

CONSTITUTION AND BYLAWS

of

St. Peter Evangelical Lutheran Congregation, Inc.

Deshler, Nebraska

Founded in 1888

The Lutheran Church – Missouri Synod

U.A.C.

(Unaltered Augsburg Confession)

Revised in 2017

**ARTICLES OF INCORPORATION
AND CONSTITUTION AND BYLAWS OF
ST. PETER EVANGELICAL LUTHERAN CONGREGATION, INC.
IN DESHLER, NEBRASKA**

* * *

ORIGINAL ARTICLES OF INCORPORATION

Deshler, Nebraska, January 30, 1889

On the above written date, the society of the Evangelical Lutheran Church in the above-mentioned town held a meeting, at which there was present a majority of the members of said society.

On motion, H. J. Struve was chosen chairman and Julius Schoenfeld secretary. The meeting being organized as above stated the following business was transacted.

The Messrs. Wm. Koerwitz, Philip Werner, and Fred Sorge were elected trustees of said society.

Resolved, that the first trustee above named hold his office for the term of three years, the second two years, and the third for one year. Resolved, that the successors of said trustees hold their offices for the term of three years, being elected at the first regular session of the society after the beginning of the New Year. Resolved, that the term of office of the secretary be one year. Resolved, that the society be known under the name "Evangelical Lutheran Saint Peter's Congregation in Deshler, Nebraska." Resolved, that the society, by the above name, be incorporated, according to the laws of the State.

On motion, the society adjourned. That this is a true record of the proceedings of the meeting, I certify by signing my name.

Julius Schoenfeld, Secretary

Filed for record February 5, 1889, at 1:30 P.M.

**REVISED ARTICLES OF INCORPORATION
OF
ST. PETER EVANGELICAL LUTHERAN CONGREGATION, INC.**

The undersigned, acting as incorporators of a corporation under the Nebraska Non-Profit Corporation Act, adopt the following Articles of Incorporation for such corporation:

FIRST: The name of the corporation is St. Peter Evangelical Lutheran Congregation, Inc.

SECOND: The period of its duration is perpetual.

THIRD: The purpose for which the corporation is organized is to serve its members and to spread the kingdom of God by the preaching of the Word of God, by the administration of the Sacraments, and by the religious instruction of youth and adults, according to the confessional standard of the Lutheran Church-Missouri Synod and to foster Christian fellowship and charity.

FOURTH: The address of the initial registered office of the corporation is 400 East Hebron Avenue, Deshler, Nebraska, and the name of its initial registered agent at such address is Ervin C. Hornbostel.

FIFTH: The number of directors constituting the initial Board of Directors of the corporation is nine, and the names and addresses of the persons who are to serve as the initial directors and incorporators are as follows: Ervin Hornbostel, Deshler, Nebraska; Louis Vieselmeyer, Deshler, Nebraska; Ray Ahrendts, Deshler, Nebraska; Orville Schmidt, Deshler, Nebraska; Eldon Windhorst, Davenport, Nebraska; Clarence Meyer, Deshler, Nebraska; Roy Ehlers, Deshler, Nebraska; Victor Harms, Davenport, Nebraska; Melvin Schoenfeld, Deshler, Nebraska.

Filed for record on June 6, 1978

THE CONSTITUTION

Preamble

The Word of God requires that a Christian congregation shall conform to this Divine Word in doctrine and practice (Psalm 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, the members of St. Peter Church, accept and subscribe to the following Constitution and Bylaws, in accordance with which all spiritual and material affairs of our congregation shall be governed.

ARTICLE 1

Name

The name of this congregation shall be "St. Peter Evangelical Lutheran Congregation, Inc., in Deshler, Nebraska."

ARTICLE 11

Purpose

The purpose of this congregation shall be to serve its members and to spread the kingdom of God, 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 III), and to foster Christian fellowship and charity.

ARTICLE III

Confessions

This congregation acknowledges and accepts all the canonical books of the Old and New Testaments as the revealed Word of God, verbally inspired, and acknowledges and accepts all the Confessional Writings of the Evangelical Lutheran Church, contained in the Book of Concord of the year 1580, to be the true and genuine exposition of the doctrines of the Bible. These Confessional Writings are the three Ecumenical Creeds (Apostles', Nicene, and Athanasian), the Unaltered Augsburg Confession, the Smalcald Articles, Luther's Large and Small Catechisms, and the Formula of Concord.

