# CONSTITUTION AND BY-LAWS OF ST. JOHN'S UNITED CHURCH OF CHRIST

 **I. NAME**

The name of this Church shall be St. John's United Church of Christ (Schwarzwald), located in Town Herman, W3401 Orchard Rd.

Elkhart Lake, Sheboygan County, State of Wisconsin.

# II. PURPOSE

It shall be the purpose of this organization to maintain in its community a Christian Congregation for worship, to promote the Christian Life, and to advance the Realm of God by all available means, both at home and abroad.

# III. AFFILIATION

This congregation shall be a local church of the United Church of Christ, or its successors, and accepts for itself the pattern of relationships and procedures described in the Constitution and Bylaws of the United Church of Christ. This congregation is related to the General Synod of the United Church of Christ through the Wisconsin Conference and the Northeast Wisconsin Association.

# IV. POLITY

The Articles of Faith of the Congregation shall be those of the United Church of Christ, of which it is a member. This Church acknowledges as its sole Head, Jesus Christ, the Son of God and the Savior of humankind. It acknowledges as sisters and brothers in Christ all who share in this confession. It looks to the Word of God in the Scriptures, and to the presence and power of the Holy Spirit to prosper its creative and redemptive work in the world. It claims as its own the faith of the historic Church expressed in the world. It claims as its own the faith of the historic Church expressed in the ancient creeds and reclaimed in the basic insights of the Protestant Reformers. It affirms the responsibility of the Church in each generation to make this faith its own in reality of worship, in honesty of thought and expression, and in purity of heart before God. In accordance with the teaching of our Lord and the practice prevailing among Christians, it recognizes two Sacraments: Baptism and the Lord's Supper or Holy Communion.

# V. COVENANT

We covenant one with another to seek and respond to the Word and Will of God. We propose to walk together in the ways of the Lord, made known and to be made known to us. We hold it to be the mission of the Church to witness to the gospel of Jesus Christ in all the world while worshiping God and striving for truth, justice, and peace. As did our ancestors, we depend on the Holy Spirit to lead and empower us. We pray for the coming of the Realm of God, and we look with faith toward the triumph of righteousness and eternal life.

# VI. WORSHIP

The forms and orders of worship that are set forth in the United Church of Christ Book of Worship and the hymnal approved by the General Synod shall be followed as accepted norms; with freedom to use other resources as appropriate.

# I. MEMBERSHIP

QUALIFICATION: We welcome all candidates for membership who have been baptized into the Christian faith and profess their belief in Jesus Christ. All candidates shall be received into the fellowship of this church after recommendation by the Pastor and the Church Council.

RECEPTION: Qualified candidates may be received into membership at any regular service of the church. They may be received on confession of their Christian faith, by letter of transfer from another church, or upon reaffirmation of their Christian faith

RESPONSIBILITIES: Responsibilities of members include 1) attending worship and receiving communion on a regular basis, 2) supporting the work of the church with gifts and talents to the best of his/her ability, 3) living a Christian life to the best of his/her ability, 4) participating in the life and mission of St. John’s UCC, 5) growing in the Christian faith (e.g. attending adult studies, private devotions, reading), and 6) sharing the Christian faith with others.

RIGHTS: Rights of members include 1) voice and vote at all congregational meetings, 2) serving in appointed and/or elected positions on the Church Council and committees, 3) privileges as specified in St. John’s UCC policies (e.g. wedding policy), and 4) receiving all church mailings.

TERMINATION: Yearly the Church Council, in consultation with the Pastor, shall send letters to those members who have not been participating in the responsibilities of membership to ascertain their interest in maintaining membership. A member who for a period of two (2) years, in spite of spiritual care, has not attended the church’s worship and has not contributed to its support, may, after review by the Pastor and the Church Council, be removed from the membership roll.

# II. MEETINGS

Twenty percent of the membership shall constitute a quorum at a duly called congregational meeting and are thus empowered to transact business.

The Annual Meeting shall be held the 4th Sunday in the month of January of each year. At this meeting the Pastor, Church Council officers, and all Church organizations shall make a report of their activities and finances of the preceding year. The budget for the new year shall be adopted and there shall be an election of officers as per the bylaws.

