

**CONSTITUTION AND BYLAWS
OF
ST. JOHN’S LUTHERAN CHURCH
OF
FARMVILLE, VIRGINIA**
(Revised 07/29/2018)

The Constitution and Bylaws, contained herein, were adopted by this congregation on July 29, 2018 and supersede all documents of similar nature previous to this date.

PREAMBLE

The Holy Scriptures hold that a Christian congregation should conform to the Word of God in doctrine and practice and that all things will be done decently and in order. We, the members of St. John’s Lutheran Church, Farmville, VA, therefore, accept and subscribe to the following Constitution and Bylaws. They shall govern the spiritual and material affairs of the congregation.

ARTICLE 1-NAME

~~This congregation shall bear the name of St. John’s Lutheran Church of Farmville, Virginia.~~

Suggested Provision

“The name of this Congregation shall be St. John’s Lutheran Church. It is located in Prince Edward County, Virginia. The Congregation is incorporated as a not-for-profit corporation under the laws of the Commonwealth of Virginia.”

If not incorporated, the following could be used:

Alternative Suggested Sample Provision

“The name of this Congregation is St. John’s Lutheran Church. It is located in Prince Edward County, Virginia, and is an unincorporated church under the laws of the Commonwealth of Virginia.”

Rationale: The alternative suggested provisions provide useful and more complete information about the congregation.

ARTICLE II-PURPOSE

Our mission is experiencing and sharing the love of Jesus Christ.

ARTICLE III-CONFESSIOAL STANDARD

This congregation holds all the canonical books of the Old and New Testaments to be the inspired word of God and the sole rule of faith and life. This congregation accepts all the symbolic books of the Lutheran Church contained in the Book of

Concord of the year 1580, namely, the Ecumenical Creeds (~~Apostolic~~Apostle's, Nicene and Athanasian); the Unaltered Augsburg Confession; the Apology of the Augsburg Confession; the Catechisms of Martin Luther; the Smalcald Articles and the Formula of Concord, as a correct and sound exposition of Christian Doctrine taken from and in full accord with the Holy Scriptures.

Rationale: Editorial

ARTICLE IV-SYNOD ~~AFFILIATION~~MEMBERSHIP

This congregation shall be ~~affiliated with a member of~~ the Lutheran Church—Missouri Synod (LCMS) so long as, in the congregation's sole judgment, that Synod is faithful to Article III of this Constitution. It shall be the duty of this congregation and its individual members to support the work of its Synod and, when practical, to allow its Pastor and a lay delegate to attend and/or participate in conventions of the Synod.

Rationale: Congregations hold membership in Synod. This membership carries rights and privileges that go beyond mere affiliation.

ARTICLE V-MEMBERSHIP

A. Baptized Membership

All those on the membership list who are baptized “in the name of the Father, and of the Son, and of the Holy Ghost” and who are under spiritual care of this congregation.

B. Communicant and Voting Membership

All such persons shall be regarded as ~~voting~~communicant members of this congregation:

1. Who are baptized, give evidence of their ability to “examine themselves” as described in I Corinthians 11:28 and partake of the Lord's Supper.
2. Who accept Christ as Savior and Lord, and witness the same in word and life.
3. Who willingly live within the discipline of love as exercised by the church in its ministry of reconciliation.
4. Who signify their agreement with the Confessional Standard set forth in Article III of this Constitution.
5. Who have been accepted in communicant membership in accordance with the bylaws of this Congregation.

Voting members of this congregation shall be communicant members who have accepted the Constitution and Bylaws of this congregation and are of legal age as defined by the Commonwealth of Virginia.

Rationale: Although it is recognized that communicant members below legal age should be involved in congregation decision-making that does not have secular legal implications, this can be accomplished through various means other than granting blanket voting privileges. Limiting voting membership to those of legal age removes all doubt that all actions taken by the congregation will withstand secular legal challenges.

ARTICLE VI-OFFICERS

Such communicant members who are of legal age shall be eligible for elective office who are voting members of this congregation.

ARTICLE VII-AUTHORITY IN THE CONGREGATION

A. Congregation

The authorities of this congregation are those necessary to fulfill its purpose and shall be conducted as provided in this constitution and bylaws. The congregation shall be the governing body and shall administer all congregational affairs, material or spiritual. The establishment and conduct of all institutions and societies within the congregation shall at all times be subject to the approval and supervision of the congregation. The congregation shall not be empowered to decide anything contrary to the Word of God and the Confessions of the Lutheran Church.

B. Right of calling

The right of calling pastors shall be vested in the congregation and not to a smaller body or to an individual.

