



BY-LAWS OF

ST. TIMOTHY EVANGELICAL LUTHERAN CHURCH

Approved May 1, 2016



For there is a proper time and procedure for every matter . . .”

Ecclesiastes 8:6

President of Congregation
Vincent Spanel

Secretary of the Congregation
Martha Bernard

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Preamble

In the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

Recognizing our unity in Christ and our common practice in the Christian faith; desiring to express our fellowship in worship and work; knowing our spiritual needs; mindful of our Christian privileges and duties; and wishing to observe orderly cooperation, we adopt the following By-Laws:

As defined by the Constitution, “Lutheran” shall be taken to mean the Lutheran Church—Missouri Synod (LCMS), or any other Lutheran body with which the LCMS has pulpit and altar fellowship.”

1 PART I - COMMUNION PARTICIPATION

(cf. Article II of the Constitution)

1.1 Encouragement

This Congregation encourages all of its communing members to participate regularly in Holy Communion.

1.2 Participation

Participation in Holy Communion shall be in accordance with Article II paragraph 2.5 (Unity in Doctrine and Practice) of the Constitution.

1.2.1 Exceptions

The exceptions to the Rule belong to the sphere of privilege, not of right.

1.2.2 Exception Determination

The determination of the exception is to be made in consonance with these principles, by the conscientious judgment of the Pastor(s) as the case arises.

1.3 Belief of Congregation

It shall be made known to prospective communicants that the belief of this Congregation is:

1.3.1 Mysteriously, But Truly Present

Lutherans teach and believe that Jesus Christ is mysteriously but truly present in the Sacrament of Holy Communion where bread and wine are the elements.

1.3.2 Effective Sacrament

Lutherans teach and believe that this Sacrament can be received by the communicant in one of two ways:

- a. As a blessing from God (forgiveness of sins, life, and salvation), Matthew 26:28;
or
- b. Eating and drinking damnation (judgment to self), I Corinthians 11:29.

1.3.3 Blessing of God

People receive the blessing of God when they comes believing in God's forgiveness; after self-examination; in humility and penitence, sincerely confessing their sins; and at peace with themselves and their neighbor, without lingering bitterness or hatred. Matthew 5:24.

1.4 Practice of this Congregation

Since the above beliefs concerning this Sacrament differ from those of other Christian Churches, it is the practice of this Congregation that:

1.4.1 Preparation and Self-Examination

As a minimum preparation and self-examination, those participating in the Sacrament shall be present for the Service of Public Confession, unless given the opportunity for private confession and communion due to inability to attend the public service.

1.4.2 Non-Lutherans Discussion with Pastor

Non-Lutherans must discuss with the Pastor, prior to the service, the privilege of participating in the Sacrament, because the rule is: Lutheran Altars for Lutheran Communicants only.

1.5 Holy Communion Records

A record of members' participation in Holy Communion shall be maintained.

2 PART II - CONFLICTING LOYALTIES

(cf. Article II of the Constitution and Article VII of the constitution of the LCMS)

2.1 Rejecting Fellowship

While the buildings of the Congregation shall be open to all individuals to share in its worship, instruction, pastoral care, and fellowship, the Congregation, in rejecting all fellowship with organizations, secret or open, as referred to in Article II paragraph 2.6 (Opposed Organizations) of the Constitution, will not permit ceremonies of lodges or other such organizations in the buildings or premises of the Congregation.

2.2 Rejecting Participation

Furthermore, St. Timothy's pastor(s) or lay assistant(s) shall not take part in any such ceremonies wherever they are conducted.

3 PART III - MEMBERSHIP

(cf. Article VI of the Constitution)

3.1 Baptized Member

3.1.1 Baptized Child of Member

A child, one or both of whose parents or guardians are members of the Congregation shall, upon receiving Baptism, become a Baptized member.

3.1.2 Baptized Child of Non-Member

A child, neither of whose parents or guardians are members of the Congregation shall, upon receiving Baptism, become a Baptized member of the Congregation, unless for good reason he/she is to be a Baptized member of another congregation, in which case his/her membership shall be transferred to that congregation.

3.1.3 Baptismal Transfer

A child baptized in another congregation shall be received as a Baptized member in the Congregation when a transfer has been received, or when evidence of Baptism is presented.

3.1.4 Unbaptized Adult

An unbaptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall, upon confession of faith and Baptism, become a Baptized Member of the Congregation.

3.2 Confirmed Member

3.2.1 Receiving Instructions

A Baptized adult, not previously a Confirmed member of a Lutheran congregation, shall become a Confirmed member of this Congregation after having received instruction, having given evidence of an adequate understanding of the teaching of the Word of God as confessed by the Lutheran Church, and having publicly affirmed his faith.

3.2.2 Rite of Confirmation

A Baptized member of the Congregation shall become a Confirmed member through the rite of confirmation; except that an adult who has become a Baptized member in accordance with the provisions of Part III, Paragraph 3.1.4 (Unbaptized Adults) of the By-Laws shall be considered a Confirmed member without participation in the rite of confirmation.

3.2.3 Letter of Transfer

An applicant for membership who presents a Letter of Transfer which certifies that he/she is a Confirmed member in good standing of a Lutheran congregation shall become a Confirmed member of the Congregation upon recommendation of the Pastor's Advisory Committee and approval by the Church Council. The acceptance of the applicant shall be reported to the Congregation.