Special meetings may be called by the Church Council, Pastor or upon the written request of 25% of the voting members. The Church Council shall issue a call for such a meeting within three weeks after the request has been received. Two weeks’ notice shall be given on the time, place, and purpose of the special congregational meeting. Only such business as has been mentioned in the call may be transacted at such special meeting.

Congregational Meeting Governing Body: The supreme legislation and administrative power of the Congregation is vested in the Congregation itself assembled in meeting, duly and legally called, as provided in the Bylaws.

Congregational Prerogative: It shall be the prerogative of the Congregational meeting to decide such questions as the buying and selling of real property, building projects, extensive repairs of Church property, the call of a pastor, the direction of the work of the Congregation, and such other powers and prerogatives as may be herein set forth. For the transaction of all other business the administration of the Church is entrusted to the Church Council chosen and composed as provided for in the Bylaws.

# III. CHURCH COUNCIL

Administration: The administration of all matters is vested in the Church Council as the executive body of the Congregation. The Church Council is composed of Pastor, five (5) elected members and the treasurer, if the treasurer is not already an elected member.

Election of Church Council: Members shall be elected by ballot by a majority vote cast at the Annual Meeting of the Congregation. They shall be elected for a term of office of three years with no more than two members being elected each year. They may serve two consecutive terms after which they may be re-elected after an interval of one year. They shall serve in their respective office until their successor is elected and installed. Vacancies on the Church Council created during a term of office shall be filled by majority vote of the Church Council for the unexpired portion of the term.

Church Council Duties: The Church Council shall have oversight and jurisdiction of the Congregation and all its auxiliary organizations. In case of the dissolution of any of the organizations, its property and funds shall revert to the Congregation.

It shall be the duty of the Church Council to watch faithfully over the spiritual interests of the Congregation, to maintain order in the House of God, and to aid in visiting the sick.

The Church Council shall a) be the policy making body of the church and shall transact the business of the Church, b) make provision for the determining and raising of the General Fund budget, as well as for Our Church’s Wider Mission (O.C.W.M.) and benevolences, c) provide for the auditing of financial accounts, d) provide for the adequate support of the staff, e) keep a complete and accurate record of its proceedings, f) be the custodian of all congregational records, g) report to the Congregation at regular and special meetings, and h) form such committees, tasks forces, and teams as will serve to further the purpose of the church.

The Church Council shall direct the Pastor to keep a complete record of baptisms, confirmations, reception of new members, transfers, erasures of names, marriages, and deaths. All records shall be the property of the Congregation, or successor congregations; but upon dissolution of the Congregation its records shall become the property of the Wisconsin Conference of the United Church of Christ.

The Church Council shall review all expenses at every called meeting.

The Church Council may authorize any unforeseen expense, but if that expense exceeds 5% of the total operating budget, it must receive the approval of the Congregation.

Church Council Organization: The Church Council shall organize itself at its first meeting after the Annual Meeting of the Congregation, electing a President, Vice President, and Secretary for a term of one year, with the eligibility of re-election. The Treasurer need not be a member of the Church Council. In the event that the Treasurer is elected outside the Church Council, he or she will have voice but no vote.

Church Council Meetings: The Church Council shall meet as needed, but at least ten times a year, for the transaction of such business as may properly come before it. Special meetings are subject to the call of the President

Duties of Officers: The President shall preside at all meetings of the Church Council and/or Congregation. He/she shall see that all resolutions are executed. He/she is also empowered, with the Secretary, to sign all contracts and deeds in the name of the Congregation.

The Vice President shall preside over meetings where the President is not present or when matters arise pertaining to the President.

The Secretary shall take minutes at all meetings of the Church Council and the Congregation. He/she shall give a report of the activities of the Church Council at the Annual Meeting of the Congregation.

All of the Secretary's and Treasurer's records shall be the property of the Congregation.

# FINANCIAL OBLIGATIONS

The finances of the Congregation shall be administered by the budget system. The budget shall consist of at least two parts, including but not limited to administration and benevolence.

All funds received by the congregation shall be put into the general fund unless they are designated for special purposes.

All monies of the Congregation shall be counted immediately following any service by at least 2, non-related members of the Church Council and deposited on that day by a member of the Church Council whenever possible.

The fiscal year of the Congregation shall be the calendar year that is from January 1 to December 31.

No fund raising shall be undertaken by any group within the church without express approval of the Church Council.

