



**Constitution And By-Laws
Trinity Lutheran Church
of
Kearney, Missouri**

January, 1978

Amended April 2, 1978

Amended September 9, 1984

Amended November 13, 1988

Amended June 25, 1989

Amended September 19, 1993

Amended November, 11, 2007

Amended February 8, 2009

Notes

canonical books of the Old and New Testaments as the revealed Word of God, verbally inspired, and acknowledges and accepts all the symbolical books of the Evangelical Lutheran Church contained in the Book of Concord of 1580, to be a true and genuine exposition of the doctrine of the Bible. These symbolical books are: the three Ecumenical Creeds (The Apostolic, the Nicene, and the Athanasian), the Unaltered Augsburg Confession, the Apology of the same, the Smalcald Articles, Luther's Large and Small Catechisms, and the Formula of Concord. No doctrine shall be taught or tolerated which is at variance with the above symbols.

Article IV
MEMBERSHIP

Section 1.

Qualification of membership:

Anyone can become or be a member of this congregation and enjoy the rights and privileges of such membership if the member is: (a) baptized in the name of the Triune God; (b) accepts all the canonical books of the Old and New Testaments as the only divine rule and standard of faith and conduct; (c) is acquainted with, and accepts Luther's Small Catechism (and also the Unaltered Augsburg Confession); (d) leads a Christian life and abstains from manifest works of the flesh (Galatians 5:19-21); (e) attends divine services faithfully and partakes of the Lord's Supper frequently; (f) submits, for the sake of love and peace, to the regulations already made, or still to be made, by this body, provided they do not conflict with the Word of God, and suffers brotherly admonition when having erred or offended; (g) is not a member of any secret or other organization conflicting with the Word of God.

Section 2.

Termination of membership:

When a member of this congregation, after fruitless

admonition in the various stages prescribed by the Word of God (Matthew 18:15-20), where the observance of such stages has been possible, shall have been expelled by unanimous vote from the congregation, such person shall have forfeited all rights of a member of the congregation and all claims upon the property of the congregation as such, or upon any part thereof as long as the member is not again received into membership by the congregation, but shall not be barred from public worship. The same shall apply to such member as refuses to submit to church discipline and thus excommunicate themselves, as also to those who sever their connection with the congregation.

**Article V
VOTING MEMBERS**

Voting members are those communicant members who are at least 18 years of age and who have been accepted into membership by the Voters' Assembly. The Voters' Assembly will be made up of voting members who have read the constitution and made their intentions known to the Voters' Assembly by signing the constitution.

Women may hold voting membership in the congregation and serve as officers and as members of boards and committees as long as these positions are not directly involved in the specific functions of the pastoral office (preaching, and public administration of the Sacraments, church discipline) and as long as this service does not violate the order of creation (usurping authority over men). Accordingly, they shall not serve as pastor, president or vice president of the congregation, or as a member of the Board of Elders.

**Article VI
OFFICERS AND BOARDS**

Section 1.

The officers of this congregation shall be such as the by-laws of this congregation may prescribe.

Notes

Section 2.

No officer of this church will have any authority beyond that which has been conferred upon him by the constitution and by-laws of resolutions of the church. Any officer of this church may, in a Christian and lawful manner, be removed or dismissed from office. Sufficient, valid and urgent cases for this dismissal or removal shall be persistent adherence to false doctrine, offensive life, and willful neglect of official duties.

Section 3.

The right to elect any officer, or to remove the individual from office, shall always be vested in the entire voting membership and shall never be given over to an individual or a smaller body within the church.

Article VII

PASTORS AND TEACHERS

Only such pastors and teachers shall be called by the congregation as are in accord with the confessional standard of the congregation (Article III) and as have been prepared for their work and are well qualified by the rules and regulations of Synod as given in the Synodical Handbook. The right of calling pastors and teachers shall ever be vested in the congregation and shall never be delegated to a smaller body or to an individual. Reasons for dismissing a pastor or teacher shall be: persistent adherence to false teaching, an ungodly life, unfaithfulness or inability with reference to performance of duties. A bonafide effort shall be made to elect pastors and teachers by a unanimous vote. A church record shall be kept by the pastor of all his official acts; this record is to be and remain the property of the church.

Article VIII

POWERS VESTED

IN THE CONGREGATION

Section 1.

The Voters' Assembly shall have supreme authority and power to manage and adjust all spiritual and material affairs of the congregation.

Section 2.

