

**The By-Laws to the Messiah Lutheran Church Constitution**  
**Revised and Approved, August 2021**  
**Amended, September, 2021**

**Chapter 8.**  
**Membership**

**C8.03.01 Application for membership procedure (Voting and Associate)**

- a. Applicants for voting or associate membership in this congregation shall consult the Pastor who shall determine whether such applicants are eligible for membership in accordance with Chapter 8 of the Constitution. Applicants not familiar with the doctrines and confessions of the Lutheran Church shall be required to attend a course of instruction, and to make profession of their faith either before the congregation or, at the pastor's discretion, before witnesses who are members of the Board of Lay Ministry, before being received as members.
- b. Applicants from other Evangelical Lutheran churches shall submit a letter of transfer from their former congregations to establish their eligibility for membership. In the case of applicants whose previous membership in a Lutheran congregation has lapsed, the Pastor may, with the consent of the Board of Lay Ministry, arrange for a period of re-instruction prior to reaffirmation of faith for such applicant.
- c. After applicants have given satisfactory evidence of their eligibility in accordance with the two preceding paragraphs, their admission as voting or associate members shall be recommended by the Pastor to the Board of Lay Ministry which shall have the authority to act on such application in behalf of the Parish Planning Council and the Voting Membership. The roster of new members shall be publicized in the various news media of the congregation.

**C8.04.01 Privileges and Duties of Confirmed Members**

It shall be the privilege and duty of the members of this congregation to:

- a. Grow in the Christian faith and life through faithful use of the means of grace, searching the scriptures at home and in fellowship with other

- members of the congregation and its agencies, and partaking of the Lord's Supper frequently.
- b. Live a morally decent life before God and humanity, abstaining from open works of the flesh. (Gal. 5:18-21), and so conducting themselves at all times as to bring credit rather than blame upon the Church of Christ.
  - c. Provide for the proper Christian training of their children by instruction at home and through the agencies of the Church.
  - d. Contribute toward the maintenance of the congregation and the extension of the Kingdom of God at home and abroad to the limit of the financial ability.
  - e. Place their God-given talents and abilities at the disposal to the Pastor, officers and other agencies of the congregation as set forth in the Constitution and By-Laws so that the purposes and functions of the congregation may be effectively implemented.

#### **Voting and Associate Membership (C8.02c)**

##### **C8.04.02. Privileges and Duties of Voting and Associate Members**

It shall be the privilege and duty of a Voting Member of this congregation to:

- a. Conscientiously and prayerfully exercise their right of suffrage in all measures that will advance the work of Christ's Kingdom both locally and the church-at-large.
- b. Willingly serve in any office for which his or her talents and abilities equip her or him.
- c. Faithfully attend all meetings of the Voting Membership.
- d. Assist with wholehearted diligence in administering the temporal and spiritual affairs of the congregation.
- e. Encourage, by personal example friendly interest, and judicious counsel, such eligible communicant members who are not yet Voting Members to consider seriously accepting the responsibilities and privileges of Voting Membership.

**C8.05.01 Transfers.** A member desiring transfer to another Lutheran congregation shall apply to the Pastor. Upon approval by the Pastor and the Board of Lay ministry, a letter of transfer shall be issued by the Pastor. The Board of Lay Ministry shall report all transfers to the congregation via church publications and to the Voters' Assembly at the next regular meeting of that body.

**C8.05.02 Joining other Churches.** In cases where confirmed members of this congregation have joined a non-Lutheran congregation, they shall, upon the decision of the Pastor and the Board of Lay Ministry, be deemed to have terminated their membership in this congregation, forfeiting all rights and privileges of membership. Their name(s) shall be removed from the confirmed membership of the congregation.

**C8.05.03 Whereabouts Unknown.** The names of members whose whereabouts are unknown and cannot be established within a period of 24 months shall be removed from the confirmed membership list of the congregation and placed in a file designated "Whereabouts Unknown". Such membership is terminated and shall be reported as such to the next meeting of the Voters' Assembly.

