidates, together with the pastor and principal, and recommend the candidate to the Church Council for approval. The secretarial position will be directly supervised by the pastor, for church related duties, and by the principal for school related duties.
5. Submit regular reports and recommendations to the Church Council and Voter's Meeting.
6. Assist the Principal and teachers in their work by word and deed wherever possible and, if necessary, remind them of their duty.
7. Appoint a Sunday School Superintendent for a term of 2 years and a Co-Superintendent for a term of 1 year with approval of the Church Council and Voter's Assembly.
8. The board will fulfill its duties relating to the Budget Process (Article 18).

#### Article 9

### **THE BOARD OF STEWARDSHIP**

The Board will consist of five or more voting members, two members to be elected every year for a term of 2 years. The Board will organize itself.

The duties of the Board of Stewardship will be:

1. Consider, plan, direct and review at least annually a total stewardship program.
2. Encourage a full life of Christian stewardship on the part of every member of the congregation through personal contact, printed matter, etc.
3. Encourage members of the congregation eighteen years of age or over to become voting members and participate in the life of the Congregation. In general, encourage the use of special abilities and interest of all members in the work of the Kingdom.

4. The Board will assist the Board of Finance in the distribution of the contribution envelopes.
5. The board will serve as a permanent member of the Budget Committee.
6. The Board of Stewardship will report to the Church Council and the Voter's Assembly.

#### Article 10

(Formerly Article 16)

### **THE BOARD OF SOCIAL MINISTRY**

The Board of Social Ministry will consist of three or more voting members, two members to be elected every year for a term of 2 years. The Pastor is an ex-officio member of the Board. The Board will organize itself.

The duties of the Board of Social Ministry will be:

1. Establish, organize, supervise and implement an effective and adequate social ministry for the congregation.
2. Be helpful in all social ministry emergencies.
3. Make Congregation aware of those cases where they might help.
4. Periodically survey the social ministry needs of the congregation and develop activities which will be helpful in meeting its needs.
5. Maintain a standing emergency fund of \$100.00. The Pastor will be permitted to spend up to \$25.00 at his discretion.
6. Participate in community Social Ministry programs.
7. Review and evaluate annually National and District Lutheran agencies receiving District support and, on the basis of that evaluation, give endorsement or withhold endorsement.
8. Suggest a realistic budget for social ministry needs and be responsible for all special solicitations as needed with approval of the Church Council.

#### Article 11

(Formerly Article 17)

### **THE BOARD OF YOUTH MINISTRY**

The Board of Youth Ministry will consist of three voting members, two members to be elected every year for a term of 2 years. The Board should meet at least monthly. The responsibilities of the Board of Youth Ministry will be:

1. Supervise the youth program and all activities of the youth to ensure that the goals of spiritual growth, Christian service and fellowship are actively promoted.
2. Formulate policies for youth activities and involvement that are consistent with Christian faith and principles.
3. Recruit and provide for the training of youth counselors to meet the needs of the youth program.
4. Counselors will be recruited by the Board with the responsibilities to:
  - a. Set an example of Christian faith, responsibility and maturity for the youth
  - b. Work with and assist the youth in planning, promoting and implementing group activities.
  - c. Learn how to minister to and with the youth on an individual and group basis.
  - d. Help the youth grow in their ministry to one another and in their participation in the total life of the congregation.
  - e. Promote the goals and purpose of youth ministry and be supportive of policies of the Board of Youth.

- f. Actively encourage and reach out to youth to develop greater participation in the youth program
  - g. Serve as advisory members to the Board of Youth Ministry.
5. Periodically review the youth program and activities and provide suggestions for improvement and growth.
  6. Seek ways to integrate the youth more fully into the total life and ministry of the congregation.

Article 12

(Formerly Article 6)

**THE BOARD OF FINANCE**

The Board of Finance will consist of the Treasurer, the Financial Secretary, the Assistant to the Treasurer, the Assistant to the Financial Secretary, Property and Benefit Administrator and any additional members deemed necessary by the Church Council for the proper function of the Board. Bonding will be determined by the Church Council. The Board will organize itself.

The duties of the Board will be:

1. Promote and supervise the financial support of the congregation including the school.
2. The board will serve as a permanent member of the Budget Committee.
3. Supervise the distribution of the annual contribution envelopes and the sending of a statement of all contributions to all communicant members at least annually.
4. Assist the Board of Stewardship in planning long range financial programs, special appeals and collections.

Article 13

(Formerly Article 8)

**BOARD OF TRUSTEES**

The Board of Trustees will consist of nine voting members, two voting members elected every year for a term of two (2) years. The Board will organize itself.