Any enactment of decision, whether it proceed from an individual or from a body within the congregation shall be invalid, unless authorized or sanctioned by the Voters' Assembly.

Section 3.

The Voters' Assembly shall have no authority to enact or decide anything contrary to the Word of God and the symbols of the church.

Section 4.

The term "congregation" when used herein with regard to matters requiring a vote shall mean the Voters' Assembly.

Article IX

BY-LAWS

This congregation may adopt such by-laws as the accomplishment of the purpose of its organization may demand.

Article X

AMENDMENTS

Section 1.

Articles III, IV, and X, Section 1 of this constitution shall be unalterable and irrevocable.

Section 2.

All articles of this constitution not designated as unalterable shall stand altered or repealed if the proposed change has been submitted in writing in a previous meeting and has been published in two issues of the church bulletin and at least two-thirds of the voting members present shall have voted for the proposed alteration or repeal.

XI. GIFTS AND MEMORIALS

Gifts and memorials must be approved by the Voters' Assembly. Any gift or memorial accepted must be appropriate for use in a Lutheran Church and beneficial to the congregation as a whole. Placards will not be placed on any gift or memorial.

XII. AMENDMENTS

By-laws shall be amended in the same manner as the Constitution.

XIII. TRANSITION FOR SECOND AMENDMENT

- A. To effect the terms of this Amendment, the Board of Directors currently serving shall continue to serve until December 31, 1984. A Voters' Assembly will be held in September, 1984 to approve or disapprove this proposed Amendment.
- B. A "short" year of three months beginning on October 1, 1984 and ending on December 31, 1984 will be created after which the Church fiscal year shall coincide with the calendar year.
- C. The financial budget for the short year will be presented to the Voters' Assembly for approval at the meeting referred to in paragraph 1.
- D. The Elders will enact the nomination and election process described in Article IV of this Amendment.

file a copy of their constitution with the secretary of the church. Elective offices of subsidiary organizations shall be filled only by communicant members in good standing.

- C. Should any subsidiary organization disband or fail to function, the church shall assume its liabilities and resources. If any subsidiary organization contemplates an undertaking, the expense of which might be greater than the amount in the treasury of said subsidiary organization, they shall first obtain the approval of the Board of Directors. When called upon to do so, the subsidiary organizations of the church shall make a report of their activities and financial standing to the Board of Directors.

IX. CALLING PASTORS AND TEACHERS

- A. Before calling a pastor or teacher, the names of the nominees which have been accepted in a regularly called meeting shall be announced to the assembled congregation in the following public service. If no valid protest is made to the consideration of any candidates named, the whole congregation is considered to have approved the candidates or candidate so nominated. Pastors and teachers shall be elected by ballot, a majority of the voting members present being sufficient to elect, providing the vote is subsequently made unanimous.
- B. In considering the calling or dismissal of a pastor or teacher, the synodical procedure shall be followed.

X. PROPERTY RIGHTS IN CASE OF SCHISM

If at any time a separation should take place in this congregation on account of doctrine, which Almighty God graciously prevent, the property of the congregation and all the benefits therewith connected shall remain with those members who shall continue to adhere to the Confession of Faith (Article III, Constitution).

BY-LAWS

I. MEMBERSHIP

- A. Classification of members:

Our membership shall be listed in one or more of these groups:

1. Members who are baptized are known as baptized members.
2. Members who have been confirmed are known as communicant members.
3. Members who hold voting membership are known as voting members.

- B. Admission to membership:

Membership in this congregation is or may be acquired as follows:

1. To become a baptized member, no formal vote of the church is necessary.
2. Those who shall desire to become communicant members shall be required to make application to the pastor and elders' committee. If they have at the time of making application, been members of a sister church, they shall be required to submit a letter of transfer from that church, and such letter shall be taken at its face value. Those who had not been communicant members of any sister church shall present to the pastor and to the elders' committee sufficient evidence of the qualifications for membership as described in Article III of the constitution, before being admitted to the church. The elders' committee will submit those recommended for membership to the Board of Directors for approval at a regular meeting. A two-thirds majority of those present shall be necessary for approval; however, a bonafide effort for a unanimous vote shall be made.
3. Admission to voting membership shall be by reading

and signing the constitution, preferably at the time of admission into the membership of the parish. (Refer also to Article V of the Constitution.)