**C8.05.04. Self-exclusion.** When a member of Messiah Evangelical Lutheran Church has not provided a record of communion during a quarter of the calendar year, he or she will receive a visit from a member of the Parish Planning Council (their respective Lay Minister) or another concerned member of the congregation, and shall be admonished and encouraged. If such a member has not communed after six months, he or she shall receive another visit by a least two members of the congregation, the respective Lay Minister of the area a member of the Parish Planning Council, the Pastor and/or some other concerned member of the congregation. Additional admonition and encouragement shall be given. If, after 12 months, such a member still has not communed and is not attending the worship services of the Church, he or she shall be evangelically admonished more firmly and told that if such neglect continues for another 12 months it shall be interpreted as impenitence, lack of faith in Jesus Christ and indifference to church membership, privileges, and responsibilities. At this time the member's name shall be transferred to the mission file of the congregation or turned over to the Board of Evangelism. During the next year the individual shall be encouraged to seek the grace of God and the fellowship of the Lord's Supper and visited periodically by representatives of the Board of Evangelism. If at the end of the current and the previous calendar year the individual still has not communed, they shall be notified of such

action by mail and shall be declared to have excluded him or herself from this Christian congregation. A record of each contact shall be provided to the Board of Lay Ministry and the Parish Planning Council.

## Chapter 9

### **The Pastor**

C9.02.01 Only such candidates shall be called and elected to serve as Pastors who profess acceptance to, and pledge faithful adherence to, the confessions of this congregation as set forth in Chapter 2 of the Constitution.

### **Provisions Pertaining to Pastors, Associates in Ministry (AIMs), and Teacher**

C9.05.01 Sufficient grounds for deposing a pastor shall be persistent adherence to false doctrine, scandalous life and willful neglect of official duties or evident and protracted incapacity to perform the function of the sacred office. Charges on any of these counts shall be carefully investigated by the Board of Ministry. Should such charges be substantiated by clear evidence the individual involved shall first be given an opportunity to resign his or her position in the congregation.

C9.05.02 Opportunity to resign having been given and declined, the Parish Planning Committee shall after consultation the bishop and completion of appropriate constitutional procedure notify the Voting Membership of the situation and shall submit the matter for action at a special meeting of that body. A three-fourths majority vote of the Voting Members present shall be required to depose a pastor or minister of word and service.

C9.05.03 Should the occasion to depose a pastor or a minister of word and service director at regular divine services on two Sundays preceding a special meeting of the Voting Members called for that purpose. All Voting Members shall be notified by mail at least two weeks in advance.

C 9.22.01 Sufficient grounds for deposing a duly called minister of Word and Service shall be persistent adherence to false doctrine, scandalous life

and willful neglect of official duties or evident and protracted incapacity to perform the function of the sacred office. Charges on any of these counts shall be carefully investigated by the Board of Ministry. The Board of Ministry should depose the minister using the process defined in C9.25.

## **Chapter 10**

### **Voters Assembly (Congregational Meeting)**

C10.01.01 Regular Voters Assemblies (formerly congregational meetings) shall be held in February, April, the annual meeting in June, September, and November.

## **Chapter 11**

### **Officers**

#### **11.01a Duties of Officers**

##### **Functions and Powers**

#### **C11.01a.01 Executive Director**

The **Executive Director** of the congregation shall preside at all meetings of the Voting Membership. He or she shall, to the best of their ability, enforce the Constitution and By-Laws of the congregation and carry out the expressed will of the congregation as embodied in the resolutions of the Voting Membership. All Boards, committees, auxiliaries, groups, etc., in the congregation shall be responsible to the Parish Planning Council under the guidance of the Executive Director and shall welcome him or her at any and all meetings of such groups, either in person or as represented by such person or persons as he or she may appoint. He or she shall also call and preside over the meetings of the Parish Planning Council and shall endeavor to coordinate the functions, plans, and activities of the congregation in all its parts for the total furtherance of the work of Christ's Kingdom in our midst.

#### **C11.01.02 Congregational Secretary**

The Secretary of the congregation shall be present at all Voter's meetings of the congregation, all meetings of the congregation and at all meetings of the Parish Planning Council and shall enter the minutes of all said meetings in a permanent record book over his or her signature. He or she shall conduct all official correspondence of the congregational Boards and committees under the supervision of the Executive Director.

#### **C11.01.03 Assistant Executive Directors**

The Assistant Executive Director(s) of the congregation in the absence of the Executive Director, shall act for and in the stead of the Executive Director. They shall be available for whatever duties the Executive Director shall assign to them as his or her representative.

