

**THE CONSTITUTION OF
ST. JOHN LUTHERAN CHURCH
WEST BRANCH, MICHIGAN
PREAMBLE**

God requires that a Christian congregation shall conform To His divine Word in doctrine and practice (Psalm 119:105; Matthew 28:18-20; Galatians 1:68; 2 Timothy 4:1-5) and see that all things be done decently and in order (1 Corinthians 14:40). Therefore, we the members of St. John Lutheran Church in West Branch, Michigan, accept and subscribe to the following Constitution and By-laws, in accordance with which all spiritual and material affairs of our congregation shall be governed.

ARTICLE I - NAME

The name of this congregation shall be St. John Evangelical Lutheran Church, Missouri Synod, of West Branch, Ogemaw Co., Michigan.

ARTICLE II - CONFSSIONAL STANDARDS

- A. This congregation acknowledges and accepts all the canonical books of the Old and New Testaments as the verbally inspired and inerrant Word of God and submits to them as the only infallible authority in all matters of faith and life.
- B. This congregation acknowledges and accepts all the confessional writings of the Lutheran Church, contained in the Book of Concord of the year 1580 A.D., as the true and genuine expositions of the doctrines of the Bible. These confessional writings are the three ecumenical creeds (Apostles', Nicene and Athanasian), the unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, Luther's Large and Small Catechisms and the Formula of Concord.

ARTICLE III - MEMBERSHIP

- A. **Baptized Members** - Baptized members are those who have been baptized in the name of the Triune God and who are under the spiritual care of the pastor of this congregation, including the children who have not yet confirmed their baptismal vows.
- B. **Communicant Members** - Communicant members includes those who are baptized members and have been confirmed in the Lutheran faith, accept the confessional standards of Article II, are familiar at least with the basic Christian doctrines and who are not members of organizations whose principles and conduct conflict with the Word of God (including secret societies, like lodges that conduct private worship services with their members).
- C. **Active and Inactive Members** - an Active Member has recorded his or her worship attendance at least once in the last (12) twelve months. Home-bound members that have

participated in worship (at home) at least once in the last (12) twelve months will remain on the Active roster. After one year has past without being present in worship, the Active Member automatically moves to Inactive Member status. When possible, the Board of Elders should send a letter to the newly Inactive Member, informing them of their change of status, and encouraging them to participate in worship.

- a. Right to Vote:** An Inactive Member may not vote at Congregational Meetings.
- b. Use of Church Facilities:** An Inactive Member may not use church facilities for weddings, funerals, memorial services, or other private functions without permission from the Board of Elders.
- c. Moving from Inactive to Active status:** The Inactive Member must submit a request in writing to the Board of Elders, to be moved to Active Member status. This written request must be in addition to frequent worship attendance, demonstrating a “good-faith” desire to be in active fellowship with the congregation.
- d. Active Military Service:** Members of the U.S. military, serving out of the area, will be kept on the Active Member roster. At the Board of Elder’s discretion, the member’s status may be changed to Inactive, if it has been determined that there is little likelihood of the member returning to the congregation. If possible, a letter will be sent explaining the reason for the change in membership status.
- e. Students attending school out-of-the area:** Students that are studying out of the area will be kept on the Active Member roster. At the Board of Elder’s discretion, the member’s status may be changed to Inactive, if it has been determined that there is little likelihood of the member returning to the congregation. If possible, a letter will be sent explaining the reason for the change in membership status.

D. Voting Members - Voting members are Active and Communicant Members of this congregation who are eighteen years of age or older.

ARTICLE IV - SYNODICAL MEMBERSHIP

In order to do the Lord’s work more efficiently beyond the confines of our own congregation, we will maintain voting membership in the Lutheran Church - Missouri Synod, as long as the body adheres to the confessional basis detailed in Article II above. As members of the Synod we, through our delegate, will participate in its meetings and deliberations and help bear its burden.

ARTICLE V - PASTORS, CALLED WORKERS, OFFICERS

The right of choosing and calling ministers, school teachers, and of electing all other officers of the congregation shall ever be vested in the voting body within the congregation.

All the officers of the congregation shall have no authority beyond that which has been conferred upon them by the congregation and whatever power may have been delegated to them

may again be changed or rescinded by the congregation.