# PROPERTY

The Congregation may, in its corporate name, sue and be sued, hold, purchase, and receive title by gift, grant or other conveyance of and to any property, real or personal, with power to mortgage, sell, or convey the same, providing the State laws permit.

In case of a division in the membership of the Congregation both parties shall submit the question of the right to the property to the Wisconsin Conference of the United Church of Christ and the decision of said judiciary shall be binding to all members of the Congregation.

In case of the dissolution of the Congregation the title to the real estate property shall vest to St. John's United Church of Christ (Schwarzwald) Cemetery.

**IV. RELATIONSHIP TO THE UNITED CHURCH OF CHRIST** This Congregation shall regularly participate in the function of the Northeast Association and the Wisconsin Conference of the United Church of Christ. Delegates shall be appointed to represent the Association and Congregation at all regular and special meetings of the Association and Conference as outlined in these By-Laws.

This Congregation shall regularly contribute to the United Church of Christ and its institutions and support the work of the Church at home and abroad.

This Church through its Pastor and Officers shall make such reports as are required by the Association or Conference.

# V. THE PASTOR

In the event of a pastoral vacancy the search committee shall work closely with the Minister of the Northeast Association. All candidates must have an active UCC profile and be authorized for ministry in the United Church of Christ.

Duties of the Pastor: The Pastor shall set a good example to the Congregation, conduct all services on Sundays, holidays and such other days as the Congregation may desire; direct the work of Christian Education; administer the Holy Sacraments; visit the sick; comfort the distressed; perform all such other duties as belong to the Pastor's office in the United Church of Christ; and keep a complete record of baptisms, confirmations, reception of new members, transfers, membership removals, marriages, deaths, and other services performed; and make an annual report of their work to the Congregation. All such records shall be the property of the Church.

Rights of Pastor: The Pastor is a member of the Church Council, and an ex-officio member of all committees and organizations within the Church. As long as they are the Pastor, no other minister shall perform any religious ceremony in the Church without their consent. To invite a speaker either during a temporary absence of the Pastor or for special occasions the consent of both Pastor and the Church Council is necessary. The Pastor's salary shall be paid promptly in regularly agreed upon installments.

The provisions of the contract between the Pastor and the Church shall be reviewed from time to time by the Church Council, and any changes recommended shall be subject to the approval of the Congregation.

The Pastor shall be selected for an indefinite period. In order to terminate this relationship, a three months’ notice shall be given by either party, unless by mutual consent, or disciplinary action by the Northeast Association of the WI Conference. Notice of such termination shall be sent by the President of the Church Council to the Association for appropriate action.

The Church may, at its discretion, choose an associate Pastor or Pastors.

# VI. COMMITTEES

A committee member must be a member of the church.

Committee members may serve two consecutive three-year terms after which they may be re-elected after an interval of one year**.** Unexpired terms may be filled by appointment of the Church Council.

Each Committee shall elect a chairperson and secretary. Each Committee must have a quorum in order to conduct business. The duties of the chairperson shall be to schedule meetings in consultation with the pastor, preside at each meeting and provide a written agenda for each member of the committee.

The duties of the secretary are to keep minutes of all meetings, keep all records pertinent to the work of the committee and to provide a report. All correspondence for a committee is the responsibility of the secretary. Minutes of previous meetings should be provided in writing before the next meeting. It is also the duty of the secretary to provide a report for the annual report of the congregation each January.

# AUDITING COMMITTEE

The Church Council shall appoint an Auditing Committee composed of three members, which shall audit the financial books of the congregation at the end of the fiscal year and make a report at the annual meeting. The Treasurer, Church Council President and Pastor shall be ex-officio members.

## VII. PASTORAL SEARCH COMMITTEE

A five-memberPastoral Search Committee shall be appointed by the Church Council and confirmed by majority vote of a quorum of the congregation to seek a candidate for a vacancy in the office of the Pastor.

As soon as a pastoral vacancy occurs it shall be reported to our Association Minister of the Wisconsin Conference.

In securing an interim pastor or supply ministers for the period of vacancy the Church Council shall seek the counsel of the Association Minister.

The Search Committee shall request the Association Minister to secure relevant information about any minister whom it wishes to consider for the vacancy.

The Search Committee shall present the name of the candidate it recommends to fill the vacancy to the Congregation. A favorable vote of 85% from the church constitutes a call.