ARTICLE IV

Membership

The membership of this congregation includes the following:

A. Baptized Membership

Baptized members are all 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, and have been received by the rite of confirmation, or by profession of faith
2. Who accept all canonical books of the Old and New Testaments as the only divine rule and standard of faith and life;
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 live in manifest works of the flesh (Galatians 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 submit to fraternal admonition and correction 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 twenty-first year shall be furnished a copy of the Constitution and Bylaws by the Board of Elders or by the Pastor. Voting privileges shall be as prescribed by Article I paragraph B of the Bylaws.

ARTICLE V

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 ministers, teachers, and candidates only as profess and adhere to the confessional standard set forth in Article III of this Constitution and are well qualified for their work. Pastors and Teachers shall, in the call extended to and accepted by them, be pledged to this confessional standard.

ARTICLE VI

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, youth societies, ladies' organizations, choir, 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 III) and any such decision shall be null and void.

B. Right of Calling

The right of calling pastors shall be vested in the Voters Assembly and shall never be delegated to a smaller body or to an individual.

C. Decisions

Matters of doctrine and conscience shall be decided by the Word of God; other matters shall be decided by the Voters Assembly by a majority vote unless otherwise specified by the Constitution or Bylaws.

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 or pastor may be removed from office by the Voters Assembly, 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.

ARTICLE VII

Officers

The officers of this congregation shall be such officers, boards, or committees as the Bylaws of this congregation may prescribe.

ARTICLE VIII

Property Rights

If at any time a separation should take place on account of doctrine, the property of the congregation and all benefits therewith connected shall remain with those voting members who continue to adhere in confession and practice to Article III of this constitution. In the event the congregation should totally disband, the property and all rights connected therewith shall be transferred to the Nebraska District of the Lutheran Church-Missouri Synod subject to approval thereof by said District.

ARTICLE IX

Doctrinal Literature

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 III. Likewise, in all classes for instruction in Christian doctrine only such books shall be used as conform to this standard.

ARTICLE X

Synodical Membership

A. This congregation shall hold membership in the Lutheran Church-Missouri Synod. It shall send its pastor, called teachers, and a lay delegate to the District Convention of Synod.

B. It shall be the duty of the congregation and its individual members to support the work of Synod, since they thereby support their own Christ-appointed work.

ARTICLE XI

Bylaws

This congregation may adopt such bylaws as may be required for the accomplishment of its purpose.

ARTICLE XII

Changing the Constitution

A. Unalterable Articles

The following articles of this Constitution or sections thereof shall be unalterable and irrevocable: III, V, and IX.

B. Amendments

Amendments to this Constitution and the Bylaws may be adopted at a regular Voters Assembly, provided

1. That they do not conflict with the provisions laid down in Article III 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 at a previous Voters Assembly. The affirmative vote of a two-thirds majority of the voting membership present at the Voters Assembly shall be required for the adoption of an amendment.

BYLAWS

ARTICLE I
Membership

Admission into Membership

A. Communicant Membership

1. By Confirmation

Confirmation itself being a reception into church membership, all who are thus received by this sacred act 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, shall be received by the Pastor.

3. By Profession of Faith

Other persons shall submit their application to the Pastor or an Elder; and having given satisfactory evidence of qualifications for communicant membership to the Pastor and/or at least one Elder, they shall be received as communicant members.

B. Voting Membership

1. Reception

All confirmed members who have reached their twenty-first year shall be entitled to vote and after one year to hold office. Female members may hold offices and serve on boards and committees which do not involve the specific functions of the Pastoral Office. Accordingly, female members shall not serve as Pastor, Elder, President, or Vice President of the congregation.

2. Duties

It shall be the duty of every voting member to attend the Voters Assemblies. By failing to attend, a member waives the right to cast their vote during that meeting. They shall accept nomination for office, committee appointments, etc., if possible, and generally participate in the business activities of the Voters Assembly.

Termination of Membership

A. Communicant Membership

1. Transfer to Other Congregations

Communicant members desiring to join a congregation in church fellowship shall present their request for transfer to the Pastor, to whom authorization is granted to issue such transfers.

2. Joining Other Churches

In cases where communicant members have joined another congregation outside our own fellowship, they shall, upon recommendation of the Pastor, be considered such as have terminated their membership, and their names shall be removed from the membership list.

3. Whereabouts Unknown

The names of members whose whereabouts are unknown and cannot be established for two years shall be removed by the Voters Assembly, and forthwith such membership is terminated.

4. Excommunication and Self-Exclusion

Any member whose conduct is unchristian shall be admonished according to Matt. 18:15-20. If the member refuses to amend their sinful life after proper admonition, they shall be excommunicated. If the member refuses to attend the Voters Meeting to discuss their case, they have thereby excluded themselves. A 90% agreement vote shall be required for every resolution by the Voters Assembly for the excommunication of a member. Excommunication or self-exclusion terminates membership.