The duties of the Board of Trustees will be:

1. To administer all property belonging to the congregation, to make and sign contracts, except for real estate property, and to transact all other business of the congregation assigned to them by the Voter's Assembly.
2. Make frequent inspection of all church property and be on the alert for improvements and repairs.
3. Make provisions for fuel and other necessary utilities.
4. Enlist the aid of competent members of the congregation to assist in making repairs, alterations, improvements and care of the church grounds and equipment and make necessary recommendations to the Church Council.
5. The Chairman of the Board will supervise the janitorial services and will fulfill its duties relating to the Budget Process (Article 18).
6. The Board will have the authority to spend up to one thousand dollars (\$1,000.00) for necessary repairs.
7. In all transactions and recommendations to/for the congregation sound business practices such as submission of bids and astute economical consideration should be followed.
8. Any contracts related to real estate property belonging to the congregation must be signed by the Chairman of the Trustees and the President or Vice President of the Congregation.

Article 14  
(Formerly Article 12)

**USHERS STAFF**

The Usher's staff will consist of as many members of the congregation as are necessary to carry out the proper function of the office. The Head Usher will be elected for a term of 2 years. The Head Usher will appoint the Usher's Staff.

The duties of the ushers will be:

1. Welcome visitors to the church services and provide for the physical comfort of all in attendance.
2. Make proper seating arrangements for all in attendance.
3. Collect the offerings at each church service.
4. Assist at all communion, baptismal, or other special services as the Pastor directs.
5. Keep an accurate record of the number in attendance at each church service.

Article 15  
(Formerly Article 13)

**STANDING COMMITTEES**

The Nominating Committee will consist of all members of the Church Council, the Board of Stewardship and the Pastor. It is to be called by the President to meet approximately 90 days prior to election date. A list of selected candidates will be asked personally to serve in the office for which they have been nominated. Each candidate will receive a written confirmation of selection and job description. Each candidate should notify the Nomination Committee of his/her intentions within 30 days of receipt of this letter. The slate of candidates will then be presented to the Voter's Assembly.

The Auditing Committee will be appointed annually by the President of the congregation and will consist of three voting members. These appointees will not be members of the Church Council presently holding office. They will audit the books of the congregation and all its' organizations.

The Budget Committee will be appointed annually by the Church Council and will consist of, at a minimum, the Board of Finance and the Board of Stewardship. The Church Council may also appoint any other committee and/or board chairperson(s) or other members of the congregation to this committee. The duties of this Committee are outlined in Article 18 of these By-Laws.

Article 16  
(Formerly Article 14)

**AMENDMENTS**

Amendments to any article of the By-Laws may be made in a regular called meeting of the Voter's Assembly after it has been presented in writing at a previous Voter's meeting. The proposed Amendment will be announced at least twice before the next Voter's meeting. Two-thirds majority of the voting members present is required for the amendment to be approved.

Article 17  
(Formerly Article 15)

## **ORDER OF BUSINESS FOR THE REGULAR VOTER'S ASSEMBLY**

1. Opening Devotion.
2. Roll Call
3. Read and approve the minutes from previous Voter's meetings.
4. Treasurer's report.
5. Pastor's Report.
6. Admission of new members, transfers and releases.
7. Unfinished business.
8. Recommendations from the Church Council.
9. Reports from the Chairman, or its' representative, of the various Boards and Committees.
10. Reports of Special Committees.
11. New Business.
12. Adjournment with Prayer.

### Article 18

## **THE BUDGET PROCESS**

#### Objectives of the Church Budget:

1. To be good stewards of the money with which the church has been entrusted.
2. To develop a total balanced congregational budget to facilitate and guide planning and expenditure decisions during the following years.
3. To facilitate the sharing of goals and budget considerations among leaders of the congregation.
4. To harmonize Church Council goals with individual Board goals and congregational needs and concerns.
5. To facilitate reporting to all concerned.

#### Elements of the Church Budget:

1. The budget needs to be well-conceived and prepared by the Budget Committee and approved by the Church Council for recommendation to the Voters Assembly.
2. The Voters Assembly will consider the Church Council recommended budget, as well as any appeals to the recommended budget, and eventually approve a balanced budget through a majority vote.
3. The budget must be broken down into periods corresponding to the periodic financial statements.
4. Financial statements must be prepared on a timely basis throughout the year and a comparison made to the budget.
5. The Church Council must be prepared to take action when the comparison with the budget indicates significant deviation or when the budget presented is not balanced.