#### **C11.01.04 Treasurer**

The Treasurer of the congregation shall:

- a. Be responsible for accurate recording of congregational receipts and disbursements and budgeted and actual expenditures according to proper accounting procedures and, as deemed advisable, shall suggest for congregational consideration improved methods and systems for keeping financial records.
- b. Present a written, duplicated financial report at Voters' meetings and preliminary report at the Parish Planning Council meetings.
- c. Submit permanent financial records for annual audit.
- d. Be responsible for monthly remission of offerings for benevolence and church agencies and for prompt payment salaries and bills authorized by the congregation or the Boards and Directors as duly constituted sources.
- e. Furnish the congregation a surety bond in the sum designated by the Voters' Assembly, and such bond shall be procured and the premiums paid by the congregation.
- f. Coordinate the flow of monies from the treasury to the various Boards in such a way that an adequate balance is retained for the payment of the salaries and other regularly recurring expenses.
- g. Remit to the professional workers of the church for documented expenses while attending professional workshops conferences

- conventions, etc., approved by the Board under whose jurisdiction they function.
- h. Receive from the Financial Secretary a report of all monies received through the worship services, special offerings, or any other source and duly record same.
  - i. Sign all checks for payment of bills, salaries, or other financial commitments of the congregation of any sort.
  - j. Have available for all Boards a current record of their accrued disbursements and budget allotments.
  - k. Have the authority to provide salaried employees of the congregation an itemized listing of the employee's total compensation including salary and fringe benefits when the employee requests.
  - l. Complete and submit any necessary tax filings and payments in a timely manner.
  - m. The Treasurer, at the direction of the Parish Planning Council, shall make purchases on behalf of the congregation.

C11.01a.06 The Purchasing Agent of the Congregation shall:

- a. Arrange for the orderly purchase of all authorized items for the congregation in the most economical manner, except those items normally purchased through a petty cash fund.
- b. Supply the various Boards and committees of the congregation with requisition forms and shall establish a pick-up point for such requisitions.
- c. At the direction of the congregation through its authorized agents, research and present prices for major purchases of whatever nature. Final approval of such purchases shall remain with the Board, Committee, or group under whose auspices the purchase is to be made.
- d. At all times attempt to maintain quality in items purchased without exorbitant cost to the congregation.
- e. Coordinate local purchases with other Lutheran agencies with a view to bulk purchases at reduced prices.
- f. Maintain a list of current suppliers for recurring items and have such a list available in the church office.

- g. Enlist the advice and assistance of other members of the congregation who may be particularly knowledgeable in merchandizing techniques or economical sources of supply.
- h. See to the prompt procurement of requested items of supply by the anticipated date of use.
- i. Coordinate the purchases of all Boards, committees and groups within the church for economy efficiency and ease of availability of items to be purchased.
- j. Maintain proper records of major cost items in order that minimum reorder points may be established and lost property minimized.
- k. Maintain a "pending orders" file to avoid duplication of orders.
- l. Review the cash position of the congregation with the congregational Treasurer at frequent intervals.

## **Chapter 12**

### **The Parish Planning Council**

#### **Provisions pertaining to the Church Officers and Board Directors**

- C12.01.01 Any Voting Member of the congregation annually engaged in Bible study, regularly seeking God's grace given in the sacraments, and regularly worshipping within the gathered community of Christ may serve on the Parish Planning Council, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Parish Planning Council shall be declared vacant if the member a) ceases to be a voting member of this congregation, b) ceases to fulfill the above conditions of service or c) is absent from four successive regular meetings of the Parish Planning Council without cause.
- C12.01.02 Any officer or director of the congregation who willfully neglects the duties of his or her office may be deposed by a two-thirds majority vote of the Voting Members present in a regular meeting of the Voters' Assembly. The Board of Lay Ministry shall initiate such disciplinary action. When an office is made vacant by deposition, resignation, death, or excommunication of the incumbent, the Parish Planning Council shall elect, by majority vote, a successor until the next annual meeting.



## **Election Procedure**

C12.02.01 From the list of candidates for each elective office submitted by the Nominating Committee, the Voting Membership shall, at its June meeting or any special meeting called by the Parish Planning Council, elect by ballot and simple majority the following offices in the order herein indicated:

- a) An Executive Director
- b) An Assistant Executive Director(s)
- c) A Congregational Secretary
- d) DIRECTORS for the following Administrative Boards: Worship and Music; Church Property; Young Peoples Work; Witness, Outreach and Evangelism; Christian Education; Resource Management; Parish Fellowship; and Lay Ministry.

C12.02.02 The board members will be appointed by the Administrative Board Director, approved by the Executive Director, and will continue to serve on the board at the discretion of the Board Director and Executive Director or until they resign from board service.

C12.02.03 During the Voting Membership meeting held for the purpose of election of officers, any candidate who is defeated for an office can be nominated by any member of the Voting Membership for election to another office.

## **Term Limits**

C12.02.02 Directors may succeed themselves in the same office only once.