3.2.4 Evidence of Confirmation

An applicant for membership who presents evidence of confirmation in a Lutheran Congregation but does not have a Letter of Transfer shall be admitted to confirmed membership when the Pastor's Advisory Committee and the Church Council have determined that he/she meets the standards of Christian faith and life indicated in this Constitution and By-Laws and when he/she has reaffirmed his/her faith before the Congregation.

3.3 Member In Good Standing

The term "in good standing" shall be defined to include those who, within the past year, have partaken of Holy Communion, and either:

- a. Contributed to the Congregational treasury according to the Congregation's records,
or
- b. Participated in the life and worship of the Congregation.

3.4 Discontinuance of Membership

3.4.1 Member Relocates

In the event a confirmed member moves from the community the Congregation serves, the Congregation shall encourage the member to request a transfer to a Lutheran congregation which can serve him/her effectively. Should the member fail to request a transfer within one (1) year of his/her departure from the community, a Lutheran congregation in the community of his/her residence shall be notified. Should the member then fail to request a transfer within two (2) years of his/her departure from the community, he/she may be removed from membership and the Church may send a letter to the removed member explaining the removal and affirming his/her membership in good standing to that date. The Pastor(s) and the Pastor's Advisory Committee shall consider extenuating circumstances such as students and members in the service whose active involvement in a fellowship in their new temporary residence does not involve formal membership.

3.4.2 Change Membership

A Confirmed member in good standing desiring to change his/her membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.

3.4.3 Children

A child, neither of whose parents or guardians is a member of the Congregation, may be removed from the roster of Baptized members if he/she fails to participate in the life and the worship of the Congregation, upon being notified of such action.

3.4.4 Responsibility List

Any member removed from the membership roster of the Congregation shall be retained on a responsibility list for at least one (1) year as one who is in special need of the Congregation's prayer and concern.

4 Part IV - Discipline

(cf. Article VIII of the Constitution)

4.1 Grievance between Members

If a member of the Congregation has a grievance against another member of a nature as indicated in Article VIII (Discipline) of the Constitution, he/she shall contact the individual following Matthew 18:15-18 and Galatians 6:1, 2. If the offending member is unrepentant and the issue is not resolved, the member will refer the matter to the Pastor's Advisory Committee. If the Pastor's Advisory Committee deems it necessary, it shall appoint a Committee on Confession of Faith. At least two (2) members of the Committee and the member registering the complaint will, in a spirit of gentleness, visit the member again seeking resolution. If the problem is resolved the matter will be dropped without involving any other members. If the offending member is unrepentant, he/she will be requested to appear before the Pastor's Advisory Committee along with the findings and recommendations of the Committee on Confession of Faith.

4.2 Request to Appear

A person who is requested to appear before the Pastor's Advisory Committee for possible discipline shall be advised in writing no less than ten (10) days prior to the hearing. The written notice shall include the time and place of the hearing and shall specify the exact reason for the possible discipline. If the person fails to appear at the time and place without valid excuse, the Pastor's Advisory Committee may proceed with the hearing and may reach its conclusion in his/her absence.

4.2.1 Findings

Should the person be found guilty by a majority of the Pastor's Advisory Committee present at the meeting, the Pastor's Advisory Committee shall impose one of the following, which shall be established by a majority vote:

- a. Censure before the Church Council or the Congregation;
- b. Suspension from membership until proof is given of sufficient repentance and amendment;
- c. Exclusion/removal from membership.

4.2.2 Disciplinary Impositions

In the event of the imposition of item b or c of Part III paragraph 4.2.1 (Findings) of the By-Laws, the action of the Pastor's Advisory Committee shall be in writing and submitted to the Church Council prior to the Congregation for approval.

4.2.3 Member Not In Good Standing

A confirmed or communing member who is not in good standing shall be admonished by the Pastor and the Pastor's Advisory Committee, and encouraged by them to active membership (to become a member in good standing). If, during the second year, the confirmed member does not actively participate, his/her name shall be removed from membership in the Congregation, and he/she shall be notified in writing of this result of his/her negligence.

5 PART V – PASTOR

(cf. Article X of the Constitution)

5.1 Letter of Call

When the Congregation has voted to call a Pastor, it shall issue a Letter of Call to the pastor elect. The Call must be in accordance with the terms and conditions of the Constitution and By-Laws, as amended at the time of the Call. It shall be signed by the President and the Secretary of the meeting at which the Call was approved.

5.2 Assistant Pastor Call

A Call to a Pastor to be an Assistant Pastor shall be issued only with the concurrence of the Pastor of the Congregation and in accordance with the provisions of Part V Paragraph 5.1 (Letter of Call) of the By-Laws, and Article X paragraph 10.9 (Assistant Pastor) of the Constitution.

5.3 Call – Time Period

The Call to a Pastor shall be for an indefinite period of time.

5.4 Call to Another Ministry

If the Pastor currently serving St. Timothy Lutheran Church receives a Call to another ministry, the Pastor shall consult the Pastor's Advisory Committee or, if desirable, meet with the Church Council and the Congregation, before reaching a decision. The decision of the Pastor shall be announced as quickly as possible, normally within three (3) weeks. When a Call has been accepted, the Pastor shall terminate the current ministry as soon as feasible, normally within a month.

