



BYLAWS
of
PEACE LUTHERAN CHURCH

Belgrade, Montana



Adopted: February 20, 2011



PEACE LUTHERAN CHURCH

Bylaws

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Bylaws of PEACE LUTHERAN CHURCH

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Bylaw 1.
STATEMENT OF FAITH

B1.01. We accept the Apostles', Nicene, and Athanasian Creeds as true declarations of the scriptural faith we believe, teach, and confess.

B1.02. We believe, teach, and accept the Unaltered Augsburg Confession and the Small Catechism as true witnesses to the Word of God, normative for our teaching and practice. We acknowledge that we are one in faith and doctrine with all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

B1.03. We believe, teach, and confess the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles, the Treatise, the Large Catechism, and the Formula of Concord, as further valid expositions of the Holy Scriptures.

Bylaw 2.
POWER OF THE CONGREGATION

B2.01 The powers of this congregation are those necessary to fulfill its purpose.

B2.02 The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in the constitution and bylaws.

B2.03 Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor as provided in Article 7 of the Constitution;
- b. terminate the call of a pastor as provided in Bylaw 6.03;
- c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Lutheran Congregations in Mission for Christ;
- d. adopt amendments to the constitution, as provided in Article 15, and amendments to the bylaws, as specified in Article 14;
- e. approve the annual budget;
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. terminate its relationship with the Lutheran Congregations in Mission for Christ by a simple majority vote of an officially called congregational meeting.

Bylaw 3.
CONGREGATIONAL COUNCIL

B3.01 The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the state of Montana, except as otherwise provided herein.

B3.02 The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.

B3.03 The Congregation Council may enter into contracts of up to \$4,000.00 for emergency expenditures.

B3.04 The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than \$4,000.00 in excess of the anticipated receipts or for any unanticipated expenditure more than \$4000.00 only after approval by a congregation meeting.

B3.05 The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies.

B3.06 The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

B3.07 The duties of the congregational council shall include the following:

- a. To lead this congregation in stating its mission, to do long range planning, to set goals and priorities, and to evaluate its activities in light of its missions and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To secure necessary staff other than the pastor(s), such as administrative assistant, Christian day school teacher, business administrator, church musician, parish education director, parish secretary, parish worker or youth worker, intern, custodian, etc., and fix and review annually their salaries.
- e. To review annually the salary of the pastor(s) and make adjustments from time to time within the limits of the budget approved by the congregation.
- f. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- g. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- h. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- i. To arrange for pastoral service during the sickness or absence of the pastor.
- j. To choose, between meetings of the congregation, delegates to any group or meeting in which the congregation is entitled to representation.
- k. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- l. To see that the provisions of the constitution, its bylaws, and the continuing resolutions are carried out.
- m. To provide for an annual review of the membership roster.
- n. To be responsible for the employment and supervision of the salaried lay workers of this congregation.
- o. To submit a comprehensive report to this congregation at the annual meeting.

Bylaw 4.
COMMUNION PARTICIPATION

B4.01. This congregation invites all of its members who have been prepared to receive the Sacrament, to participate regularly in Holy Communion.

B4.02. Preparation for Holy Communion will normally be provided for persons of any age who desire to participate at the Lord's Table (young children with their parents consent).

B4.03. Participation in Holy Communion shall be open to members of other congregations who accept the Lutheran teaching in regard to this sacrament.

B4.04. It shall be made known to prospective Holy Communion participants of this congregation is:

Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine instituted by Christ himself for us to eat and drink." We hold that "a person is well prepared and worthy who believes these words, given and shed for you for the remission of sins. But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words for you require simply a believing heart.

B4.05. Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall be sent to the pastor of that congregation.

**Bylaw 5.
MEMBERSHIP**

B5.01 All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

B5.02 It shall be the privilege and duty of members of this congregation to:

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran Confessions; and
- c. support the work of this congregation, through contributions of their time, abilities, and financial support as biblical stewards.