The pastoral office of the congregation, as well as the office of a called teacher, shall be conferred only on such pastors, teachers and candidates who profess and adhere to the confessional standards set forth in Article II of this constitution, are certified by Synod, and who are qualified for their work. Pastors and teachers shall be pledged to this confessional standard.

Called workers, including pastors and teachers, are placed by God in their office, and have taken a sacred vow to adhere to the confessional standards found in Article II, and uphold the professional standards of that office. The congregation shall use the resources available from the District to mediate any concerns about a called worker's performance or adherence to the standards of their office.

ARTICLE VI - BOOKS AND FORMS

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 II and as conform to the stated purpose of the congregation.

ARTICLE VII - PROPERTY RIGHTS

If at any time a separation should take place on account of doctrine, the property of the congregation and all the benefits connected therewith shall remain with those active members who shall continue to adhere to Article II and Article III of this constitution. In case of an impasse, the recognized officials of the District or Synod shall adjudicate the matter.

ARTICLE VIII - OFFICERS OF THE EXECUTIVE COUNCIL

The Executive Council will be composed of all those members who are elected to office by the congregation, or in some cases, appointed by the Executive Council until the time that the congregation can vote to ratify the appointment. Each term of office shall be three (3) years. All Executive Council members shall have attained the age of 21 years. The Executive Council shall be composed of the following officers and shall function according to the directives of the By-laws. The pastor shall be an ex-officio member of this board and without vote.

- 1) President
- 2) Vice-President
- 3) Secretary
- 4) Treasurer
- 5) Financial Secretary
- 6) Education Director
- 7) Property Director
- 8) Social Welfare Director
- 9) Evangelism Director

In addition, two (2) elders will be voting members of the Executive Council.

Women may hold an elective office so long as these positions are not directly involved in the specific functions of the pastoral office (preaching, public administration of the Sacraments, and church discipline); and so long as this service does not violate the order of creation (usurping authority over man per 1 Timothy 2:11-15 and Genesis 1-2). Therefore, they shall not serve as elder, President, or Vice-President.

ARTICLE IX- OFFICERS OF THE BOARD OF ELDERS

The Board of Elders will consist of six (6) elected members and shall function according to the directives of the By-laws. The three year terms of office should be ordered so that no more than two (2) offices come up for election in any given year.

ARTICLE X - AMENDMENTS

To alter or repeal any alterable or repealable paragraph of this Constitution or By-laws, it shall be requisite that advance notice shall be given via bulletin and Pastor's announcement for two (2) Sundays preceding the meeting called for that reason. A two thirds (2/3) majority of the voters must cast their vote in favor of an alteration or repeal for passage, where there are at least one third (1/3) of the active, voting-eligible members present. Articles II, III - Section A & B, and Article VI shall be unalterable and irrevocable.

**BY-LAWS TO THE CONSTITUTION
of St. John Lutheran Church
West Branch, Michigan**

ARTICLE I - MEMBERSHIP

A. Admission to Membership - Admission to membership may be made by the following methods:

1. **Baptism** – Children with a parent that is currently a member, or adults that are baptized into the faith by the pastor of St. John (or in case of emergency, by a layperson) will be received by this sacred act as Baptized Members in the church.
2. **Confirmation** - Confirmation itself being a reception into church membership, all who are thus received by this sacred act become Communicant Members.
3. **Transfer** - Persons coming with a letter of transfer from a congregation in church fellowship, provided they conform in all respects to the requirements of membership in this congregation, shall upon the recommendation of the pastor and elders and with the approval of the Executive Council, be received into membership by congregational vote.
4. **Reaffirmation of faith** - Persons coming from a Lutheran congregation not in fellowship with us or a person whose membership has lapsed shall submit their request for membership to the pastor or Chairman of the Elders. Upon the recommendation of the pastor and elders and the approval of the Executive Council, they may be received into Communicant membership by congregational vote.
5. **Reception** - A child of a parent received into membership through Adult Confirmation or Reaffirmation of faith, providing the parent has a record of the child's prior baptism by a Christian congregation, may be received into Baptized membership upon the recommendation of the pastor and elders, the approval of the Executive Council, and by congregational vote.