5.5 Pastoral Office Vacancy

In the event of a vacancy in the pastoral office, the Pastor's Advisory Committee shall provide for interim pastoral service.

5.6 Defection in Doctrine or Alleged Conduct Unbecoming a Pastor

In the event of alleged defection in doctrine or alleged conduct unbecoming a pastor or incapacity to perform the duties of the Pastoral office, the Pastor's Advisory Committee shall follow the general terms of Part IV (Discipline) of the By-Laws, dealing with discipline and/or consult with the District or Synod regarding the alleged defection, conduct, or incapacity.

6 PART VI - MEETINGS OF THE CONGREGATION

(cf. Article XI of the Constitution)

6.1 Annual Meetings

At the first annual meeting of the Congregation (held in September), the Congregation will review the financial status of the Church, appoint representatives to auxiliary organizations, select a Nominating Committee, and review the Annual Report .

At the second annual meeting of the Congregational (held in May), the Congregation shall address the following topics: approval of the budget, election of the Officers and the required number of other Church Council members, and the approval of the appointed members of the Pastor's Advisory Committee.

6.2 Announcement

Announcement of the time and place of the annual meetings and any Special Meetings of the Congregation shall be made at two (2) public services immediately preceding the meeting, said services to be at least a week apart; and in such publications as the Congregation or the Pastor may periodically issue, or by written notice to the voting members mailed not less than ten (10) days in advance of the meeting.

6.3 Voting Roster

The current roster of voting members shall be available at each meeting.

6.4 Floor Privileges

Voting Members of the Congregation under 18 years of age, when they do not have voting privileges (see Article VI paragraph 6.2.3 of the Constitution (Voting Members)), shall be afforded full floor privileges with respect to debate or discussion of the issue before the Congregation and are encouraged to participate.

6.5 Absentee Ballots

There shall be no absentee balloting.

6.6 Appoint Advisory Call Committee

At an annual meeting, or at a meeting called for this specific purpose, the Congregation shall appoint an Advisory Call Committee for the purpose of filling vacancies or newly established positions such as Pastor, Assistant Pastor, Youth Director, Director of Christian Outreach, or any other similar ordained or commissioned minister position where the individual being sought is outside the Congregation. This authority shall not be delegated.

6.7 Robert's Rules of Order

Unless otherwise ordered, parliamentary procedures shall be in accordance with Robert's Rules of Order.

7 PART VII – ORGANIZATIONAL STRUCTURE

7.1 Church Council -- Membership Governance

In addition to the provisions of the Constitution, the following shall govern membership on the Church Council and the conduct of its meetings:

7.1.1 Elected to Executive

A Church Council member with an unexpired term who is elected to the Executive Committee automatically forfeits the Ministry Group position. In this case, the Church Council shall fill the vacated position in accordance with Part VII paragraph 7.1.3 (Vacancies) of the By-Laws.

7.1.2 Installation of Elected Officers and Chairpersons

The newly elected Church Council member shall assume office at the time prescribed in Article XII paragraph 12.4 (Term of Office) of the Constitution. The public installation of all newly elected Church Council members shall take place at the morning Worship Service on the last Sunday in June.

7.1.3 Vacancies

If a vacancy occurs on the Church Council, the Church Council shall appoint a successor to serve out the remainder of the term of office of that Church Council member. An appointment shall not be considered in determining eligibility for succession.

7.1.4 Meeting Absences

If a member of the Church Council is absent from two (2) consecutive regular monthly meetings without valid excuse, the President of the Congregation shall discuss the matter with him/her. If the member is absent from three (3) consecutive regular monthly meetings without valid excuse, the Church Council shall declare the office vacant.

7.1.5 Quorum – Church Council

A quorum for any regular or special meeting of the Church Council shall be one-half (1/2) of its membership.

7.1.6 Special Meetings – Church Council

A special meeting of the Church Council may be called by the Pastor, the President, or any three (3) members of the Church Council. Notice of such a meeting shall be given not less than five (5) days prior to the meeting and shall be announced at a public service if one is held during that period.

7.1.7 Newly Elected Officers and Committee

In order to effect an orderly transition of the business of the Congregation, the newly elected Officers and Committee Chairpersons should attend the Church Council meetings held in May and June for the purpose of familiarizing themselves with the responsibilities of the whole Church Council as well as the activities of the different Ministry Groups.

7.2 Duties of Officers

7.2.1 President

The President, as the lay leader of the Congregation, shall assume the responsibility of directing the overall congregational program and shall preside at meetings of the Church Council, Executive Committee, and of the Congregation.

The President shall annually develop the “Presidents Report” providing a status of the Congregation.

7.2.2 Vice President

The Vice President shall assist the President in the overall direction of the congregational program, shall be the point of contact between the Church Council and

special committees which may be appointed by the Church Council/Congregation from time to time, and shall preside at meetings in the absence of the President.

7.2.2.1 Constitutional Knowledge

The Vice President shall have a working knowledge of the Constitution and shall see that the Church Council, members, committees, organizations, and the Congregation as a whole adhere to its provisions.

7.2.2.2 Memorial Fund Committee Chair

The Vice President shall chair the Memorial Fund Committee. (See paragraph 7.11).