C. Termination of membership:

1. Every member in good standing shall be entitled, at his or her request, to a letter of transfer to a sister congregation. The pastor shall be authorized to issue a letter of transfer, unless there are charges pending against the member in question.
2. Every member in good standing, desiring to be released from membership, shall submit his written request to the pastor setting forth his reasons for such a request to be acted upon by the pastor and the elders' committee.
3. Article IV, Section 2 of the constitution is to be applied and included here.

II. MEETINGS

- A. The annual meeting will be held during the month of January or February. Business to be conducted will include reports by all Directors and such other business as may properly come before the meeting.
- B. The President, Director of Elders, or pastor, shall be empowered to call a special meeting of the entire voting membership at any time.
- C. Announcement of the time and place of any Voters' Meeting shall be made at two public services immediately preceding the meeting, said services to be at least a week apart; and in such publications as the congregation or the pastor may periodically issue, or by written notice given to the voting members not less than ten days in advance of the meeting.
- D. Every Board of Directors meeting shall be announced at the Sunday service(s) prior to it. Whenever a meeting has been thus announced, and at least one-half of the voting members of the Board of Directors, or a quorum, are in attendance, it shall be considered a properly

designated, those directors requiring assistance in fulfilling their duties will scan the congregational membership directory for likely candidates, men, women, and communicant youth, (with the exception of the elders' committee which shall be composed only of men) to serve on their working committees. At a special meeting of the Board of Directors in the month of December, called by the president, these names shall be studied and the working committees drawn up, with the understanding that the candidates are to be first contacted to ascertain their willingness to serve and that no person, where possible, shall serve on more than one committee at one time. The functioning of each working committee shall be under the jurisdiction of the respective directors who shall be under the jurisdiction of the respective directors who shall select the times of meetings, seeing to it that all necessary records, minutes, etc., are kept and represent the interest of this committee to the Board of Directors. Members appointed to the various working committees shall serve from January 1 through December 31. They may be re-appointed.

VIII. SOCIETIES AND SUBSIDIARY ORGANIZATIONS

- A. Under subsidiary organizations shall be understood such organizations within the church which foster one or more of the objects of the church, such as ladies' societies, mission societies, youth groups, men's clubs, choir, parent-teacher organizations, or any other approved society of the Church. The Church assumes moral and legal obligations of such subsidiary organizations only as they have been approved by the Church, and whose acts are not contrary to the constitution and by-laws of the Church.
- B. New subsidiary organizations shall be formed only with the approval of the church. The church shall not approve any organization unless its activities foster the interests of the church. Subsidiary organizations shall

synodical programs and of opportunities to increase their outreach into all the world; give the congregation a clear view of the world's needs for Christ and how they may supply that need; instruct the members in the grace of proportionate regular support of the Lord's work; supervise the raising of all funds on a congregational level. The Stewardship Director shall appoint a committee, subject to the approval of the Board of Directors, to assist in the duties of this office.

- J. *Youth Director* - The Youth director shall work closely with the pastor and the counselors of the youth groups in promoting and expanding the congregation's ministry to youth; be alert to and provide areas and avenues for the youth of the parish to become increasingly involved in the total program of the congregation; appoint the various youth group counselors, after consultation with the pastor. The Youth Director shall appoint a committee, subject to the approval of the Board of Directors, to assist in the duties of this office.
- K. *Public Relations Director* - The Public Relations Director shall be responsible for the conduct of the public relations of the congregation and shall coordinate the congregational efforts in the field of social ministry.
- L. *Congregational Planning Director* - The Congregational Planning Director shall promote, project and facilitate all future building programs of the congregation; see to it that the parish is represented at and coordinated in any and all efforts to present the best image of the Lutheran Church in the community; head the parish planning council; establish and sustain an active and aggressive long-range planning program. The Congregational Planning Director shall appoint a committee, subject to the approval of the Board of Directors, to assist in the duties of this office.

VII. CONGREGATIONAL WORKING COMMITTEES

- A. When positions on the Board of Directors have been

convened and legal meeting capable of transacting business. All meetings of the Board of Directors are open to the entire communicant membership, but only the elected directors, or their duly appointed representatives, may vote. However, for amending the constitution and/or by-laws, the erection of buildings, the purchase and/or sale of property, or the removal of a pastor, teacher, or member from office, such action must be submitted to the voting members and a two-thirds majority of those voters present shall be necessary for adoption of such resolutions.