B. Termination of Membership

1. **By Transfer** - Members desiring to join a congregation in fellowship shall present their request for transfer to the pastor or Chairman of the Elders to whom authorization is granted to issue transfers. Such transfers shall be reported to the Executive Council.
2. **Joining Other Churches** - Those who join churches not in fellowship thereby terminate their membership. Their names shall be removed from membership by recommendation of the elders, and resolution of the Executive Council.

- 3. Whereabouts Unknown** - When the whereabouts of an Inactive Member (as defined in Article III, section C) is unknown and no effort is made to retain membership in this congregation or to transfer membership to another, the name of such member may be stricken from membership after a period of six (6) months on the Inactive Members roster, by recommendation of the elders and resolution of the Executive Council.
- 4. Moving from the community** - When a member moves away from the area and does not request a transfer to another congregation, he shall be encouraged to do so. If he fails to take action, his name may be removed from membership at any time after his status changes to Inactive Member, by recommendation of the Elders, and resolution of the Executive Council.
- 5. Excommunication** - When a member of this congregation has conducted himself in an unchristian like manner, he shall be admonished according to the Word of God as prescribed in Matthew 18:15-20. If he refuses to repent and to amend his sinful life, he shall have deemed to have excommunicated himself and thereby forfeits all rights and privileges as a member of the church.
- 6. Self-Exclusion** - When an Inactive Member of St. John Lutheran Church has been on the Inactive Members' roster for more than six (6) months, and after a letter is sent to him, giving him three (3) months to renew or forfeit his membership, and he refuses or fails to respond, his name may be removed from membership at any time, by recommendation of the Elders, and resolution of the Executive Council.

ARTICLE II - CONGREGATIONAL MEETINGS

- A. Regular Meetings** - Regular congregational meetings shall be held after worship services on Sunday mornings. Meetings may be held during the months of January, May, and September. If there is insufficient congregational business to warrant a meeting, the Executive Council may vote to replace a regular meeting with a written report summarizing the activities of the Council since the previous meeting. This report will be made available to all members. In addition, a late November, or early December meeting will be called to elect officers and vote on a budget for next year, as well as other business deemed necessary. Other meetings may be called by the President after consultation and agreement with either the Pastor or two other members of the Executive Council.
- B. Announcement of Meetings** - The time and purpose of any meeting shall be announced two Sundays in advance, except in cases of emergency.
- C. Quorum** - A quorum shall consist of the members present at the meeting that are eligible to vote. A decision of the congregation is immediately in effect unless the assembly

resolves that it must be ratified at the next meeting of the congregation. Voters must be in attendance in order to cast a vote.

- D. Meeting Length** - Every effort will be made to keep the meetings as brief as possible without unreasonably limiting the time of discussion of a topic or topics.

ARTICLE III - CALLING A PASTOR

- A. Vacancy** - In the event of a pastoral vacancy, the Circuit Counselor shall be contacted by the Chairman of the Elders to obtain a vacancy or temporary pastor and to guide us in the calling of a new pastor according to the regulations of the Synod.
- B. Reception of a Call** - In the event of a pastor receiving a call from another congregation, it is desired that he make this fact known to the congregation as soon as possible.

ARTICLE IV - ELECTION OF EXECUTIVE COUNCIL MEMBERS

- A. Election Schedule** - Each year, one third (1/3) of the Executive Council (not including elders) shall be elected.
- B. Election of Women** - If an election results in more than six (6) women on the entire Executive Council, then the man receiving the next highest number of votes will be declared elected.
- C. Vacancies** - In case of non-elder vacancies, they shall be filled by the Executive Council for the unexpired term.

ARTICLE V - ORGANIZATION OF THE EXECUTIVE COUNCIL AND THE BOARD OF ELDERS

The congregation will vote at the November/December voters' meeting to fill any or all vacant elder or Executive Council positions for the coming calendar year. In the event that one or more positions are not filled by congregational vote, the President must work to find an appropriate person to fill the vacant office of: Vice-President, Secretary, Treasurer, Financial Secretary, Education Director, Property Director, Social Welfare Director, or Evangelism Director. If the office of President is vacant, the Vice-President is responsible for filling the above vacant positions. The Executive Council will vote to fill a vacant position with an appropriate candidate brought forward by the President. The congregation will be asked to ratify any candidate approved by the Executive Council. This ratification will take place at the next congregational voters' meeting.