7.2.3 Secretary

The Secretary shall keep the minutes of the Church Council and of the Congregational meetings and shall have responsibility for the archives of the Congregation.

7.2.4 Treasurer

The Treasurer shall have custody of all budgeted funds of the Congregation. He/she shall receive and disburse such funds in accordance with the decisions of the Congregation or the Church Council.

The Treasurer shall also:

- a. Supervise the handling and banking of funds.
- b. Prepare the necessary financial reports to keep the Council and the Congregation fully informed at all times of the financial condition of the church. The financial condition will be reported monthly to the Congregation via the members' website.

7.3 Church Council -- Duties and Responsibilities

7.3.1 Authority

In addition to the duties and responsibilities provided in the Constitution, the Church Council shall have the authority to:

7.3.1.1 Staffing

Secure necessary staff other than the Pastor(s) and fix and review annually their performance and salaries.

7.3.1.2 Salary Review

Review annually the salary of the Pastor(s), taking into account the recommendations of the Pastor's Advisory Committee, and make adjustments

from time to time within the limits of the budget approved by the Congregation.

7.3.1.3 Receive Reports

Receive reports regularly from the Treasurer to ascertain that the expenditures are within the budget approved by the Congregation.

7.3.1.4 Prepare Budget

Prepare a budget for submission at the second annual meeting of the Congregation.

7.3.1.5 Adjust Budget

Make adjustments, limit, or expand planned budget expenditures to align annual spending with available income. The Church Council may, by appropriate majority vote, commit up to five thousand dollars (\$5,000) to a project not specifically identified in the current budget, provided additional funds are available or are reallocated from budgeted items.

7.3.1.6 Bonding

Assure that the Treasurer and others who have access to the funds of the Congregation are adequately bonded.

7.3.1.7 Financial Review

Appoint an auditing committee composed of three (3) members of the Congregation, or employ the services of a public accounting firm, which shall audit the fiscal records of the Congregation and report its findings in writing to the Congregation at the annual meeting. Such audits shall include examination of existing insurance coverage.

7.3.1.8 Real Property Disposition

Dispose of real property fixtures that have been replaced, broken, or are unrepairable, up to a value of one thousand dollars (\$1000) per item.

7.3.1.9 Building and Premise Usage

Limit the normal use of the buildings and premises of the Congregation for their functions. Should groups or individuals not associated with the Congregation desire to use such property, written application shall be made annually to the Church Council for its approval.

7.3.1.10 Delegate Appointments

Appoint, between meetings of the Congregation, delegates to any group or meeting in which the Congregation is entitled to representation.

7.3.1.11 Policies, Procedures, and Ministries

Develop and implement policies, procedures, and ministries as necessary to execute the vision and plans approved by the voters' assembly. Written policies and procedures shall be made available to voting members upon request.

7.3.2 Constitution and By-Laws Reviews and Updates

Beginning in 1990 the Church Council will see that the Constitution and By-Laws are reviewed/updated at a minimum of every five (5) years (i.e., 1995, 2000, 2005, etc.).

7.4 Ministry Groups -- General Duties

Encourage the Gospel-motivated practice of joyous, worshipful, liberal, proportionate, first-fruits giving in response to received blessings and recognized needs.

Give every member an opportunity annually to make a commitment of his/her treasure for the Kingdom's work through the Congregation.

7.4.1 Ministry Group Minutes

Provide a copy of the official meeting minutes to the Church Council Secretary.

7.4.2 Ministry Group Budget Submission

Prepare and submit budget inputs to the Financial Committee for their respective ministry group on or before April 1 each year.

7.4.3 Ministry Group Summary Report

Annually prepare and submit to the Church Council a summary of activities and accomplishments of their respective ministry group at the end of the fiscal year.

7.4.4 Ministry Group Information

Prepare special Ministry Group information and/or publicity to be included in normally published and distributed parish media including, but not limited to, Epistle and Worship Service Bulletins, web sites, and email.

7.4.5 Other Information

Prepare and distribute other special information and publicity within the parish and/or community: i.e., posters, newspaper announcements, and invitations to other churches.

7.4.6 Ministry Group Members

Recruit, train and assign qualified members of the Congregation to fulfill the mission of their respective Ministry Group.

7.4.7 List of Ministry Group Members

Furnish the Secretary a list of members appointed to their ministry group. The list may be amended during the year and a copy of the amended list provided to the Secretary.

7.4.8 Ministry Group Decision Authority

Determine the decision-making authority of the ministry group to preclude the group from making unilateral decisions that affect other ministry groups or committees. Such decisions that are the responsibility of the Church Council or the Congregation.

7.4.9 Stewardship

Educating and propagating the God-pleasing use of time, monies, and abilities within the Congregation as taught in I Peter 4:10.

7.5 Ministry Groups -- Specific Responsibilities

The following are the responsibilities of each of the standing Ministry Groups:

7.5.1 Missions

Missions shall consist of the Church Council representative and other members as needed. The group is responsible for:

- a. Leading the Congregation in an ongoing program of witnessing for our Savior as commanded in Matthew 28:19.
- b. Assuring that up-to-date files on contacts with visitors are maintained.
- c. Providing greeters for the Services.
- d. Acting as a focal point for community outreach, coordinating St. Timothy's efforts for community disaster relief programs, and encouraging members to express the Biblical view on social issues.
- e. Reviewing annually our commitments to mission partners for inclusion in the annual budget.
- f. Participating in local missions (e.g., FISH, Jeremiah's Letter, etc.).