#### The Budget Type:

1. The congregation's fiscal year will begin on September 1<sup>st</sup> of each year and end on August 31<sup>st</sup> of the following year.
2. The budget will be "unified" in that the entire congregation supported business and activities receipts will be combined into "one basket".
3. The budget process will begin with a "same as last year" approach in that the budget amount from the previous year will be compared with actual receipts and spending and adjusted accordingly to also include projected receipts and spending needs of the congregation for the coming year.

## The Budget Committee

The Board shall organize itself and, in addition to any other duties outlined within this Article or the By-Laws as a whole, will perform the following duties:

1. Supervise the Budget Process on behalf of the Church Council.
2. Prepare a balanced budget for recommendation to the Church Council.
3. Present the Church Council recommended balanced budget to the Voters Assembly.
4. Meet and discuss with, any and all individual Boards or Committees as necessary or required to develop a consensus budget.
5. Estimate all income and expenses considering all reasonable factors, whether known or unknown.

## Individual Board or Committee Duties:

In addition to any other board, committee, or church member's or groups that the Church Council determines as appropriate, the congregation requires the following duties of its Boards or Committee's with respect to the Budget Process and in addition to any other stated duties contained within the Constitution and By-Laws:

1. The Church Council will oversee the entire Budget Process, appoint the Budget Committee to supervise the Process, make a recommendation to the Council for a balanced budget and may develop policies to enforce the Budget Process. They will also be responsible for reviewing, discussing and, if necessary, amending the Budget Committee's recommendations prior to approving the recommendation of the balanced budget to the Voters Assembly.
2. The Board of Finance will, as a permanent member of the Budget Committee, be responsible for reporting and soliciting past, present, and future board-specific financial statements or projections to and from the respective boards and committees that must report to the Budget Committee. They will also work with all other Budget Committee members to ensure the Budget Process is completed.
3. The Board of Elders will report any and all requested budget information to the Budget Committee. Whether requested or not, this will include any projections or programs it is aware of that may impact the income and/or expenses of the church or its related activities for the current, up-coming, or future years. Within this process, they will also propose fair, honest, and appropriate level of pay for the Pastor, Church Secretary, and Church Organist.
4. The Board of Trustees will report any and all requested budget information to the budget committee as requested by the Budget Committee. This will include any projections or facility needs it is aware of that may impact the income and/or expenses of the church or its related activities for the current, coming, or future years. Within this process, they will also propose to the Budget Committee a fair, honest, and appropriate level of pay for the janitorial staff or services.
5. The Board of Stewardship will, as a permanent member of the Budget Committee, be responsible for reporting past, present and future financial stewardship programs and report the status of the church's financial stewardship as it relates to the Budget Process. They will be responsible for informing other church boards and committees how they may assist in maintaining or improving the condition of the church's financial stewardship. They will also work with all other Budget Committee members to ensure the Budget Process is completed.
6. The Board of Christian Education will report any and all requested budget information to the Budget Committee. Whether requested or not, this will include any projections or programs it is aware of that may impact the income and/or expenses of the church or its related activities for the current, coming, or future years. Within this process, they will also propose a fair, honest, and appropriate level of pay for the Principal, School Secretary, and Teachers.

7. All Boards or Committees, whether or not specifically mentioned in this Article, are also responsible for reporting to and meeting to discuss with, the Budget Committee any projections or programs it is aware of that may impact the income and/or expenses of the church, or its related activities, for the current, up-coming, or future years.

#### Article 19

### **ST. JOHN LUTHERAN CHURCH AND SCHOOL BENEVOLENT FUND**

#### I. NAME.

This Congregation shall have a Congregational Benevolent Fund called the “St. John Lutheran Church and School Benevolent Fund” and hereafter referred to as “the Fund” and will be managed, governed and directed by the “Fund Board of Directors.”

#### II. GENERAL PURPOSE AND PRINCIPLES

The Fund shall enable St. John Lutheran Church to engage in special missions, furthering of higher education in Lutheran institutions, capital improvements programs and projects that would not be possible using the church’s normal stewardship, benevolence, and social ministry efforts and procedures, as well as community outreach, and other opportunities that arise within the church and school. The Fund is not to be used to fund the general operational budget of St. John Lutheran Church and School WHETHER THROUGH DONATIONS, LOANS, OR OTHERWISE. The Fund is designed to receive, manage, and distribute gifts and bequests to further the Lord’s work through the people of St. John Lutheran Church and School.