In the event that a critical Executive Council position cannot be readily filled, the President may request that a duly-elected Council member change offices to fill the critical vacancy. If this is acceptable to the officer being asked to move, the Executive Council will be asked to approve the transfer, and the congregation will vote on ratifying the transfer at the next congregational voters' meeting.

After the November/December Voters' Meeting, if any of the elder positions are vacant, the Board of Elders will work with the pastor to find a suitable candidate to fill the vacancy. The vacant

elder position will remain vacant until the congregation can vote to fill the position, at the next congregational voters' meetings. Since the Bible (and therefore God) specifies the requirements for the position of elder (1 Timothy 3:8-13), the Board of Elders and the pastor must agree that a candidate fulfills the biblical requirements before he is brought forward for congregational approval.

ARTICLE VI - DUTIES OF THE EXECUTIVE COUNCIL

The Executive Council shall:

- A.** conduct the routine business of the congregation by holding regular meetings and other special meetings as needed;
- B.** makes recommendations for congregational action on matters of major concern;
- C.** report regularly to the congregation on actions taken by the Executive Council;
- D.** prepares a budget for the ensuing year and presents it at the November Congregational Meeting for adoption by the congregation.

ARTICLE VII - WORKING COMMITTEES

- A.** When official positions have been designated, those Executive Council members requiring assistance in fulfilling their duties will scan the congregational membership directly for likely candidates, both men and women, to serve on the working committees. Appointments are for any length of time agreeable to both parties. The functioning of each working committee shall be under the direction of the respective Executive Council member, who shall select the frequency and time of all meetings, notify members, keep all necessary records and represent the interest of his committee at the Executive Council and congregational voters' meetings.
- B.** The Executive Council member may select a member of his committee to act in his stead as an officer when necessary.

ARTICLE VIII - DUTIES OF OFFICERS

A. President

The President shall:

- 1.** preside at all meetings of the congregation and Executive Council; be ex-officio member of all boards and committees.
- 2.** do all in his power to see that the work and programs of the congregation are performed promptly, decently and in order;
- 3.** exercise his right to vote only in the case of a tie, elections excepted;
- 4.** act as legal representative of the congregation, in which capacity he shall
 - (a)** accept legal process served upon the congregation and immediately provide a

copy thereof to the Chairman of the Elders, Vice President and Pastor of the congregation, retaining the original in the records of the congregation, and
(b) upon proper authorization of the Executive Council:

- (1) sell, mortgage, lease or otherwise convey and dispose of the property of the Congregation,
- (2) sign legal documents, make contracts, engage legal counsel and act as the representative of the congregation in court upon advice of the congregation's legal counsel, and
- (3) otherwise perform such other acts and duties as legal representative of the congregation as may be assigned to him by the Executive Council.

B. Vice-President

The Vice-President shall:

1. when the office of President is vacant, be responsible for all duties of the President.
2. be familiar with all duties, committees and boards of the congregation, assisting the president in the performance of his duties whenever possible;
3. serve as the organizational director to coordinate activities and to serve as liaison between the various organizations and the Executive Council;
4. serve on the Salaries-Wages-Benefits Committee.

C. Secretary

The Secretary shall:

1. record the minutes of the Executive Council and the congregational meetings in the books provided by the congregation and remaining as the property thereof;
2. keep attendance records of the Executive Council and report periodically;
3. take care of correspondence for the church as delegated by the Executive Council;
4. notify members of meetings of the Executive Council;
5. keep an up-to-date copy of the constitution.

D. Treasurer

The Treasurer shall:

1. make disbursement by check for all items authorized by the congregation in its authorized budget. Approval by the Executive Council shall be obtained before bills that exceed the authorized budget are paid.
2. Make disbursement by check for all dedicated fund procurements and transfers, after receiving authorization to do so by the Executive Council.
3. keep an accurate and complete record of all disbursements in a ledger provided by and remaining the property of the congregation;
4. provide a monthly oral and/or written financial report to the Executive Council;
5. provide a quarterly and annual financial report in the printed form;
6. be bonded at the expense of the congregation.