B5.03 Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

B5.04 Baptized Members

- a. A child, one or both of whose parents or guardians are members of the congregation, shall, upon receiving Baptism, become a baptized member.
- b. A child, neither of whose parents or guardians is a member of the congregation, shall, upon Baptism, become a baptized member of the congregation; unless for good reason the child is to be a baptized member of another congregation, which case membership shall be transferred to that congregation.
- c. A child baptized in another congregation shall be received as a baptized member in the congregation when a Letter of Transfer has been received.
- d. An un-baptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall, upon confession of faith and Baptism, become a baptized member of the congregation.
- e. When one or both parents of baptized children are received into membership of the congregation, such children should be received as baptized members with the consent of the member parent or parents.
- f. Where a baptized child is an orphan or a ward of someone and those people move into the area served by this congregation, the child may be received as a baptized member when it is commended to the care of this congregation by the congregation which baptized the child.

- g. When the parents of a baptized child are not themselves members of the Lutheran Church but move into the area served by this congregation and desire to have their child put within the pastoral care of this congregation, the child may be received as a baptized member.

B5.05. Confirmed Members

- a. A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of adequate understanding of the teachings of the Word of God as confessed by the Lutheran Church and having publicly affirmed his faith.
- b. A baptized member of this congregation shall become a confirmed member through the rite of confirmation; except that an adult who has become a baptized member in accordance with the provisions in B3.01.d shall be considered a confirmed member without participating in the rite of confirmation.
- c. An applicant for membership who presents a Letter of Transfer which certifies that the applicant is a confirmed member in good standing of a Lutheran congregation shall become a confirmed member of this congregation upon approval by the Congregation Council. The acceptance of the applicant shall be reported to the congregation.
- d. An applicant for membership who presents evidence of confirmation in a Lutheran congregation but does not have a Letter of Transfer shall be admitted to confirmed membership when the Congregation Council has determined that the applicant meets the standards of Christian life indicated in the constitution and bylaws and has reaffirmed that faith before the congregation.

B5.06 Voting Members

- a. Voting members are confirmed members as provided in B5.05.
- b. Voting members during the preceding twelve (12) months shall have communed four (4) times in this congregation and shall have made contributions of record to this congregation.

B5.07 Associate Members

- a. Associate members are those persons holding membership in other Christian congregations who wish to retain their membership in those congregations but desire to participate in the life and mission of this congregation.
- b. Associate members have all the privileges and duties of membership except voting rights and eligibility for elected office or membership on the congregational council of this congregation.

B5.08. Pastoral Care of Membership

- a. This congregation shall, in the event of the departure of a member from the community, encourage the member to request a transfer to a Lutheran congregation which can serve them in their new location. Should the member fail to request a transfer, a Lutheran congregation in the community in which they now live shall be contacted in hopes that the contacted congregation will begin ministry with them.
- b. A member desiring to change their membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.
- c. In the Sacrament of Baptism God's saving grace is bestowed, and having been joined in union with Christ, we are called to a life of discipleship. In the rite of confirmation we remember our Baptism, affirm our faith, and profess our intention to live in our baptismal covenant and to be faithful in using the Means of Grace; that is, God's Word and the Sacraments. Worship is therefore not optional in the Christian life, as the use of the Means of Grace is both the privilege and responsibility of the church member. It is part of the church's pastoral task to encourage and challenge its members in faithful Christian living. Therefore, a confirmed member who does not, for a period of six months, appear to desire to participate in the life and worship of this congregation shall be visited by a pastor and/or the congregation's officers and encourage by them to active membership. If, for one more year, the confirmed member does not actively participate, that person's decision to be separated from the congregation shall be honored and the person's name removed from the membership roster of the congregation, but be retained on an inactive membership list as one who is in special need of the congregation's prayer and

concern. Upon renewal of participation in the life of the church, the person's name shall be reported by the pastor to the Congregation Council for restoration to the membership roster of the congregation.

- d. A child who is a baptized member of this congregation, neither of whose parents or guardians are members of this congregation, may be placed on the inactive membership list if that child is unable to participate in the life and worship of the congregation.

Bylaw 6.

PASTOR

B6.01 Consistent with the faith and practice of the Lutheran Congregations in Mission for Christ,

- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of the congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
- c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

B6.02 The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call.