7.5.2 Parish Education

Parish Education shall consist of the Church Council representative, the Sunday School Superintendent, and all Sunday School teachers. The group, in fulfilling the command of Matthew 28:19-20, is responsible for:

- a. Developing, implementing, and promoting a comprehensive educational program for all ages. The educational programs include, but are not limited to, the following: Sunday Church School, Vacation Church School, Pre-membership

and Instruction Classes, Catechetical Classes, Weekday/night Educational Classes, and the Church Library.

- b. Reviewing the curriculum and educational materials of all educational programs.
- c. Providing opportunities for staff development and empowering the teaching staff to provide a better educational environment.
- d. Developing and maintaining the Church Library.
- e. Seeing to the availability of adequate facilities, equipment, formal educational materials, and other supplies for all of its programs.
- f. Maintaining sufficient records in order to meet any reporting requirements to the Church Council and/or the Congregation and to allow for the analysis and assessment of the educational program.
- g. Working with the Mission Ministry Group concerning those members who are inactive in the Sunday Church School programs.
- h. Conducting occasionally an intensive program to confront every member personally with basic Biblical stewardship principles and practices.

7.5.3 Financial

Financial shall consist of the Church Council representative, the Treasurer, the Parish Assistant, and other members as needed. This group is responsible for:

- a. Overseeing the daily transactions of the Church's accounting system performed by the Church Treasurer.
- b. Ensuring that accurate and effective accounting practices are maintained and utilized.
- c. Evaluating the offerings of the Congregation regularly and sharing these evaluations with the Congregation.
- d. Maintaining records of all contributions and preparing the necessary financial reports to keep the Church Council and the Congregation fully informed at all times of the financial condition of the Church.
- e. Studying the financial needs of the Congregation and, working with all Church Council members, preparing an annual budget for the Church Council to present to the Congregation for their consideration and approval at the annual Congregational meeting.
- f. Recommending controls for expenditures and approve necessary documentation (i.e., Purchase Requests).
- g. Ensuring that the Church financial records are audited annually.
- h. Purchasing and distributing offering envelopes.

7.5.4 Parish Life

Parish Life shall consist of the Church Council representative and other members as needed. This group is responsible for:

- a. Organizing congregational fellowship activities to better acquaint our members with the Lord and with each other.

7.5.5 Property

Property shall consist of the Church Council representative and other members as needed. This group is responsible for:

- a. Supervising the maintenance of the grounds, properties, and equipment of the Congregation.
- b. Providing custodial service for the Church grounds, properties, and equipment.
- c. Maintaining and inventorying the Church property and equipment.
- d. Securing the property and maintaining a log showing names and addresses of members who hold Church keys.
- e. Submitting recommendations to the Church Council for major improvements and maintenance of Church property.
- f. Reviewing annually the insurance coverage of the Church property and insuring maintenance of current update on cost coverage.

7.5.6 Youth

Youth shall consist of the Church Council representative, other members as needed, and one adult leader and youth representative from each active Youth Organization. This group is responsible for:

- a. Presenting the major concerns of the Youth organizations to the Church Council for their information and/or action.
- b. Ensuring that adult leaders are available for each of the Youth Organizations.
- c. Coordinating the Church-wide Youth programs to the extent necessary to assure that they are in accord with Church practices and that they enrich and edify the spiritual life and mission of the Congregation.

7.6 Executive Committee

The Executive Committee shall consist of the Pastor, President, Vice President, and Secretary. The committee, chaired by the President, is responsible for the following:

- a. Establishing guidelines for conducting the business meetings of the Church Council, including devotions, order of business, and planning the agenda.

- b. Acting as liaison between the Congregation, the Church Council, and the Lutheran Church—Missouri Synod.
- c. Assisting the standing Ministry Groups in prioritizing their objectives, plans, and programs to accomplish the overall objectives of the Congregation in an integrated manner. When necessary, suggests policy and program changes to the Ministry Group and Church Council.
- d. Monitoring the use of all office equipment and developing the office administration budget requirements for presentation to the Finance Group and Church Council.
- e. Establishing guidelines and encouraging communication within the Congregation. Monitoring minutes of Ministry Group meetings.

7.7 Nominating Committee

7.7.1 Membership

The Nominating Committee will consist of three (3) to five (5) members approved at the first annual meeting of the Congregation.

The Pastor shall serve as the convener and an advisory member of the Nominating Committee.

7.7.2 Nominations

The Nominating Committee shall nominate one (1) or more candidates for each office to be filled at the annual election and/or at the time vacancies occur. The Nominating Committee shall secure the consent of each candidate.

7.7.3 List of Nominees

The list of nominees shall be announced to the Congregation in conjunction with the announcement(s) of the Congregational meetings at which the elections are to take place.

7.7.4 Floor Nominations

In addition to the candidates nominated by the Nominating Committee, nominations may be made from the floor at the Congregational meeting at which the specific election is to take place. The consent of the candidate shall be obtained prior to the nomination.