E. Financial Secretary

The Financial Secretary shall:

1. keep a detailed record of all individual contributions and offerings received, using a system adopted by the Executive Council;
2. deposit all monies in the name of the congregation;
3. prepare a report weekly to the Treasurer of the source of all monies taken in and the designation of special gifts or contributions;
4. furnish a statement of contributions received to each communicant member at the end of each calendar year;
5. prepare a report quarterly and annually summarizing the contributions made, to show the congregation how it's performing in its stewardship;
6. be responsible for acquiring and distributing offering envelopes to all members;
7. maintain the privacy of individual accounts to the best of their ability;
8. be bonded at the expense of the congregation.

F. Director of Education

The Director of Education shall:

1. shall work with the pastor to organize and maintain children and youth educational activities of the congregation;
2. promote family life education in the congregation;
3. seek help from the pastor to ensure that the Christian training, course materials and textbooks are in accord with our doctrine and practice; and also make sure that all necessary equipment and supplies are adapted for the purpose intended;
4. aim to maintain, to foster, and to stimulate interest in the Christian training of the children;
5. obtain approval from the pastor and the Board of Elders for children's or young people's special religious services, held inside or outside the church facilities;
6. when deemed appropriate, develop an educational program for the Sunday School teachers;
7. recruit teachers and counselors within the membership for the educational programs. Background checks shall be completed in accordance with Executive Council approved guidelines.
8. appoint or serve as Sunday School superintendent;
9. encourage young people to enter the work of the church;
10. offer to assist other organizations within the church with their educational programs.

G. Board of Elders

1. An elder shall be a male at least twenty-five (25) years of age.
2. The pastor shall be a member of the Board of Elders and without vote.

3. The board shall select one man as chairman; he shall preside at all Board of Elders meetings and be the spokesman for the Elders at the Executive Council and congregational voters' meetings. The chairman shall only vote in case of a tie. The pastor is not eligible to be chairman.
4. The board shall select a secretary who is to keep a record of its proceedings in a book provided by and remaining the confidential property of the congregation. The board secretary will represent the elders at Executive Council meetings, along with the Chairman of the Elders.
5. The Board shall aid the pastor, the teachers, and the congregation in the spiritual part of their work, having particular oversight over doctrinal matters and matters pertaining Godly life on the part of the pastor, the teachers, the officers, and members of the congregation, and to observe carefully that our Lord's injunction in Matthew 18:15-20 is applied in church discipline according to Christian love and for the salvation of the erring soul.
6. The Board shall maintain regular contact with all members of the congregation.
7. The Board shall investigate and endeavor to resolve any complaint that may be made in regard to called workers, parents, or and guardians alike or members of the congregation, which seemingly cannot be settled without its counsel.
8. The Board shall be present in sufficient numbers at each public service of the congregation to welcome visitors; appoint and assist the head usher so that order and comfort prevail; see that the Lord's Table is properly provided; see to the preparation of the baptismal font; and to assist the pastor in performing such other duties as may be required and found necessary.
9. The Board shall assist the Pastor in arranging for pulpit assistance, music, organist, special services and guest speakers.

H. Properties Director

The Properties Director shall:

1. be concerned with all the real, personal, and other property (including all documents and valuable papers) of the congregation and maintain these properties in such a state of repair that they will best serve their respective purposes. A list of members with keys shall be maintained;
2. report regularly to the Executive Council on the state of the property and make any necessary recommendations pertaining to it;
3. supervise the use by the congregation of the church, the hall, and any other property, and enforce the congregation's rules in regard to the use of this property;
4. refer all requests for use of the congregation's properties for other than the congregation's uses to the Executive Council, except that in cases of emergency, the pastor, the president, and the properties director collectively shall be empowered to make that decision;
5. superintend the work of the custodian(s);
6. be empowered to authorize all necessary repairs and all purchases for the congregation

under the approved budget provided the aggregate expenditures shall not exceed the specific amounts stipulated in such budget. Any item involving the expenditure of more than \$1000 shall be referred to the Executive Council for endorsement;

7. look after the insurance needs of the congregation. The insurance program should be reviewed periodically and reported to the congregation and Council together with recommendations for possible improvements to the same.