C. Powers of Officers

Congregational officers or committees, whether elected or appointed by the congregation, 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 congregation. Matters of doctrine and conscience shall be decided by the Word of God. Other matters shall be decided by the congregation by a majority vote.

D. Removal from Office

Any officer, ~~teacher~~rostered called worker or Pastor may be removed from office by the congregation in a Christian and lawful order for one of the following reasons:

1. Persistent adherence to false teachings contrary to the Confessional Standard of the congregation.

2. A scandalous life.
3. Inability to perform their duties.
4. Willful neglect of duties.

This action will be taken only after the officer, ~~teacher~~rostered called worker or Pastor, has been pre-advised of the charges against him and has been given the opportunity to answer respond to such charges. The Circuit ~~Counselor~~Visitor and District President shall have full knowledge of removal procedures when they are preferred against a Pastor or ~~teacher~~other rostered called workers, and all such actions shall be taken in full consultation with such officials.

Rationale: Referring to “rostered call workers” covers teachers and any other person that the congregation may call in the future. Also, D.4. should have the added words for completeness and specificity. Finally, the official title has been officially changed by Synod from “Circuit Counselor” to “Circuit Visitor”.

ARTICLE VIII-PROPERTY RIGHTS

This congregation may receive, acquire, hold title to, and manage such real estate and other property as it may deem necessary, to accomplish its purposes as a congregation and may sell or dispose of such real estate and other property or any part thereof. This congregation shall have all rights and powers that are granted by the laws of the Commonwealth of Virginia to religious organizations. Should a separation in the congregation occur, the entire property of the congregation and all rights connected therewith shall remain with those members who hold fast to this Constitution as determined by a three person panel appointed by the President of the District of which the congregation is a member. The decisions of such panel shall not be subject to appeal and shall be enforceable in a court of law. In the event the congregation should disband, the property and all rights connected therewith shall be transferred to that Synod District of the Lutheran Church—Missouri Synod of which the congregation is a member.

Rationale: We strongly recommend the addition of the panel in the determination process. One of the main benefits is that it removes the potential for prolonged secular legal proceedings in what is essentially a theological determination. Also, disposal of property of a disbanded congregation is normally handled by the District, not by Synod proper.

ARTICLE IX-PASTORS

The pastoral office of this congregation shall be conferred upon such ministers and candidates whose beliefs are in accord with the Confessional Standards of this congregation and have been approved by the Synod as being qualified pastors of the church.

A. Disciplinary Action

Any Pastor may be removed from office in accordance with Article VII.D. above in a Christian and lawful order by a two-thirds majority of the congregation for one of the following reasons: persistent adherence to false

doctrine, a scandalous life, willful neglect of duties of office, the inability to perform those duties.

Rationale: For clarification and a reminder that the previously outlined consultation with the District President is required in such cases.

ARTICLE X-AMENDMENTS

Amendments to this Constitution and Bylaws must be made in writing and have been submitted in a previous congregational meeting, may be acted upon at any regular meeting of the congregation. Such amendments shall not be finally approved and implemented until after submission to and approval by the Board of Directors of the Southeastern District, LCMS.

Rationale: This is a requirement in Synod's Bylaws of all member congregations in order to retain their membership in Synod.

BYLAWS

ARTICLE 1-MEMBERSHIP

A. Reception

1. By Baptism

All those who have received Christian Baptism and are under spiritual care of the congregation shall be included as "Baptized Members."

2. By Profession of Faith or Confirmation

All those who are baptized in the Christian faith and instructed in the Lutheran Doctrine shall give evidence of their faith before the congregation. Such persons shall be included as "Communicant Members."

3. By Transfer

All those who indicate their desire to transfer their membership from other Lutheran churches to this congregation shall present evidence of their faith and affirmation of the Lutheran doctrine before this congregation.

4. By Reaffirmation of Faith

All those who were once members of this congregation but whose membership was terminated may again become members by indicating their desire to the pastor.

B. Termination

1. Membership shall be terminated by transfer to a sister congregation, by joining a congregation outside the fellowship of this congregation, by ex-communication, self-exclusion or by death.
2. When a member persists in living as a manifest and impenitent sinner, all the while claiming membership in this congregation, his membership shall be terminated. This termination shall require a two-thirds majority vote of the congregation.

Rationale: This provision from the previous version probably should remain unless the congregation desires a different mode of decision-making in these cases. If that is the case, the entity making the decision should be called out here. Otherwise it is not clear who has the authority to terminate membership involuntarily.