In the call the salary and other terms of the relationship shall be stated, including the agreement of the Church to participate in the Pension Fund of the United Church of Christ, the Ministers' Health Insurance Program, and other terms agreed between the candidate and the Committee. The Minister, the Church, and the Association Minister shall each receive a copy of the call.

## THE SACRAMENTS

The Sacrament of the Lord's Supper shall be observed congregationally no less than eight times during the year.

Because Holy Baptism is a Sacrament of the Church, therefore, it shall be administered in the Church, during the worship service, except in such cases where special circumstances prevail.

VIII. TEAMS

Teams provide an opportunity for persons to give time and energy to a particular ministry about which they feel a sense of God’s call and to which they bring a special skill, passion, or spiritual giftedness.

1. Teams may form with the approval of the Church Council. The Church Council will determine how the Team will be accountable and report on its activities.
2. Teams are not elected.
3. Teams recruit their own members.
4. Teams may establish term limits, if they so desire. If no term limits are established, individual team members decide on the length of their service.
5. Teams may make their own decisions as long as they are consistent with the congregation’s core values, beliefs, vision and mission.
6. Team members do not have to be members of the Church.
7. Teams are encouraged to develop written Team Descriptions to be approved by the Church Council.

## IX. RELIGIOUS INSTRUCTION

The Congregation shall maintain a Sunday School for the religious instruction of its members. Parents shall assume the responsibility of regular attendance of their children at the sessions of the Sunday School.

The Congregation shall provide for adequate religious instructions for confirmation. It shall be the duty of parents to bring the youth when they have completed at least 8th grade to confirmation instruction.

All students wishing to affirm their faith through confirmation must participate in a one year course of study.

The curriculum to be used for confirmation shall be selected at the discretion of the pastor in consultation with the Church Council. The curriculum should reflect the faith, beliefs, mission and theology of the United Church of Christ.

## X. AUXILIARY ORGANIZATIONS

Only such auxiliary organizations may be permitted in the Church as are approved by the Church Council.

The Secretary of each auxiliary organization shall be required to give a report of the activities of the respective organization at the Annual Meeting of the Congregation.

## XI. MISCELLANEOUS

All auxiliary organizations within the Congregation shall be under the supervision of the Church Council and shall be amenable to its directions. In case of the dissolution of any one of these organizations, its property and funds shall revert to the Congregation.

All questions or circumstances not covered by this Constitution and these Bylaws shall be decided according to Robert's Rules of Order and the rules and regulations prescribed by the Constitution of the United Church of Christ.

The Church Council may at its discretion appoint additional committees as necessary.

Fees for the use of the church building shall be determined by the Church Council.

**XII. AMENDMENTS**

Amendments to this Constitution may be made at any duly called

meeting of the Congregation by a two-thirds affirmative vote of the members present, public announcement of the proposed amendment(s) having been made in a letter sent to each member, or in a newsletter sent to every member, and announcement from the pulpit at least two weeks prior to the meeting. Amendments to the Bylaws may be made by the same process with a majority vote of the members present.

**XIII. ABSENTEE VOTING PROCEDURES**

Absentee voting (aka “mail-in voting” and “by-mail voting”) is conducted by mail-in ballot before the election by communicant member in good standing who is unable to attend a duly scheduled congregational meeting. Absentee ballots are valid only for the question being voted as listed on the ballot. In the event the question is modified in any way the absentee ballots will be void.

Request an absentee ballot at least two weeks prior to the vote.

If bringing the completed ballot to the church, place in a signed, sealed envelope and write “Absentee Ballot” on the front of the envelope.

If mailing to the church: Place ballot in a stamped, sealed envelope addressed to the church with return address in upper, left corner. St. John’s United Church of Christ, Absentee Ballot, W3401 Orchard Road, Elkhart Lake, WI 53020.

Multiple ballots can be placed in one envelope but that each must be signed by the voter to be valid.

Ballot must arrive at the church no later than noon on the Friday before the vote to be counted in the totals.

**BYLAWS**

**CHRISTIAN EDUCATION TEAM**

Overview

The Christian Education Team shall facilitate faith formation for the pre-school through pre-confirmation youth connected with St. John’s UCC.