I. Director of Evangelism

The Director of Evangelism shall:

1. work with the pastor to plan, promote, and carry out the evangelism program in the congregation and the community;
2. appoint at least one member for each service to assist the pastor and elders in welcoming visitors or guests;
3. plan and organize visits to unchurched people in the community and region;
4. aid and assist new members in integrating into the work and activities of the church.

J. Director of Social Welfare

The Director of Social Welfare shall:

1. study the needs of individuals in the congregation; the aged, the sick, and the poor and bring an understanding of those needs to the pastor and the Board of Elders;
2. promote and solicit support for private and government agencies that care for the aged, the hurting, and the needy, by bringing their needs to the attention of the congregation. These agencies must adhere to the precepts and teachings of the Christian faith.
3. report on the social needs of the community and solicit congregational cooperation with other agencies in the community endeavoring to meet those needs.
4. promote and organize activities within the congregation that provide fellowship opportunities for members and non-members.

ARTICLE IX - COUNCIL DISCIPLINE

A. Working Committees - Executive Council members should make use of Article VII of these bylaws as often as possible.

B. Absence - In this regard, if an Executive Council member is unable to attend a congregation or Executive Council meeting, if possible a report should be prepared and presented by the member's designee.

C. Excuse - The Secretary or President should be contacted if a member is unable to attend a meeting.

D. Excessive Absence - Any Executive Council member who is absent for more than two (2) consecutive Executive Council meetings without being excused by the president or majority of the Executive Council may be replaced by a majority vote of the Council. Such replacement will be for the unexpired term, and will be ratified at the next congregational voter's meeting.

ARTICLE X - STANDING COMMITTEES

The following standing committees shall be created to serve for one year at a time, with no limit on years of service, and will be appointed by the President as necessary.

Budget Committee - The budget committee shall consist of the following members: the Pastor, the President, Treasurer, one other Council member, and two (2) members of the congregation. The committee should solicit budget requests in September from the pastor, Salary-Wages-Benefits Committee, Financial Secretary, Education Director, Property Director, Social Welfare Director, and Evangelism Director for the following calendar year. All requests must be submitted to the Budget Committee by October 15th. The committee will prepare a proposed budget to be submitted to the Executive Council during the regularly scheduled November Executive Council meeting.

Salary-Wages-Benefits Committee - the committee shall consist of the following members: two (2) elders (to be assigned by the Chairman of the Elders) and the Vice-President. In the event that the office of Vice-President is vacant, the President will assign a member of the Executive Council. The committee should examine the salary, wages and benefits of the pastor, office secretary, custodian(s), organist and any other paid staff position. The committee is charged with the task of recommending that all paid staff positions are properly compensated, and that wages and benefits are in-line with other Lutheran churches in the circuit. All recommendations for adjustments to salaries, wages and benefits for the up-coming calendar year must be submitted to the Budget Committee prior to October 15.

Internal Review Committee - The internal review committee, consisting of two members, shall be one council member and one congregation member, both from the budget committee. They shall review the financial records of the congregation annually and make a report of its findings to the Executive Council.

Executive Council Nominating Committee - The nominating committee shall function when necessary for the entire calendar year or until new candidates for all vacant offices have been submitted. It shall consist of five (5) members of the congregation, to be appointed so that no more than two (2) members are from the Executive Council. They shall nominate two (2) candidates, if possible, for each position to be filled on the Executive Council. The committee must receive the consent of each candidate before submitting the names to the President. The final submission must be made to the President prior to the

November Executive Council meeting.

Elder Nominating Committee - the nominating committee shall function when necessary for the entire calendar year or until new candidates for all vacant offices have been submitted. It shall consist of the pastor and the entire Board of Elders. Since the Bible (and therefore God) specifies the requirements for the position of elder (1 Timothy 3:8-13), the Board of Elders and the pastor must agree that a candidate fulfills the biblical requirements before his name is brought forward for congregational approval. The President shall be informed of all nominations prior to the congregational voters' meeting when elections are held. No nominations for unfilled offices will be taken from the floor of congregational voters' meetings, and offices will remain unfilled until the Elder Nominating Committee brings forward another candidate, and the congregation votes to elect him.