The Fund will resource ministry in five key areas that combine to form the St. John Lutheran Church and School Benevolent Fund: These sub accounts include: # 1 Education Fund, # 2 Mission Fund, # 3 Facilities Fund, # 4 Care and Community Fund, and # 5 Special Opportunities Fund.

##### 1. The Education Ministry Fund shall support:

1. School and Congregational staff – called, contracted or hired – for enhancement, improvement, and enrichment of skills above and beyond those considered basic and normally provided through the St John Church and School operational budget.
2. Items needed to keep the school current and functioning: computers, copy machines, desks, chairs, audio/visual equipment, blackboards/dry erase boards, etc.

##### 2. The Missions Ministry Fund shall support:

1. Outreach ministries to the un-churched in our community.
2. Training church members to witness.
3. Provide/promote financial assistance for those participating in mission endeavors.
4. Purchase such items necessary for enabling or improving a unique ministry of the church.

##### 3. The Facilities & Technology Ministry Fund shall support.

1. Building of new property.
2. Remodeling and renovating existing property.
3. Obtaining new equipment that helps people accomplish ministry more effectively.

##### 4. The Care and Community Ministry Fund shall support:

1. Service or work projects that help us serve needy people in our community.
2. Emergency funding for families impacted by natural disaster or other catastrophic event.

3. Sponsorship of workshops and presentations that meet community needs while providing an opportunity for people to experience the love of Christ within our facility.

5. Special Opportunities Fund shall support:

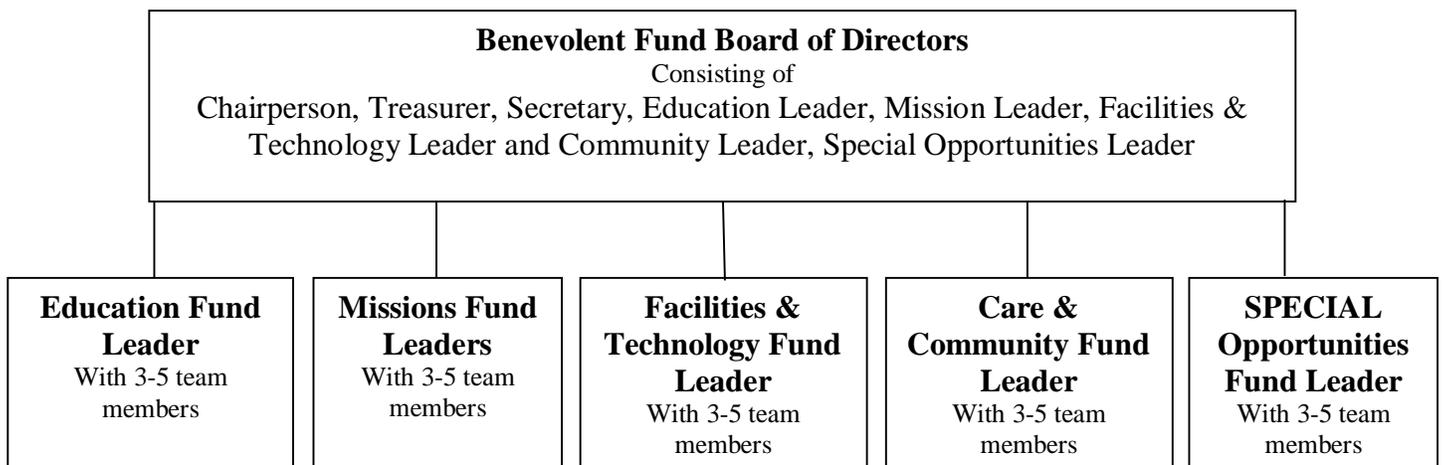
1. Short term special projects related to the church and/or school.

### III. GOVERNING BODY AND OFFICERS

#### A. Function, Qualification, and Terms:

The Fund BOARD shall assist in the promotion, growth, and management of the Fund to the Glory and Praise of our Lord. BOARD members must be members of St. John Lutheran Church for at least one year prior to being appointed. The Church Council will appoint members to the Board of Directors and will consider all recommendations. Council members will be excluded from holding office on the Board of Directors, but may serve as a team member. If possible, one member of each fund, in addition to the Treasurer, shall have accounting or finance experience. All fund terms are deemed to be three years. Any BOARD member may not serve more than two consecutive terms. Any church member may be re-appointed following a one year absence from the fund BOARD. The BOARD’S membership shall maintain the following structure:

1. “Fund Board of Directors”: Comprised of 8 separate individuals including the “Chairperson,” “Treasurer,” “Secretary” and Five “Ministry Fund Leaders.” In addition, the Board shall regularly review reports from each ministry fund and discuss ways to better promote, grow, and manage the fund.
2. “Chairperson”: A Chairperson shall be chosen by the Fund Board of Directors to serve as Chairperson for one three year term with option to be re-appointed for an additional term. The chairman, or the member designated by the chairman, shall preside at all meetings of the Benevolent Fund BOARD.
3. “Treasurer”: The Treasurer of the Fund shall be appointed by the Chairperson of the Fund. The treasurer shall maintain complete and accurate books of account, and shall provide an annual written financial report of the Fund activity to the Voters’ Assembly. The Treasurer of the FUND shall always be a different individual than the person serving as congregational Treasurer.
4. “Ministry Leaders”: Consisting of one representative from each of the five “ministry teams.”
5. “Ministry Team Members”: Can be any member of the congregation over 18 years of age.
6. “Secretary”: The Secretary shall be appointed by the Fund Board Chairperson, and maintain complete and accurate minutes of all the meetings of the Board of Directors and supply a copy thereof to each leader. Each fund leader shall take and keep minutes of all their meetings. A copy of all minutes shall be submitted to the Fund Board Chairperson.



7. “Special Opportunities Fund Initial Team Leader and Members”:  
This fund will have an Initial Team pre-appointed at the time of adoption of this article. They will serve on this fund without limit to the number of consecutive terms or limit to length of terms so long as they remain members in good standing of St. John, remain committed to the goal and boundaries of the fund, and do not relinquish their given duties to the Fund. All other rules of this article shall apply to the Special Opportunities Fund and its Initial Team unless otherwise stated herein.

B. Other Duties:

1. To prepare an Annual Report detailing the status of the Fund, which shall be part of the Congregational Annual Report. The Annual Report shall contain, as a minimum, the following information:
  - a. A summary of the major actions or decisions of the Fund;
  - b. A total dollar value of gifts received during the year.
  - c. A summary of current assets of the Fund by category;
  - d. A summary of the expenses of the fund, including the name and amount paid to professional consultants, advisors, attorneys or financial management persons or organizations.
2. To provide endowment information and to be prepared to answer congregational questions regarding the Fund.
3. To take, have, hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to handle, manage, and control the Fund, or any part thereof, as they in their judgment and discretion shall deem to be in the best interest of the Fund;
4. The Fund Board, leaders and members shall not receive any compensation but may be reimbursed from Fund income for expenses reasonably incurred.
5. All Fund leaders and members are eligible for re-appointment following 12 month leave from any fund position.
6. No member of the Fund shall engage in any self-dealing or transactions with the Fund in which the member of the Fund has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the Fund.
7. The Board of Directors shall meet at least three times per year. A quorum shall consist of five voting members. A majority present and voting shall carry any motion or resolution, except a recommendation to distribute more than 5% of the principal of the Fund which would require 3/4th majority approval of all Board of Directors.

IV. PROMOTION OF THE FUND

- A. The Board of Directors shall provide information that the Board considers would be effective so that the congregation is aware of the purpose and usage of the Fund
- B. Promotion costs for the Fund shall be paid from investment earnings of the Fund.

V. DESIGNATION AND DISTRIBUTION OF FUNDS

- A. Both the principal and income from undesignated gifts and bequests to the Fund will be designated by the Board in a duly called and constituted meeting of the Board of Directors provided that the uses, projects and programs are consistent with the Statement of Purpose. At no time will the income or principal of the fund be considered within the congregational budget.

- B. Prior to a called meeting of the Board of Directors, each Fund Leader shall submit to the FUND BOARD a recommended distribution plan that has passed a simple majority approval of their members. After all funding has been approved the list of approved uses, projects, and programs shall be celebrated in thanksgiving to God, distributed in writing to the members of the congregation as well as being included in the annual report to the members.
- C. All contributions to the Fund will have a tithe of 10% donated to the Mission Fund unless otherwise specified by the donor.

## VI. INVESTMENT MANAGEMENT, RECORDS, AND GIFT POLICIES

- A. All Funds and property in the Fund shall be kept and maintained separate, distinct, and independent from the funds and property otherwise belonging to the church. However, the Fund shall in no event be required to make physical segregation of the assets of the Fund in order to conform to the directions of any individual donors, but may establish separate accounts in its accounting records.
- B. The Fund shall be subject to the annual internal Financial Review of all congregational funds and accounts.
- C. The Fund shall maintain complete and accurate books of account and may employ such professional help as it deems necessary in this task.