B6.03 The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term of years;
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
- 4) the physical or mental incapacity of the pastor;
- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
- 6) the dissolution of the congregation, or
- 7) suspension of the congregation as a result of discipline proceedings.

B6.04 At a time of pastoral vacancy, an interim pastor shall be appointed by the Congregation Council.

B6.05 During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

B6.06 This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all

financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

B6.07 When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, and the Congregation Council. As occasion requires, the documents may be revised through a similar consultation.

B6.08 The pastor of this congregation:

- a. shall insure that accurate parochial records are kept of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation; the parochial records of this congregation shall remain the property of the congregation;
- b. shall submit a summary of such statistics annually to the congregation and the Lutheran Congregations in Mission for Christ;
- c. and shall become a member of this congregation upon receipt and acceptance of the letter of call.

Bylaw 7. SUNDAY SCHOOL

B7.01. Sunday School instruction shall be provided during the school year for children three years old by September 10th through the 12th grade.

B7.02. The Congregation Council shall approve the Sunday School superintendent who will be responsible for coordinating the selection of Sunday School teachers, the scheduling of Sunday morning instruction, acquiring the materials used therein, and monitoring participation.

B7.03. Sunday School teachers shall be selected by the Sunday School superintendent, in consultation with the pastor(s) and the Congregation Council, ordinarily from the voting membership of the congregation. Exceptions may be made by approval of the Congregation Council and the pastor(s).

B7.04. Materials used for teaching children shall be recommended by the pastor, or education committee, or Sunday School superintendent and shall be in harmony with the teaching of Lutheran Congregations in Mission for Christ theology and doctrine.

Bylaw 8. CONFIRMATION

B8.01. This congregation understands confirmation as the pastoral and educational ministry of the church which helps the baptized child through Word and Sacrament to identify more deeply with the Christian community and participate more fully in its mission.

B8.02. Confirmation will be an ongoing process beginning with Baptism and culminating with the completion of a confirmation curricula designed and implemented by the pastor and education committee.

B8.03. The Congregation Council shall annually review the confirmation ministry of this congregation.

Bylaw 9. DUTIES OF OFFICERS

B9.01. The duties the officers of this congregation shall be as follows:

- a. The president shall preside at meetings of the Council and of the congregation.
- b. The vice-president shall preside at the meetings of the Congregation Council and of the congregation in the absence of the president
- c. The secretary shall keep the minutes of the Congregation Council and of the congregation and shall have custody of the archives of the congregation.

- d. The treasurer shall have custody of all funds of the congregation and shall receive and disburse such funds in accordance with the decisions of the congregation or the Congregation Council.

Bylaw 10

CONGREGATION COMMITTEES

B10.01. The Nominating Committee shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate. The pastor shall serve as the convener and as an advisory member. The list of nominees shall be announced to the congregation in conjunction with the announcement of the meeting of the congregation at which the elections are to take place. In addition to the candidates submitted by the nominating committee additional nominations may be made from the floor. Members of the congregation shall be invited to submit names, for consideration for the nominating committee. The Congregation Council shall fill vacancies on the nominating committee.

B10.02. The Audit Committee shall be responsible for the audit of the fiscal records of the congregation and report its findings in writing to the annual meeting. Such audits shall include examination of existing insurance coverage.

B10.03. The Staff Support Committee shall be responsible for providing counsel and encouragement for the pastor(s) and other staff and their families. This committee shall be an advocate and means of cultivating honest, open, and direct communication between the pastor(s) or staff and the congregation. The Congregation Council will appoint members to this committee when deemed necessary. This committee need only to function in times determined by the congregation council.

B10.04. A Call Committee shall be responsible for locating and interviewing candidates to fill a pastoral vacancy in this congregation. This committee will verify that all pastoral candidates are certified by the Lutheran Congregations in Mission for Christ association.

Bylaw 11.

DISCIPLINE OF MEMBERS

B11.01 Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b.above, the president or vice president shall administer such admonitions.

Bylaw 12

ENDOWMENT FUND

B12.01. An Endowment Fund, whose purpose, governance and operation procedures shall be defined by special resolution adopted by the congregation, shall be established.