ARTICLE II - MODE OF CALLING PASTORS

At the time of vacancy in the office of Pastor, the congregation shall notify the proper Synod officials and request the suggested procedure for calling a new Pastor. At a meeting of the congregation, candidates may be proposed by an authorized committee and/or members from the floor. The nominating committee shall then present the persons nominated and they shall stand as recognized candidates by the entire congregation and nominations shall be closed. The election shall be held at a meeting by written ballot and the candidate receiving the majority of the votes cast shall be regarded as elected by the congregation. A District official shall be present at all "call" meetings during a pastoral vacancy.

ARTICLE III - MEETINGS OF THE CONGREGATION

Four regular meetings (one per quarter) of the congregation shall be held during each calendar year. Each of these meetings shall be announced to members in writing two weeks prior to its convening. Acceptable forms of written communication include posting announcements in the monthly calendar, bulletin and newsletter as well as email reminders. A quorum is necessary to conduct any congregational business, and shall constitute 20% of the communicant members. In all meetings, the majority of the votes cast shall decide the action. Special meetings may be called by the President or the Pastor. Members will be notified of any special, urgent meetings by email or phone according to their contact information.

ARTICLE IV - OFFICERS

Communicant members shall be eligible for elective office. (Officers and trustees must be of legal age.)

A. Authority of Officers

Congregational officers or committees, whether elected or appointed, shall have no authority beyond that which has been conferred upon them, and whatever power may be delegated to them may at any time be revoked by the congregation.

B. Term of Office

Elections will be held every two years and as deemed necessary by the congregation. The term of office for every elected official shall be two years.

C. Mode of Election of Officers

The nominating committee, composed of three members appointed by the President, shall complete a slate of candidates for the open positions and present it to the Church Council for approval prior to the meeting of the congregation. Nominations for the position of Elder shall be made by the current board of Elders along with the Pastor and given to the nominating

committee. This slate shall remain open for additional nominations from the floor until the nominations are closed by vote of the congregation at the election meeting. The election of officers shall be by ballot at a meeting of the congregation. The candidates receiving the majority of votes cast shall be elected.

A slate shall be defined as a list of positions and all nominations for each position. The slate enables the congregation to make prayerful consideration of all candidates for each position.

D. Assumption of duties

The officers shall assume their duties on the Sunday following their election, after the installation service.

E. Duties of Officers

1. President

- a. Shall be the executive officer of the congregation
- b. Shall preside at all meetings of the congregation and church council
- c. Shall perform such duties as pertain to his/her office, and he/she is to be ex officio member of all boards and committees.

2. Vice President

- a. Shall perform duties as requested by the President
- b. Preside at meetings in the absence of the President
- c. Assume presidential responsibility as required.
- d. Appoint head usher

3. Secretary

- a. Shall faithfully keep and sign the minutes of all meetings of the congregation and church council and enter them in a permanent church record.
- b. Shall also conduct authorized correspondence and issue official notifications as provided by the Pastor or President.
- c. Shall keep a record of the number of members present at all meetings and determine whether or not a quorum is present for the transaction of legal business.
- d. Shall be at least 18 years of age.

4. Financial Secretary

- a. Work according to the policies and procedures established by the Congregation, Church Council, and Board of Finance.

- b. Receive, record and receipt funds from all sources and report them to the Church Treasurer, Board of Finance, and Church Council.
- c. Receive offerings collected during worship services and count them at the conclusion of the services, ensuring more than one person is involved collecting and counting the offerings.
- d. Ensure funds are deposited in a bank as soon as possible after they are received. Deposits should be made within three days of receipt.
- e. Establish a procedure to collect and record funds received other than through regular offerings, including funds received the mail or electronically.
- f. Produce individual charitable gift report summaries of all donations received during a calendar year and mail within two weeks of the end of that year.
- g. Report regularly to the Board of Finance, Church Council and appropriate congregational meetings regarding funds received during the previous period.
- h. Maintain confidentiality of all financial information pertaining to receiving, recording and depositing of funds.

5. Treasurer

- a. Pay all invoices and financial commitments in a timely manner and in accordance with the budget keeping accurate records of how funds are spent.
- b. Prepare accurate monthly financial reports indicating the financial wellbeing of the congregation.
- c. Work according to the policies and procedures established by the Congregation, Church Council, and the Board of Finance.
- d. Report regularly to the Board of Finance, Church Council and appropriate congregational meetings regarding the financial wellbeing of the congregation.
- e. Ensure there are adequate records documenting the assets of the church for insurance and other purposes.
- f. Make recommendations to the Board of Finance, Church Council and Congregation regarding investments.
- g. Ensure that all church property is appropriately covered by insurance for casualty and liability losses.
- h. Ensure that all governmental taxes, reporting forms, and regulations are met on a timely basis.
- i. Maintain confidentiality of all financial information pertaining to giving and givers.
- j. Present a proposed budget for the upcoming year to the Church Council no later than the July meeting.
- k. Ensure an independent audit of all financial records is conducted every year.