5. Status

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 they are not reinstated into membership.

ARTICLE II

Meetings

A. Regular meetings of the Voters Assembly shall be held in the months of January, April, July, October, and December.

B. The annual meeting of the Voters Assembly shall be held in the month of January.

C. Special meetings of the Voters Assembly may be called by the Pastor or the Board of Elders. Notice stating the place, day and hour of the meeting, and the purpose or purposes for which the meeting is called shall be delivered not less than ten nor more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the President, or the Secretary, or the officers or persons calling the meeting, to each member entitled to vote at such meeting. If the corporation holds regular weekly meetings, such notice shall be deemed to be delivered by the announcement of such notice at not less than two consecutive regular meetings. If mailed, such notice may be included within any regular publication mailed to members and shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the corporation, with postage thereon prepaid.

D. Regular voters meetings shall be announced twice (by word or in the bulletin) at the two worship services prior to it. Whenever a meeting has been thus announced, and at least one-twelfth of the voting members of the congregation are in attendance, it shall be considered a properly convened and legal meeting capable of transacting business. However, for amending the Articles of Incorporation, the Constitution, and Bylaws, the erection of buildings, the purchase or sale of property, or the removal of a Pastor or Teacher or some other member from office, a quorum of one-eighth of the voting members is necessary, and two-thirds majority shall be required for adoption of a resolution, unless otherwise provided by State law. All such resolutions shall be by ballot.

ARTICLE III

Calling of Pastors and Teachers

Nominations for Pastor

At a meeting of the Voters Assembly properly convened, the list of candidates having been received from the District President and presented, candidates for the office of Pastor shall be submitted by the Board of Elders. Any voter is entitled to make additional nominations from the floor.

Nominations for Teacher

As long as St. Peter is a member of the Deshler Lutheran School Association, St. Peter will follow the process of nominating a Teacher that is contained in the constitution and bylaws of Deshler Lutheran School Association.

Elections

The election of a Pastor from the list of candidates chosen by the congregation shall be by ballot. The candidate receiving the majority of all votes cast shall be considered elected. The election shall, if possible, be made unanimous and the call shall be sent to the Pastor-elect.

ARTICLE IV

Election of Congregational Officers

The nominating committee consisting of the outgoing three-year officers plus two members appointed by the President shall present a slate of candidates at the December meeting of the Voters Assembly. The slate proposed by the nominating committee shall consist of at least two names, if possible, for each office. Additional nominations may be made from the floor. The annual election shall be by ballot and shall take place at the December meeting. The officers-elect shall assume their respective duties on the first Sunday of the following year. In the event of a vacancy in any office, the Church Council shall appoint a successor to serve until the next annual election. Officers shall be elected for the terms specified in these Bylaws and shall hold office until their successors shall have been elected and qualified. All three-year officers shall not succeed themselves.

ARTICLE V

Officer

The elected officers of this congregation shall be: a President; a Vice President; a Secretary; a Treasurer; a Financial Secretary; an Envelope Committee, a Board of Elders; a Board of Trustees; a Deshler Lutheran School Association Board; and a Cemetery Committee.

ARTICLE VI

Church Council

The Church Council shall consist of the President of the congregation, the Vice President, the Board of Elders, Trustees, the Deshler Lutheran School Association Board, the Secretary, the Treasurer, the Financial Secretary, and the Cemetery Committee of the congregation. The Pastor(s) and the Principal of the Deshler Lutheran School Association shall be ex officio members of the Council. However, if the Principal is not a member of St. Peter Lutheran Church, they shall be a non-voting ex officio member of the Church Council.

It shall be the duty of the Church Council to meet before each regular meeting of the Voters Assembly to consider and discuss all matters pertaining to the general welfare of the congregation as presented by the various boards and to present recommendations to the congregation. The Church Council shall act in matters committed to it by the Voters Assembly and, in cases of emergency, between congregation meetings. It shall annually appoint an auditing committee.

ARTICLE VII

Rights and Duties of Called and Elected Officers

Pastor

The Pastor shall be called by the congregation to hold and administer the Office of the Word in the name of the congregation. As the ministerial office in the church is the only divinely appointed one, and all other offices humanly appointed to assist the ministerial office in the service of the congregation, therefore, the Pastor shall be ex officio member of all boards and committees, and shall supervise Christian education within the congregation.