Areas of Ministry & Responsibilities

The Christian Education Team shall…

* Organize and plan the faith formation calendar.
* Select curriculum consistent with the faith, beliefs, mission and theology of the United Church of Christ.
* Secure teachers as needed.
* Create and confirm the Sunday School roster for the upcoming year.
* Assist the Church Council by recruiting new team members as needed.
* Involve the participation of other teams and groups in the congregation, as much as possible, in the Sunday School activities***.***
* Clear dates of activities with the Pastor and Church Secretary.
* Communicate regularly with the faith formation participants and their parents about activities.
* Organize the Christmas program and/or other special programs/services in consultation with the Pastor.
* Meet at least four times a year for planning and evaluation.
* Submit a budget request to the Church Council by October.
* Submit a brief report of activities to the Church Council in January and June.
* Submit a brief summary of activities in December to the Church Secretary to be included in the Annual Report.

**OUTREACH TEAM**

Overview

The Outreach Team helps those connected to St. John’s UCC reach outside the four-walls of the building to make a difference in the lives of others. This is done through periodic intergenerational mission projects and activities.

Areas of Ministry & Responsibilities

The Outreach Team shall…

* Organize Mission Sundays.
* Assemble and distribute Care Baskets.
* Develop the Food Pantry Collection list each year and

arrange monthly delivery of items to the Kiel Area Community

Food Pantry.

* Involve the participation of other teams, groups, and the congregation as much as possible.
* Invite the participation of our Shared Ministry partner church whenever possible.
* Clear dates of activities with the Pastor and Church Secretary.
* Publicize and communicate activities through the appropriate channels.
* Secure funding from Thrivent, as needed, through Action Team applications.
* Submit a budget request to the Church Council, if needed, by October.
* Request donations, as needed, from the congregation.
* Organize fundraisers, as needed, for the ministry of the team. Fundraisers require prior approval from the Church Council.
* Hold two planning meetings a year.
* Submit a brief report of their activities to the Church Council in June and December.
* Submit a brief summary of their activities in December to St. John’s UCC Church Secretary to be included in the Annual Report.
* Develop and implement new outreach opportunities as desired.

**THE BUILDING & GROUNDS MAINTENANCE TEAM**

Overview

The Building & Grounds Maintenance Team (henceforth “Team”) consists of three (3) people appointed by the Church Council for two years. There are no term limits and the Team reports directly to the Church Council. The Church Council may disband the Team at any time should the necessity for such Team expire. The Team shall submit a written summation of their activity to the Church Council quarterly.

All needed supplies shall be purchased using our tax-exempt number. The Church Secretary has all tax-exempt cards.

Areas of Responsibility

HVAC

* Program all thermostats for heat (68 degrees) in late fall.
* Program all thermostats for air conditioning (72 degrees) in early summer.
* Change filters on all furnaces per manufacture recommendations.
* Set up and implement a regular HVAC maintenance schedule.
* In fall, put outside covering of Church Secretary & Pastor’s air conditioners. In spring, remove the same.

ELEVATOR

* Meet with state elevator inspector. Visit is once a year.
* Address within 30 days any violations reported during state inspection.
* After state inspection, call Express Elevator to arrange a Category 1 Test.
* Meet with Express Elevator for Category 1 Test and annual inspection.
* Perform a quarterly elevator test. Elevator Mechanical Room key is located in new furnace room on west wall.

PARSONAGE

* In September, do a walk-through of the parsonage, complete checklist, and determine maintenance needs and any violations of the rental agreement. A 24-hour notice must be given to the renter(s).
* Complete any repair/maintenance needs under $500. Over $500 needs Church Council approval.
* Report any rental violations promptly to the Church President.

BUILDING

* In January, do a walk-through of the church to determine maintenance and repair needs. Prioritize needs and secure needed quotes.
* Complete items from above list under $500. Over $500 needs Church Council approval.
* In late spring, clean gutters on garage and church (only those accessible with 25-foot ladder).
* Change light bulbs (inside and out) as needed.
* Fill kerosene candles in chancel area as needed.
* Secure sludge test or pumping of holding tank after state notification. Schedule any needed repairs.
* In May, set up all church dehumidifiers. In October, remove and store.
* As needed, clean church siding and outside windows.
* Clean gutters on garage and church that can be safely accessible with a ladder.

GROUNDS

* Coordinate the Spring Yard Clean-Up with input from Church Secretary. This includes choosing the date and advertising.
* Trim bushes around church as needed.
* Spray for weeds in parking lot.
* Purchase and monitor salt supply.

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