

Constitution and By-Laws of Faith Lutheran Church
Merritt Island, Florida
Last revised May 22 2011

PREAMBLE

Since it is the will of God as set forth in His Inspired Word (I Corinthians 14:40, Colossians 2:5) that all things in a Christian Congregation shall be done decently and in order; we, a group of Lutherans, set forth in this document signed by ourselves the order in accordance with which all our congregation's affairs, spiritual and material, are to be administered.

ARTICLE I NAME

The name of this Christian congregation shall be: FAITH LUTHERAN CHURCH, MERRITT ISLAND, FLORIDA, INC.

ARTICLE II PURPOSE

The purpose of this congregation shall be to minister to its members and to extend the Kingdom of God through the preaching of the Word of God, the administration of the Sacraments, the religious instruction of youth and adults, and the administration of Christian charity according to the confessional standard of the Lutheran Church.

ARTICLE III DOCTRINAL BASIS

This congregation accepts and acknowledges all the canonical books of the Old and New Testaments as the inspired Word of God, and all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord (1580) as a true and sound exposition of Christian doctrine taken from and in full agreement with the Holy Scriptures. Hence, no doctrine shall be taught or tolerated which is at variance with the following confessional writings of the Evangelical Lutheran Church:

1. The Three Ecumenical Creeds (Apostles, Nicene and Athanasian)
2. The unaltered Augsburg Confession
3. The Apology of the Augsburg Confession
4. The Smalcald Articles
5. Luther's Large Catechism
6. Luther's Small Catechism
7. The Formula of Concord

Any controversy involving matters of faith and doctrine that may arise in this congregation shall be judged and decided according to this standard.

ARTICLE IV SYNODICAL AFFILIATION

This congregation shall be affiliated with the Lutheran Church-Missouri Synod so long as the confessions and constitution of said Synod are in accord with the confessions and constitution of this congregation as laid down in article III.

This congregation shall cooperate to the best of its ability with said Synod and shall assist it in effecting all sound measures intended for the building of the Kingdom of God.

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ARTICLE V CONDITION OF MEMBERSHIP

Membership in this Christian Congregation with all its rights and privileges shall be open to all professing Christians who:

1. are baptized in the Name of the Triune God,
2. declare their adherence to all canonical books of the Old and New Testaments as the only divine rule and norm of faith and life,
3. at least know and declare adherence to Luther's Small Catechism,
4. lead a Christian life and abstain from manifest works of the flesh, (Galatians 5:19-21)
5. attend divine services faithfully and partake of the Lord's Supper frequently,
6. permit themselves to be fraternally admonished and corrected when they have erred,
7. do not continue to hold membership in any ungodly or anti-Christian society after Christian instruction and admonition.

A person may become an Associate Member who:

1. meets the above conditions of membership, and
2. resides in this area for only part of the year, and
3. is a Communicant Member of a Lutheran Congregation near his or her principal place of residence.

An associate Member may not be an officer of the congregation or an officer or an elected member of a permanent board, committee or organization of the congregation. An Associate Member may not have the right to vote at congregational meetings.
(Adopted 2/23/1986).

ARTICLE VI PRIVILEGES AND RESPONSIBILITIES OF MEMBERS

It shall be the privilege and responsibility of every member of this congregation to serve the Lord Jesus Christ faithfully by: (as amended 11/14/1971)

1. attending to the Word of God: in worship services, in Bible Classes, in Sunday School, in Confirmation Classes, and in other means of instruction, (as amended 11/14/71)
2. attending to the Sacraments – arranging for early baptism of children and faithfully attending Holy Communion ,
3. giving generously of his or her time, talents and treasures for the support and advancement of the Kingdom of God and this congregation. (as amended 8/20/06)

ARTICLE VII VOTING RIGHTS OF MEMBERS

All members of this congregation who have reached the age of 18 years and have signed the constitution shall be entitled to vote in the congregation's Annual Meeting for the election of all congregational officers, in the Fiscal Meeting for the adoption of the congregation's financial program, and in any special congregational meeting where matters of major importance for the entire congregation are acted upon. (as amended 1/10/1972)

It shall be the duty of every voting member to attend the meetings of the congregation. By failing to attend a meeting a member waives the right of casting his or her vote during such a meeting. A member failing to attend meetings for two consecutive years shall lose his or her voting rights and shall be required to re-sign the constitution for reinstatement. (as amended 8/20/2006)

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The right of choosing and calling pastors and called teachers, and the electing of the officers of the congregation shall ever be vested in the congregational voting assembly and shall never be delegated to an individual or to a minor body or circle within the congregation, (as amended 5/18/1975)

ARTICLE VIII CHURCH DISCIPLINE

A member declared to be “not in good standing” shall be denied the rights and privileges of the church, except attendance at the worship Services.