7.7.5 Nominating Committee Vacancies

The Church Council shall fill vacancies on the Nominating Committee.

7.8 Advisory Call Committee

At an annual meeting, or at a meeting called for this specific purpose, the Congregation shall appoint an Advisory Call Committee for the purpose of filling vacancies or newly established positions such as Pastor, Assistant Pastor, Youth Director, Director of Christian Outreach, or any other similar ordained or commissioned minister position where the individual being sought is outside the Congregation. This authority shall not be delegated.

7.8.1 Members

The Advisory Call Committee will consist of five (5) members: one (1) from the Executive Committee, one (1) from the Church Council, and three (3) from the Congregation.

7.8.2 Voting Status

Members of the Advisory Call Committee shall be active members having voting status.

7.8.3 Committee Chair

The Advisory Call Committee will choose the Chair from within the committee.

7.8.4 Guidance

The Advisory Call Committee will follow the guidelines/procedures provided by LCMS Ohio District.

7.9 Committee on the Confession of Faith

At the discretion of the Pastor(s) and/or the Pastor's Advisory Committee, a Committee on the Confession of Faith may be appointed to study questions raised relative to Christian doctrine and/or to address a matter of discipline.

The Committee on the Confession of Faith shall assure that sound Christian doctrine, in accordance with Article II (Confession of Faith) of the Constitution, is presented by and to all members of this Congregation; advise the Pastor's Advisory Committee when sound Christian doctrine is not adhered to; and assist in difficult and controversial problems of doctrinal ministry as requested by the Pastor(s).

The Committee, whose qualifications and responsibilities are described in Titus 1:5-9 and I Timothy 3:1-7, shall be appointed by the Pastor's Advisory Committee.

7.10 Pastor's Advisory Committee

The Pastor's Advisory Committee shall consist of one member for every 50 Baptized congregational members, with a minimum three members on the committee, who are recommended by the Pastor and appointed by the Congregation at the second annual

congregational meeting. Each member shall serve a three-year term, with one member appointed each year.

The Pastor may recommend members for additional terms. The Committee will select, from among its members, an individual who will serve as Chair of the Committee and as a member of the Church Council.

The Pastor's Advisory Committee shall assist the Pastor in making decisions on sensitive issues, and in developing plans and approaches for increasing the spiritual growth and overall mission of the Congregation. This includes taking actions on discipline in accordance with Article VIII (Discipline) of the Constitution and Part IV (Discipline) of the By-Laws. The Pastor's Advisory Committee is responsible for:

- a. Acting upon the instructions in James 5:13-20 to strengthen and encourage members in their faith by calling on them regularly and systematically when they are ill, shut-in, or repeatedly absent from the worship services.
- b. Reviewing and recommending actions regarding requests of individuals for membership, and reviewing the Congregation's membership to determine those members who should be placed on the inactive list or be removed from membership, and placed on a responsibility list. See Part III paragraph 3.4.4 (Responsibility List) of the By-Laws.
- c. Approving, upon the recommendation of the Pastor(s), Lay Members to assist the Pastor(s) as Communion Assistants.
- d. Encouraging and enlisting the young people of the Congregation for full-time service in the Church as pastors, teachers, and the like.
- e. Reviewing the individual records and pastoral reports of the Catechetical Class members and recommending to the Church Council the youth to be confirmed.
- f. Assisting the Pastor by providing him feedback regarding his performance and encouraging him in his ministry.
- g. Assisting the Pastor and the Mission Ministry Group in shepherding new members into the Congregation fellowship.
- h. Maintaining the current rosters of Baptized, Confirmed, and Voting members of the Congregation.
- i. Assisting the Pastor in providing for the Congregation's worship services, including planning, budgeting, providing resources, and coordinating all activities of the Congregation involved in conducting regular and special worship services and events.
- j. Supervising the Organist and the Director of Music.

- k. Staffing, training, and supervising the ushering staff, lay persons for Scripture reading, the Altar Guild, Acolytes, and sound system operators.
- l. Consulting with and providing assistance to the Pastor regarding any personal problems or requests, including any Calls the Pastor may receive from other congregations in accordance with Article X (The Pastor) of the Constitution and Part V (Pastor) of the By-Laws.

7.11 Memorial Fund Committee

The Memorial Fund Committee is chaired by the Vice President of the Congregation. The committee will consist of at least two (2) other permanent members. When a vacancy occurs, the Vice President will appoint a new member with advice of the Church Council. The Memorial Fund Committee will be responsible for:

- a. Making decisions on how memorial funds should be spent, and
- b. Acknowledging receipt of gifts to both the donor and the family of the deceased or the honoree.

The memorial fund will be established and monies donated to it will be separately accounted for and disbursed by the Treasurer and only used as determined by the committee with advice of the Church Council. The memorial fund will be used for items of lasting value, preferably in the sanctuary area, rather than expendable items.