B12.02. Committee Membership

- a. The Endowment Committee shall consist of five (5) members, all of whom shall be voting members of Peace Lutheran Church. Except as herein limited, the term of each member shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) members to the committee: two (2) for a term of three (3) years; two for a term of two (2) years; one for a term of one (1) year. Thereafter, at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. After a lapse of one (1) year, former committee members may be re-elected. The senior pastor and the president/vice president of the Congregation Council shall be advisory members of the committee. The Congregation Council shall nominate the committee and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the committee, the Congregation Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fill the term of the vacancy.
- b. The committee shall meet at least quarterly, or more frequently as deemed by it in the best interest of the fund.

- c. A quorum shall consist of three (3) members. When only three (3) members are present, a unanimous vote shall be required to carry any motion or resolution.
- d. The committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.
- e. The recording secretary of the committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the committee. Each member shall keep a complete copy of the minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes of the church council.
- f. The financial secretary of the committee shall work with the congregation's treasurer in maintaining and coordinating complete and accurate accounts of the fund and shall sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the fund. The books shall be audit annually by a Certified Public Accountant or other appropriate person who is not a member of the committee.
- g. The committee shall report on a quarterly basis to the Congregation Council and, at each annual or duly called special meeting of the congregation, shall render a full and complete audited account of the administration of the fund during the preceding year.
- h. The committee may request other members of the congregation to serve as advisory members and, at the expense of the fund income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interest of the fund.
- i. Members of the committee shall not be liable for any losses which may be incurred upon the investments of the assets of the fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he or she acts in good faith and with ordinary prudence. Each member shall be liable only for his or her own willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any "self dealing" or transactions with the fund in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his or her personal interests would conflict with the interest of the fund.

B12.03. Contributions

- a. Contributions to the fund shall be deposited with Lutheran financial management organizations, Thrivent Financial for Lutherans or with any federally insured financial institution.
- b. All assets are to be held in the name of Peace Lutheran Church, a member of the Lutheran Congregations in Mission for Christ, for the benefit of the Peace Lutheran Church Endowment Fund.

B12.04. Principal and Income

- a. The committee shall determine what is principal and income according to accepted accounting procedures.
- b. Gifts and bequests to the fund shall accumulate until the principal amount of the \$10,000 is achieved, after which the income generated from the investment of the principal may be expended.
- c. Income from the fund can be distributed annually or at such other times as deemed necessary or feasible to accomplish the following purposes:
 - 1. Minimum of ten (10) percent for outreach into the community, state or nation, including, but not limited to, grants to Lutheran seminaries, colleges or students attending such schools, social service agencies, institutions and agencies to which this congregation relates, and to special programs designed for those persons in our parish area who are in spiritual and/or economic need.
 - 2. Minimum of ten (10) percent for missions of the Lutheran Congregations in Mission for Christ in this content and world wide, including but not limited to, grants to the LCMC for new congregation development in North America, profession leadership, educational ministries, global mission, ecumenism, social ministries and capital financing.
 - 3. Minimum of ten (10) percent for capital improvements, debt reduction and a building program of Peace Lutheran Church.
 - 4. Up to seventy (70) percent for any or all of the above designated areas in any proportion as determined by the committee, or for causes and programs which at the discretion of the

committee are consistent with the fund purpose of enhancing the mission outreach of Peace Lutheran Church.

- d. Programs for support shall be recommended by the committee and approved by the Congregation Council for funding according to the guidelines established by the congregation.
- e. Disbursement of income from the fund need not occur annually, in event causes and programs have not been approved by the committee sufficient to utilize total income available, or if in the judgment of the committee, total annual disbursement of income is recommended.
- f. When, in the opinion of the committee, circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and the only recourse seems to be the use of fund principal, the committee may, upon a two-thirds majority vote, recommend such authorizing action to the congregation.

B12.05. Any amendment to the Endowment Fund bylaws which will change, alter or amend the purpose for which the fund is established shall be adopted by a two-thirds vote of the members present at an annual meeting of the congregation or at a special meeting called specially for the purpose of amending this resolution.

B12.06. In the event Peace Lutheran Church ceases to exist, either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the church council in conformity with the approved congregational constitution.



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