Memorial Committee - The memorial committee shall consist of five (5) members, four from the congregation and one from the Executive Council who shall serve as the Chairman. This committee shall keep a record of all gifts and acknowledge their receipt to the proper family or person on forms provided by the church. The church shall provide a book to record all gifts and disbursements.

ARTICLE XI – DEDICATED GIVING TO THE CONGREGATION

Dedicated giving to the congregation is defined as monies or items of value that are given to St. John Lutheran with the intent that they are not to be used as part of the general operating funds of the church. They fall into two categories: A), Memorial Gifts, and B), Dedicated Gifts. Each category has a General Fund and specific Designated Funds that have been approved by the Executive Council. These fund names will be used to receive all gifts. The following are rules that govern the practical operation of the General Fund, and all Designated Funds.

A. Memorial Gifts – given to the congregation in memory of a departed loved one:

1. The church office will keep a listing of all Executive Council-approved Designated Funds that memorials may be directed to. Memorials can only be given to the General Fund of the Memorial Committee or one of the Executive Council-approved Designated Funds.
2. A Memorials Book will be kept in the sanctuary that provides a permanent record of the loved one's name and the name of the fund(s) that memorials were given to. This is in lieu of plaques or signs, which will only be used when authorized by the Executive Council.
3. If memorials are given without directing those gifts to one of the approved Designated Funds, then the gifts will be deposited in the General Fund of the Memorial Committee for distribution by the Memorial Committee in the future. There is no specific time limit that the gifts may remain in any of the Memorial funds.
4. The creation of a Designated Fund can only occur by Executive Council action. If a person desires that a new Designated Fund be created, they must put their request in writing and

submit it for Executive Council review. Written requests should be addressed to the President of the congregation and the Executive Council. The person requesting that a new fund be created will be told when the council will meet to discuss the proposal, so that they can attend the meeting and explain their request. If the Executive Council approves the new Designated Fund request, specific gifts that were given in their loved one's name, can be transferred to the new Designated Fund, provided the Memorial Committee receives a written request for transfer by the giver. If the Executive Council decides to deny the creation of a new fund, the gifts given can be directed by the giver to the General Fund of the Memorial Committee, or one of the other approved Designated Funds.

5. If the person that has given money to the Memorial Fund (either General Fund of the Memorial Committee, or Designated Fund) decides within six months from the date that the gift was received, that they would rather have the gift placed in another Memorial fund, they may request the transfer in writing. If they do not want the money to remain within the congregation, they may request the gift be returned. This request should be in writing to the Executive Council, and the council must vote whether or not to return the gift.
6. Non-monetary gifts (artwork, property, jewelry, investment securities, etc.) given as a memorial gift may be sold or retained at the discretion of the Memorial Committee. If sold, the money received will be placed in the General Fund of the Memorial Committee, unless otherwise directed by the giver.
7. Artwork (paintings, statues, murals, quilts, etc.) that are given with the intent that they be displayed in the congregation, will be accepted as a memorial gift, only if, a) the Executive Council votes to accept the gift, and b) the Executive Council agrees to display the artwork. The location of the display, and how long it will remain on display, is completely at the discretion of the council. After being in possession of the artwork for more than 20 years, the Executive Council may vote to sell the artwork, and place the proceeds from that sale in the General Fund of the Memorial Committee or one or more of the Designated Funds.
8. If by Executive Council action, a Designated Fund is closed without the distribution of moneys in the fund, the Memorial Committee will vote to place the unspent funds in either the General Fund of the Memorial Committee or in one or more of the Designated Funds. Every effort will be made to use the memorial gifts as directed by the giver, but, if after two years from the date of the gift, the Designated Fund is closed by the Council, the gift will be reinvested without contacting the giver. Prior to two years from the date of the gift, the giver will be notified using the address given and will be asked how they would like the moneys redistributed (General and/or Designated memorial funds). If the giver does not respond within 60 days, the Memorial Committee will decide where to place the gift (General and/or Designated memorial funds).
9. The Memorial Committee will vote to distribute memorial funds for the purpose of, to the best of their ability, fulfilling the desires of those that have given gifts. The Memorial Committee's decisions on the use of Memorial Funds will be communicated to the Congregation at a congregational voters' meeting.