- E. The regular December meeting of the Board of Directors shall be a joint meeting between the "old board" and the newly elected Directors. However, only duly installed Directors shall have voting authority.
- F. A special meeting of the Board of Directors may be called by the president at the request of three directors, the pastor, or five voters.
- G. Regular meeting of the working committees shall be held monthly at a time specified by the respective director. The Board of Directors shall meet at least once a month.
- H. An Election Meeting shall be held on the second Sunday in November. In addition to the voting procedure described in Article IV, the financial budget for the forthcoming year will be presented for approval.

III. ORDER OF BUSINESS

At the regular meeting of the Board of Directors and the annual meeting of the congregation, the following order of business shall be observed:

- A. Scripture and prayer
- B. Admission and dismissal of members
- C. Roll call (oral or signature)
- D. Reading of the minutes
- E. Report by the pastor

- F. Reports of the directors
- G. Unfinished business
- H. New business
- I. Election (if any)
- J. Adjournment

IV. OFFICERS AND THEIR ELECTION

- A. The Board of Directors shall consist of twelve members over the age of 18, each of whom shall serve a two year term and may not immediately be re-elected, if possible. One-half of the board shall be replaced by election each year.
- B. Election of Directors/Officers.
 1. The President of the congregation will appoint a nominating committee to nominate two or more Voting Members for each of the elected positions to be filled in the Church and shall present those names to the Voters' Assembly no later than the first Sunday in November. The head elder shall be a member of the nominating committee.
 2. At the Election Meeting, any Voting Member may nominate any other Voting Member(s) not nominated by the Nominating Committee to be added to the list for a specific office and upon a second, and an acceptance by the Nominee, that name will be added to the list.
 3. Absentee Ballots will be available on the first Sunday in November. To be counted, they must be returned to the Board of Elders prior to the Election Meeting. The Board of Elders will be responsible for certification and secrecy of the ballots.
 4. Each Voting Member shall have the right of one vote for one person for each of the positions to be filled. The person receiving the highest number of votes in the election for each position will be declared elected.

training the membership to bring unchurched to the pastor's classes; integrate new members into the life and work of the church. The Evangelism Director shall appoint, subject to the approval of the Board of Directors, a committee to assist in the duties of this office.

- H. *Education Director* - The Education Director shall be concerned with fostering the spiritual growth of the members; strengthening the Christian home and aiding parents, children and young people for Christian family living; providing learning opportunities for all age levels of the congregation; encouraging the congregation to establish agencies and organizations to help the parish best perform its education tasks (i.e. the Sunday School, youth and adult Bible Classes, Weekday School, Vacation Bible School, etc.); appoint the superintendents and staff of the various educational agencies after consultation with the pastor; set up adequate objectives for every age level and educational agency; select curricula that are in keeping with the objectives and confessional standards of the church; give attention to enrollment, attendance and expansion programs; develop a teacher training and leadership education program; bring to the attention of the Board of Directors the needs of educational facilities and equipment; and see that all phases of Christian education are properly and adequately financed; review, appraise and plan for improvement. The Education Director shall appoint a committee subject to the approval of the Board of Directors, to assist in the duties of his office.
- I. *Stewardship Director* - The Stewardship Director shall work to discover the talents of the membership and enlist them in the congregational program; assist in training lay workers; sponsor and supervise stewardship and mission talks, discussion, conferences, programs, etc.; work in close cooperation with the circuit, district and synodical stewardship committees; inform the members of the parish of the local, circuit, district and

shall endeavor to be an example of Christian conduct and conversation.

F. *Properties Director* - The Properties Director shall administer all property belonging to the congregation, which shall entail responsibility for the proper maintenance, cleaning and repair of all church property; making an annual inspection of church properties and equipment, recommending to the Board of Directors needed repairs, improvements or replacements; concluding an annual inventory of all church properties, equipment and supplies; negotiating contracts; accepting and receiving grants and bequests; signing documents; reviewing the insurance policies of the church properties annually and making recommendation to the Board of Directors; appearing in court; in short, transacting all the business of the congregation assigned and approved by the Board of Directors. The Board of Directors will appoint two assistant Properties Directors to and in the performance of their duties. Once assistant shall be responsible for the interior maintenance of the church and the other assistant shall be responsible for the exterior maintenance of the church and grounds. A committee, subject to the approval of the Board of Directors, may be appointed by the Properties Director to assist the duties of the office. The Properties Director, the President and the Secretary shall be the duly authorized representatives to sign all pertinent documents pertaining to the purchase and/or sale of any property of the congregation which has been previously approved by a two-thirds vote of the congregation. This refers to real property and not such things as typewriters, copy machines, etc.