8 PART VIII – PARISH RECORDS

The records of the Congregation shall be and remain the property of the Congregation. The Pastor(s) shall be responsible for, but can delegate, the maintenance of the records, except as otherwise provided herein. Upon the termination of the Pastor's services to the Congregation, the Pastor shall have brought the records up to date prior to departing. The records shall consist of:

- a. The rosters of Baptized, Confirmed, and Voting members, for which the Pastor's Advisory Committee shall be responsible.
- b. The minutes of the meetings of the Congregation and of the Church Council, for which the Secretary of the Congregation shall be responsible.
- c. The financial records of the Congregation, for which the Finance Ministry Group shall be responsible.
- d. The President's Report, for which the President of the congregation shall be responsible.
- e. The summary of ministerial acts performed by the Pastor(s), for which the Pastor shall be responsible.

8.1 Summary of Ministerial Acts - Pastor

The Pastor shall annually report to the Congregation a summary of all ministerial acts.

8.2 Annual Report

An Annual Report shall be developed, at the end of the fiscal year, consisting of the President's Report, the summary of ministerial acts, year-end financial reports, ministry group summaries, and Congregational Meeting minutes. The Executive Committee shall be responsible for the Annual Report.

8.3 Records Availability

The Church Council minutes, financial reports, and Congregational Meeting minutes shall be made available to the Congregation in a timely manner. Questions related to review of the Church Council minutes, financial reports, and congregational meeting minutes should be directed to any member of the Council or the Church Office.

8.4 Record Disposition – Congregation Dissolution

Should the Congregation be dissolved, the records of the Congregation shall be disposed of in accordance with the desires of the Congregation, by a majority vote of the voting members present and voting at a validly called and conducted meeting of the Congregation, called for the purpose of dissolving the Congregation.

9 The Endowment Fund

The Endowment Fund Articles of Association -- WHEREAS, the Congregation of St. Timothy Ev. Lutheran Church of Huber Heights, Ohio, Inc. hereinafter referred to as the “congregation,” desires to create an Endowment Fund to hold and invest monies and other properties which will enable the Congregation to better achieve the objectives of St. Timothy’s Congregation as set forth in the Constitution and By-Laws.

WHEREAS, the Congregation desires to provide for the efficient management of the Fund and for its administration according to certain prescribed terms and conditions.

NOW, THEREFORE, upon motion duly made and seconded at a regular congregational meeting, the Congregation adopts the following Articles of Association:

9.1 Creation of Fund

The Congregation hereby creates an association to be known as the “Endowment Fund of St. Timothy Ev. Lutheran Church,” hereinafter referred to as the “Fund.”

9.2 Purpose of Fund

The purpose of the Fund shall be to receive gifts and contributions specifically naming the Fund as beneficiary, and to receive such other congregational gifts designated by the Congregation to be administered by the Fund on its behalf, and to hold and invest the same and thereby create and become a resource available to the Congregation to achieve one or more of the Congregation’s objectives, all according to the terms and conditions provided herein:

- a. To administer gifts and contributions specifically naming the Fund as beneficiary which are for specific restricted purposes as prescribed by the donor, or the Voters.
- b. To provide funds for such programs and other purposes, as designated by the Congregation, which are educational, spiritual, and/or charitable; provided, however that monies of the Fund shall never be used or borrowed to pay current operating expenses of the Congregation, or for such items ordinarily appearing in the annual budget.

9.3 Membership

The membership of the Fund shall consist of the voting member of the Congregation. All persons hereinafter becoming voting members of the Congregation shall thereupon become members of the Fund and shall continue as member of the Fund.

9.4 Management of Fund

The management of the Fund is hereby entrusted to a Permanent Endowment Committee, hereinafter referred to as the “Committee,” consisting of five (5) voting members of the

Congregation. The Committee shall be elected by the voters assembly at the regular election.

The Pastor and President of the Congregation shall be ex-officio members of the Committee and shall be as advisory members without power to vote. The presence of the ex-officio members shall not be counted in determining the existence of a quorum.

9.5 Organization of Permanent Endowment Committee

Members of the Committee shall be elected for three-year terms. The initial committee shall be elected to positions having the following terms: one (1) person shall be for a term of one (1) year to act, two (2) persons shall be for a term of two (2) years, two (2) persons shall be for a term of three (3) years.

No person shall be elected to more than two consecutive terms; provided however, that a person shall again be eligible for election following a one (1) year absence from the Committee.

Vacancies on the Committee shall be filled as soon as practicable by election of the voters, and the persons so elected shall fill the unexpired term created by the vacancy.

The Committee shall organize itself annually and shall act through meetings at which any three Committee members present and voting shall constitute a quorum, provided that all members have been properly notified in advance.

9.6 Powers and Responsibilities of the Permanent Endowment Committee

9.6.1 Receipt of Contributions

The Committee shall have the power to receive, on behalf of the Fund and Congregation, gifts of any description, whether restricted or unrestricted, and to hold the same according to the terms and condition stated herein, or according to the terms and conditions stated by the donor where the donor specifically designates the Fund as beneficiary. The Committee shall acknowledge the receipt of each gift to the donor, and where feasible, ascribe a value to the gift.

The Committee, if it feels that a gift, restricted or unrestricted, does not fit the purpose of the Fund, shall recommend to the Voters that such a gift be declined.

9.6.2 Management of Funds

The Committee shall have the responsibility to hold, protect, manage, and invest or re-invest the properties in the Fund with the objective of obtaining maximum income and growth in value consistent with the investment policies followed by a prudent man in the management of his own property. All recommended transactions shall be

subject to prior approval of the Voters Assembly. Such transactions, subject to the approval of the Voters' Assembly are in no way limited by those provisions of the Congregation's Constitution and By-Laws, which commit the management of the Congregational monies and property to other Boards or committees or individuals.