B. Dedicated Gifts – given to the congregation for use in a directed way:

1. The church office will keep a listing of all Executive Council-approved Designated Funds. Gifts can only be given to the General Fund or one of the Executive Council-approved Designated Funds.
2. A Dedicated gift given without directing that gift to one of the approved Designated Funds, will be deposited in the General Fund.
3. Gifts given for purposes other than those addressed by the Executive Council-approved Designated Funds, will only be accepted upon approval of the Executive Council.
4. The creation of a Designated Fund can only occur by Executive Council action. If a person desires that a new Designated Fund be created, they must put their request in writing and submit it for Executive Council review. Written requests should be addressed to the President and Executive Council. The person requesting the new fund will be told when the Executive Council will meet to discuss the proposal, so that they can attend the meeting and explain their request.
5. Non-monetary gifts (artwork, property, jewelry, investment securities, etc.) given as a gift may be sold or retained at the discretion of the Executive Council. If sold, the money received will be placed in the General Fund, unless otherwise directed by the giver.
6. Gifts such as artwork (paintings, statues, murals, quilts, etc.) that are given with the intent that they be displayed in the congregation, will be accepted as a gift, only if, a) the Executive Council votes to accept the gift, and b) the Executive Council agrees to display the artwork. The location of the display, and how long it will remain on display, is completely at the discretion of the council. After being in possession of the artwork for more than 20 years, the Executive Council may vote to sell the artwork, and place the proceeds from that sale in the General Fund or one or more of the Designated Funds.
7. If by Executive Council action, a Designated Fund is closed without the distribution of money in the fund, the Executive Council will vote to place the unspent funds in either the General Fund or in one or more of the Designated Funds.
8. The Executive Council will vote to approve the distribution of monies in any of the approved Designated Funds or the General Fund, for expenditures that are considered by them to fall under that fund. The Executive Council decisions on the use of Dedicated Funds will be communicated to the Congregation via Executive Council meeting minutes and/or at a congregational voters' meeting.

ARTICLE XII - STANDING RULES

A. Order of Business - At the regular meeting of the congregation or the Executive Council, the following order of business should be followed, unless modified by the Council:

1. Invocation
2. Roll Call (Exec. Council)

3. Review and approve the minutes of the last meeting.
4. Officer's reports
5. Committee reports
6. Unfinished (Old) business
7. New business
8. Adjournment with prayer.

- B. Parliamentary Rules** - Robert's Rules of Order shall be observed insofar as these may be applicable and not inconsistent with Christian charity.

Article XIII – LADIES AID

For decades, the St. John Ladies Aid have provided invaluable service to the congregation. This organization has greatly contributed to the wellbeing of the church, and in the support of missions worldwide. St. John Ladies Aid is an officially recognized service organization of St. John Evangelical Lutheran Church, of West Branch, Michigan. As such, this service organization is legally recognized as part of the congregation. The Executive Council will review and approve the Ladies Aid Constitution and By-Laws, and will have oversight regarding activities that have a direct impact on congregational worship and church life. All financial records will be audited yearly by the congregation's Internal Review Committee, and the Executive Council may ask for information concerning the Ladies Aid finances and operations. Although not a voting member of the Executive Council, the Ladies Aid is encouraged to provide representation at all Executive Council meetings. The Ladies Aid will, whenever possible, provide a written report of their activities at all regularly scheduled Congregational Voters' Meetings.

Article XIV – INDEMNIFICATION

To the fullest extent permitted by law, the congregation shall indemnify any individual who was or is a party, or is threatened to be made a party, to any proceeding other than a proceeding by or in the right of the congregation, because he or she was or is a called employee, officer, or board member of the congregation, or because of any action or inaction in such capacity, against liability and expenses incurred in the proceeding, if

- (a) he or she conducted himself or herself in good faith;
- (b) he or she reasonably believed
 - (i) in the case of conduct in his or her official capacity, that his or her conduct was in the best interests of the congregation, and
 - (ii) in all other cases, that his or her conduct was at least not opposed to the best interests of the congregation, and
- (c) in the case of any criminal proceeding, that he or she had no reasonable cause to believe that his or her conduct was unlawful.

NOTES