- 6. **Sunday School Superintendent**
 - a. Shall conduct the Sunday School of this congregation in a Christian and orderly manner.
 - b. Shall appoint the necessary teachers upon approval of the Pastor.
 - c. Shall be a member of the Church Council.
 - d. Keep records and prepare reports for the congregation on enrollment, attendance, expansion, evangelism, and the like.
 - e. Encourage Christian Education within the home.
 - f. Work with other departments to coordinate the program of Christian education with the total work of the church.

- 7. **Trustees**
 - a. The Trustees shall be designated by the congregation, and they shall as such, be empowered, upon approval of the congregation, to close and sign contracts, pay out money, collect, or borrow money, and give receipt thereof, to sign documents, appear in court, and, in fact, do all and everything the congregation, as owner of the property, is required to do.
 - b. There shall be at least three members on this board. The chairman or his/her designee is a voting member of the Church Council. A trustee must be at least 21 years of age.

ARTICLE V- THE CHURCH COUNCIL

The Church Council is responsible for the day-to-day operations and well-being of the church and shall report out all transactions of business at each quarterly meeting.

- A. The Church Council shall consist of the President, Vice-President, Secretary, Treasurer, Financial Secretary, Sunday School Superintendent, the Elder chairman or representative, the Trustee chairman or representative, the Building & Grounds chairman or representative and all other chairmen or designees of official boards (Outreach, Stewardship) of the congregation, and Pastor (advisory).

- B. The President of the congregation shall be chairman.

- C. The Council will meet on a regular basis (normally monthly) and at other times deemed as necessary by the President or the Pastor.
- D. The Council President shall appoint a minimum of two qualified voting members to serve on The Board of Finance as necessary with the Treasurer and the Financial Secretary.
- E. The Council shall appoint a Stewardship Chairman and an Outreach Team Chairman.
- F. The Council shall hear at designated meetings, a report from all Board Chairmen and shall determine the best course of action to be used in carrying out the mission and ministry of the congregation. All Boards are answerable to the Church Council. Individual boards and personnel have the authority to spend money in accordance with the approved budget. In emergencies, the Council has the authority to spend up to \$1,000 before calling a congregational meeting. The Council is answerable to the congregation and shall report out all transactions of business to the congregation at each quarterly meeting.

ARTICLE VI -THE VARIOUS BOARDS, COMMITTEES AND THEIR DUTIES

A. Board of Elders

1. Shall consist of at least three voting members.
2. Shall assist the Pastor in the spiritual care of the congregation, especially
 - in the cultivation of harmony and charity among the members, and in the promotion of the general welfare of the congregation and Christ's Kingdom.
3. Shall encourage faithful attendance at divine services and at the Lord's Supper, and
 - visit members to remind them of their Christian responsibilities.
 They shall visit the
 - sick in conjunction with Pastor.
4. Shall provide any assistance at baptisms and communion services.-
5. Shall arrange for services to be conducted regularly, even in the absence of the Pastor. They shall arrange for pastoral coverage as necessary.
6. Shall provide for an atmosphere of reverence and devotion at all services.

7. One member shall be appointed to keep the minutes of their board meetings.

B. Board of Finance

1. Shall consist of at least four voting members, including the Treasurer and the Financial Secretary.
2. Shall keep well informed about the financial condition of the congregation, and do that which is necessary to keep financial affairs in good order.
3. Shall prepare the annual budget and submit it to the Church Council during the first month of the third quarter. After the Church Council has had a chance to examine the budget, it will be sent to the congregation prior to the quarterly meeting at which time it shall be presented for final adoption.
4. Shall have the financial books audited annually and submit this report to the congregation at the second quarterly meeting.

C. Building and Grounds Committee

1. Shall manage the property in the name of, and as stewards of, the congregation.
2. Shall consist of at least three voting members who shall select their chairman.

A. Stewardship

1. Shall consist of at least two voting members that are appointed by the Council President.
2. The mission of the Church's Stewardship program is to discover and utilize the time, talents and treasure of the congregation

E. Outreach

1. Shall consist of at least two-voting members that are appointed by the council President to plan and promote an Outreach program in the congregation and in the community.
2. Plan and conduct religious surveys in the community.
3. In the field of social welfare, they shall discover the needs of individuals in the congregation of the aged, of the sick and of the poor. They shall

bring these needs to the attention of the Pastor.

4. Give the congregation a clear vision of the world's need of Christ and how they can supply that need.
5. Shall call to the attention of the congregation the programs being conducted by the church and solicit support for them.