Notwithstanding, Fund property is to be held under the terms of these Articles and apart from other Congregational property, the Committee, shall hold all Fund property in the name of the Congregation.

In the management of the Fund, the Committee shall be subject to all requirements of Ohio Law.

9.6.3 Accounting and Use of Fund

The Committee shall have the power to use the principal and income of the Fund, according to the terms limitations hereinafter provided, to accomplish any or all of the purposes of the Fund.

Specifically, the Committee shall, in the books and records of the Fund, distinguish between the principal and income of the Fund.

The Principal of the fund shall not be available for use until the principal balance reaches \$250,000. Until that balance is reached only the income from the fund may be used.

All gifts received by the Fund shall be allocated to the principal of the Fund to be invested and reinvested by the Committee subject to a decision by the Voters, or conditions established by the donor. The Committee must obtain 2/3 vote for approval at a Voter's meeting prior to committing or spending any amount to the Fund in excess of \$500.00 annually.

9.6.4 Limitations on Use of Fund

In the management of the Fund, the Committee shall not:

Engage in any form of trade or commercial activity which will result in a remunerative profit to the Fund;

Engage in the carrying on of propaganda or otherwise attempting to influence legislation; participate in or intervene in (including the publishing or distribution of literature) any political campaign on behalf of any candidate for public office; or contribute any part of the income or principal of the Fund to any organization engaging in such activity;

Permit any part of the principal or income of the Fund to inure to the benefit of any Committee member or member of the Fund, unless such benefit (which can include, but is not limited to, payment of reasonable compensation for services rendered and/or materials furnished) is a result of one of the purposes of the Fund; or permit any Committee member or member of the Fund to share in the distribution of any of the properties of the Fund on dissolution of the Fund;

To enter into or be a part of any political participation or political influence in the church politics of the Lutheran Church—Missouri Synod.

9.6.5 Maintenance of Tax Exemption

The Committee shall at all times manage the Fund in a manner consistent with the requirements of the Internal Revenue Code, as it is presently or as it may hereafter be amended to protect the tax exempt status of the operations of the Congregation and to insure that gifts to the Fund will qualify as charitable contributions to the Congregation, namely, St. Timothy Evangelical Lutheran Church of Huber Heights, Ohio Inc.

9.6.6 Record of Action

The Committee shall keep written minutes or other appropriate record of all decisions relating to the management of the Fund.

9.6.7 Employment of Professional Services

The Committee shall have the power to employ, depository, trust, accounting, insurance, legal, and other professional services to assist and advise it in the management of the Fund.

The Committee shall pay for any such services of the interest income of the Fund, restricted and unrestricted monies, each providing a proportionate share of the cost.

9.6.8 Accounting to the Voters Assembly and to the Congregation

The Committee shall report to the Voters Assembly whenever requested, but no less frequently than annually on the operations and accounts of the Fund in the printed congregation Annual Report. At the same or any other time, the books, records and properties of the Fund shall be subject to audit by an independent auditor designated by the Voters' Assembly.

9.6.9 Liability of Permanent Endowment Committee

No member of the Committee shall be held accountable for any loss or diminution of the Fund, or any damage to the Fund properties, unless such loss or damage is caused by such member's willful neglect or bad faith. Notwithstanding, any member of the

Committee may be removed from office at any time by a vote of a majority of those present and eligible to vote at any regular or special meeting of the Voters Assembly. The Fund Committee shall furnish a fidelity bond in an amount to be determined by the Voters Assembly.

9.6.10 Term of Fund

The Fund thereby created shall exist and continue to exist for so long as the religious congregation known as St. Timothy Evangelical Lutheran Church shall exist, provided, however, that if at any time after ten years from the date of the Resolution, the unrestricted principal of the Fund shall have a value less than \$10,000, the Committee may, upon the recommendation and concurrence of the Voter's Assembly, transfer, convey, and surrender all money and property of the Fund to the Congregation, to be held and managed as other congregational property, and money subject to the following limitations:

In the event of such a transfer, any property held by the Fund in separate account or as the result of a restricted gift, and subject to any special condition or limitation, shall be transferred to the Congregation subject to the condition or limitation upon which it is held by the Fund.

In the event of such a transfer, the Fund shall cease to exist, and the responsibilities of the Fund Committee shall terminate.

9.6.11 Dissolution of the Congregation

In the event that the religious congregation known as St. Timothy Ev. Lutheran Church of Huber Heights, Ohio, Inc., shall disband or otherwise discontinue its religious and education work during the term of the Fund, then the Committee shall dissolve and terminate this Fund as follows:

All property belonging to the Fund, and all books and records of the Fund, shall be transferred and surrendered to the Church Extension Fund of the Ohio District of the Lutheran Church—Missouri Synod or to the legal successors of the foregoing, and subject to the following limitation.

In the event of such a transfer, any property held by the Fund in a separate account or as a result of restricted gift, and subject to any special condition or limitation, shall be transferred subject to the condition or limitation upon which it is held by the Fund. At the conclusion of the transfers required by this Article, this Fund shall cease to exist and responsibilities of the Committee shall terminate.

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