G. *Evangelism Director* - The Evangelism Director shall plan, promote and carry out an evangelism program in the congregation and community; plan and supervise religious surveys of the community; arrange for the maintenance of record files in order to keep an active evangelism record; enlist aid in greeting and visiting prospective members of the church; assist the pastor in

5. All nominations and write-ins must conform with the provisions of Article V of this Constitution.

C. Installation of Directors/Officers. All Directors and Officers elected in the preceding election shall be installed in their offices before the congregation on the first Sunday of January. Directors and Officers appointed to fill vacant unexpired terms will be installed on the first possible Sunday following their appointment.

D. Unexpired Term Vacancy. Should a vacancy occur in any position on the Board of Directors during a Term of Office, the Board of Elders will nominate a person to serve and upon a majority vote by the Board of Directors to accept that nominee, said nominee will be appointed to the unfilled term of that vacancy.

V. ORGANIZATION OF THE BOARD OF DIRECTORS

The Board of Directors will consist of twelve Voting Members, duly elected or appointed pursuant to the provisions of this Constitution and By-laws to one of the following positions:

- A. President
- B. Vice President
- C. Secretary
- D. Treasurer
- E. Director of Elders
- F. Properties Director
- G. Evangelism Director
- H. Education Director
- I. Stewardship Director
- J. Youth Director
- K. Public Relations Director
- L. Congregational Planning Director

VI. DUTIES OF DIRECTORS

- A. *President* - The president shall preside at all meetings of the Board of Directors and shall be an ex-officio member of properties, stewardship, education, congregational planning, and the board of elders committees.
- B. *Vice President* - The Vice president shall succeed to the office of president in the event of a vacancy in that office. The vice president shall serve as parliamentarian and be an ex-officio member of the evangelism, youth, public relations and subsidiary organizations committees, and the board of elders.
- C. *Secretary* - The secretary shall see to it that an accurate record of the minutes of the meetings of the Board of Directors, the annual, and any special meetings of the congregation are kept for the permanent records of the congregation and shall perform such other duties in keeping with the office.
- D. *Treasurer* - The treasurer shall keep accurate records of the receipts and disbursements of the congregation in books which shall be established and which shall be audited annually in January. A report of such audit shall be submitted in writing to the annual meeting in January. The treasurer shall pay all bills, and submit a report at each Board of Directors meeting; such report shall show actual receipts and disbursements compared with budgeted amounts. The treasurer shall appoint a finance committee, subject to the approval of the Board of Directors, whose duty it shall be to receive, record in books kept for such a purpose, and deposit in the congregation's designated depository all congregational monies, including offerings, contributions, special monies, loans, subsidies, bequests, etc. A report of all receipts shall be submitted to the treasurer at regular weekly intervals. All offerings shall be counted in the presence of at least two members of the committee, the treasurer not being considered one of these two. This committee shall send quarterly financial reports of

individual offerings to each giving unit of the congregation. The treasurer may appoint an assistant treasurer to aid in the performance of the duties with the approval of the Board of Directors. The treasurer shall prepare the annual proposed budget for approval at the Election Meeting.

- E. *Director of Elders* - The Director of Elders, assisted by the current Board of Elders in consultation with the Pastor, will appoint other voting members to the Board of Elders for a two year term that begins on January 1 subject to the approval of the Board of Directors. Should a vacancy occur, the Director of Elders, assisted by the current Board of Elders and in consultation with the pastor, shall appoint a replacement to fill the unexpired term, subject to the approval of the Board of Directors.

The Board of Elders shall assist the pastor in all matters pertaining to the spiritual welfare of the congregation; consider complaints and grievances of members of the congregation if Matthew 18:15-17 has been fully observed, and shall report those cases which cannot be adjusted to the annual meeting (or other specially called congregational meeting) for action. They shall make every effort to induce members who have been negligent in their attendance at services, in the use of the Sacraments and in consecrated support of the church, to amend their sinful ways and fully enjoy the rights, privileges and responsibilities of their membership. They shall see to it that all services are conducted in such a manner as to avoid needless disturbance and to foster an attitude conducive to worship among those in attendance. They shall assist the pastor in arranging for pulpit assistance, music, choirs, special services, etc. They shall appoint and supervise the head usher. They shall annually review and consider the physical support of the pastor and make necessary recommendations to the Board of Directors. They shall prepare nominations for the election process described in Article IV -- OFFICERS AND THEIR ELECTION. Above all, they