President and Vice President

The term of office of the President and Vice President shall be one year. The President shall preside at all meetings of the Voters Assembly. In his absence, the Vice President shall perform the duties of the office. The Vice President shall preside at the Council meetings and present the Budget at the December meeting of the Voters Assembly. In the event of a vacancy in the office of the President, the Vice President shall succeed to the office of President for the remainder of the term.

Secretary

The term of office of the Secretary shall be one year. The Secretary shall keep accurate minutes of the meetings of the Voters Assembly for the permanent records of the congregation and shall perform other duties in keeping with this office.

Treasurer

The term of office for the Treasurer shall be one year.

The Treasurer shall pay all bills authorized by the congregation and shall keep accurate records of the receipts and disbursements of the congregation in books which shall be and remain the property of the congregation. All of these books shall be internally audited annually, and a report of such audit shall be submitted to the congregation.

The Treasurer shall submit a report at each Quarterly Council and Voters Assembly meeting. Such report shall show actual receipts and disbursements compared with budgeted amounts.

Financial Secretary

The term of office of the Financial Secretary shall be one year.

It shall be their duty to record in books kept for such purpose all congregational offerings, contributions, and special collections.

The Financial Secretary shall prepare a report for the annual meeting of the Voters Assembly.

The congregation may elect as many assistants to the Financial Secretary as necessary, such as the Assistant Financial Secretary and Envelope Committee. With the Financial Secretary and the Treasurer, they shall constitute the Board of Finance.

Envelope Committee

The Envelope Committee shall consist of eight members. Their term of office shall be two years. One-half of this committee shall be elected each year. They shall be assistants to the Financial Secretary. All offerings shall be counted by the Envelope Committee in the presence of at least two members of this committee.

Board of Elders

The Board of Elders shall consist of six members. The minimum age for an Elder shall be twenty-five years. Their term of office shall be three years. One-third of the Elders shall be elected each year. They shall organize annually and elect a chairman who shall work in close contact with the Pastor and report regularly to the Voters Assembly.

They shall:

1. Assist the Pastor in all matters pertaining to the spiritual welfare of the congregation.
2. Consider complaints and grievances of members of the congregation if Matt. 18:15, 16 has been fully observed, and they shall report to the congregation those which cannot be otherwise resolved, in accordance with Matt. 18:17, 18.
3. Make every effort to induce members who have been negligent in their attendance of services, in the use of the Sacraments, and the financial support of the church, to mend their sinful ways and fully enjoy the rights and privileges of their membership.
4. See to it that all services are conducted in such a manner as to avoid needless disturbance and to foster an attitude conducive to worship among those in attendance.
5. Assist the Pastor in arranging for pulpit assistance, special services, and guest speakers.
6. Appoint and supervise Ushers and the Head Usher(s), Amplifying System Committee, Acolytes, Building Fund Treasurer, Memorial Fund Treasurer, etc.
7. Prepare a list of candidates when the congregation is to call a Pastor.
8. Be an example of Christian conduct and conservation.
9. Assist the Pastor in overseeing the parish education of the congregation (Sunday school, youth ministry, adult education, etc.)

Board of Trustees

This board shall consist of three members whose term of office shall be three years. One Trustee shall be elected each year.

It shall be the duty of the Trustees to administer all property belonging to the congregation, to make contracts; accept and receive grants and bequests; sign documents; appear in court; in short, to transact all the business of the congregation assigned to them by the Voters Assembly. The senior member of the Board shall serve as chairman and act as contact between the Board and the Pastor and make regular reports to the Voters Assembly.

Deshler Lutheran School Association Board

This Board shall consist of six members of St. Peter Lutheran Church who will be representatives to the Deshler Lutheran School Association Board. They shall be elected annually for a term of three years so that two new members are elected each year. The Board shall hold regular meetings.

As long as St. Peter Evangelical Lutheran Congregation, Inc., is a member of the Deshler Lutheran School Association, they will abide to their Constitution and Bylaws.

Cemetery Committee

The Cemetery Committee shall consist of three members who shall be elected for a term of three years, one to be elected each year. It shall be their duty to supervise maintenance of cemeteries and burial locations.

ARTICLE VIII

Changes in Regulations

The Congregation shall from time to time adopt, alter, or amend rules and regulations (or directives) for the guidance of officers and committees in their work.

ARTICLE IX

Order of Business

The following shall be the order of business for the regular Voters Assembly:

1. Devotion
2. Roll Call
3. Reading of Minutes
4. Admission of New Members
5. Reports of Officers and Boards
6. Unfinished Business
7. New Business
8. Adjournment
9. Prayer