## **Functions**

C12.04.01 It shall be the specific functions of the **Parish Planning Council** to:

- a) Serve as the point of Liaison between the Pastor, the Officers of the congregation, and the various Administrative Boards in planning the total work of the congregation.
- b) Settle jurisdictional disputes between the Administrative Boards.
- c) Present to the Voters' Assembly at its August meeting a yearly plan of the activity for the entire congregation as well as long-range plans for the development and expansion of Christ's work in our midst.
- d) Prepare the agenda for the five (5) meetings of the Voters' Assembly.

- e) Set the dates and times for the Voters' Assemblies.
- f) Appoint the Nominating Committee as required and at the time required.
- g) Fill unexpired terms or shortages of personnel by appointment.
- h) Shall decide in March of an election year the number of persons needed on each administrative board to complete its mission.

C12.04.02 The **Parish Planning Council** is not primarily a decision-making body but serves as a forum where the activities of the Administrative Boards may be discussed, evaluated, and coordinated, and where all such activities may be integrated into an overall congregational program. The Parish Planning Council shall be available at all times, however, for any additional functions which the Voting Membership may wish to confer upon it.

C12.04.03 The **Parish Planning Council** shall keep a permanent set of minutes for each meeting and such minutes shall be the property of the Congregation.

C12.04.04 The **Parish Planning Council** shall normally meet in each of the following months: January, March, May, July, October, and December. Additional meetings may be called by the Executive Director of the congregation and/or the Pastor as required.

## **Chapter 13**

### **Election of Officers and Administrative Board Directors**

#### **Nomination Procedure**

C13.02.01 At the April meeting of the Voting Membership in an election year, the Parish Planning Council shall announce its selection of six (6) qualified voting members who together with the Pastor shall serve as the Nominating Committee. At this meeting, the Voters may submit to the Committee the names of possible candidates for office.

C13.02.02 The Nominating Committee, as soon after the April meeting as is possible, shall prepare a list of candidates drawn from among communicant members of the congregation who are 18 years of age or

older (plus YOUTH members), either male or female, and from the list submitted by the Voters at the April meeting. The Nominating Committee shall then consult with the Board of Lay Ministry to determine the eligibility of all candidates for office. This list shall then be made available to the communicant members of the congregation at least three weeks prior to the June meeting.

C13.02.03 Following the publication of the Nominating Committee's list, any communicant member of the congregation may submit to the Committee additional names for inclusion on the list, and such names shall be placed in nomination by the Nominating Committee along with the candidates already chosen provided:

- a. That such names shall be submitted at least ten (10) days before the date of the June meeting of the Voters' Assembly.
- b. That the Nominating Committee, through consultation with the Pastor and the Board of Lay Ministry, shall have investigated the status of the proposed candidates and found them spiritually eligible for office and willing to serve.

C13.02.04 The Nominating Committee, at least one (1) week before the date of the June Meeting or any special meeting, shall publish and circulate the list of candidates for the following offices:

Executive Director, Assistant Executive Director(s), Congregational Secretary, Treasurer, and the Directors of the various Administrative Boards.

### **Congregational Committees and Administrative Boards**

C13.06.01 Each Administrative Board shall, under the supervision of the Director of the Board, perform the duties listed in the Board Descriptions in the Continuing Resolutions.

C13.06.02 The time and frequency of Administrative Board meetings shall be at the discretion of the Director of the Board and the Board members except that, for good and sufficient reason either the Executive Director of the congregation or the Pastor may call a meeting of any Board at any time. Meetings thus called shall be classified as special meetings, and each person involved shall be notified of the date, time, and purpose of such a meeting.

- C13.07.01 Each Administrative Board shall submit a report of its activities at each regular meeting of the Voting Membership, and on such other occasions as the Voting Membership shall require. Such reports shall include specific recommendations (if any) for the congregational action and/or approval.
- C13.07.02 Each Administrative Board shall initiate and carry out such activities and programs within the congregation as will enable it to effectively perform the functions and duties assigned to it by the Constitution and By-Laws, or specific resolutions of the Voting Membership.
- C13.07.03 Each Administrative Board shall be empowered to administer all funds set aside for its work by budget appropriation or by special resolution of the Voters' Assembly, provided that the Voting Membership may, at its discretion, restrict such expenditures to conform with the actual financial condition of the congregation at any given time. Each Administrative Board shall be jointly and severally liable for all expenditures not authorized either by the budget or by special resolution of the congregation.
- C13.07.04 Each Administrative Board shall keep a permanent set of minutes for each meeting and such minutes shall be the property of the congregation.