When a member of this congregation, after fruitless admonition in the various grades prescribed by the Word of God (Matthew 18:15-20) where the observation of such grades has been possible, shall have been expelled from the congregation, such excommunicated persons shall then have forfeited all rights of a member and all claims upon the property of the congregation or any part thereof. The same shall hold good with reference to such members as may have refused to submit to church discipline and thus excommunicated themselves, as also of those who may sever their connection with the congregation by voluntary withdrawal.

Any and all officers of the congregation, including pastors and teachers, may be removed from office in Christian and lawful order. Sufficient and lawful causes for deposing an officer or pastor or teacher are: persistent adherence to false doctrine, scandalous life and willful neglect of official duties.

ARTICLE IX THE CHURCH COUNCIL

The Church Council shall be elected by the voting assembly of the congregation, and shall administer and manage the ecclesiastical and congregational affairs. (as amended 5/18/1975)

The Church Council shall consist of the following officers of the congregation elected at the May meeting: The President, Vice-President, Secretary, Treasurer, and Financial Secretary; also the Chairman and Secretary of the Board of Elders, Chairperson and Secretary of the Board of Trustees, Chairperson of the Board of Christian Education, Chairperson of the School Board, Chairperson of the Outreach Ministry, Chairperson of the Stewardship Committee and Chairperson of the Caring Ministry Committee. The Pastor(s) shall be ex-officio members but without voting privilege(s). (as amended 5/16/1999 and 5/22/2011)

ARTICLE X OFFICE OF THE PASTOR OR TEACHER

This Congregation shall confer the office of Pastor or Teacher only upon such Pastors, Teachers or candidates who:

1. Pledge their unreserved acceptance of and adherence to the Confessions contained in Article III of this constitution
2. are members of, or have applied for membership in, the Lutheran Church-Missouri Synod
3. have been duly called by the congregation

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ARTICLE XI DISSOLUTION

If at any time a separation should take place in this congregation on account of doctrine, the property of the congregation and all benefits therewith connected shall remain with those members who shall continue to adhere to Articles III and IV of this constitution.

In case this congregation should ever be dissolved, the property and other assets of the defunct congregation shall be turned over to the Florida-Georgia District of The Lutheran Church-Missouri Synod, its successors or assigns.

ARTICLE XII ALTERATIONS AND REPEALS

To alter or repeal any alterable or repealable paragraph of this constitution it shall be requisite that in two consecutive meetings of the congregation, two-thirds of all the voting members present cast their votes in favor of such alteration or repeal.

Of this constitution, Articles III, IV, V, X, XI, and XII shall be unalterable and irrevocable.

ARTICLE XIII BY-LAWS

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

BY-LAWS ARTICLE I

- A. Persons desiring admission and coming with a letter of transfer from a recognized orthodox congregation shall present such letter to the Pastor to be submitted to the Church Council or the congregation at a subsequent meeting for action.
- B. Other applicants shall give notice of their intention to the Pastor, and in an interview, or after adequate instruction with him, give satisfactory evidence of their qualification for membership, whereupon the Pastor will submit the application to the Church Council or the congregation for action.
- C. Persons meeting the criteria for Associate Membership may be approved for such membership by the Pastor subject to ratification by the Church Council. An Associate Member:
 - 1. May be appointed to any of the non-elected positions of a permanent board, committee or organization of the congregation as an addition to the regular number of members on that board, committee or organization. While serving, the Associate Member will have a voice and vote in that group, but may not be an officer in that group.
 - 2. May be a member and an officer of any ad hoc (temporary) committee or organization which is targeted to complete its work within the current period of the Associate Member's residence in this area.
 - 3. Is urged to attend all congregational meetings and is encouraged to express his/her opinions there, but shall not have the right to vote at such meetings.

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ARTICLE II ELECTION OF A CALLED PASTOR OR TEACHER

The election of a called Pastor or a Called Teacher shall be performed by ballot at a meeting of the congregation constitutionally qualified for the transaction of business. A slate of candidates, whose names shall have been solicited by a duly appointed Call Committee, shall first be approved by the Church Council, and/or by the District President, (whichever is applicable), prior to election by the congregation. Thereupon, the candidate receiving the majority of all votes cast at the congregational meeting shall, by unanimous vote, be considered elected by the congregation. (as amended 5/21/78).

ARTICLE III THE ELECTED CHURCH OFFICERS

- A. The elected Church Officers shall be: a President, Vice-President, Secretary, Treasurer, Financial Secretary, a Board of Trustees consisting of twelve (12) members, a Board of Elders consisting of a minimum of eight (8) Elders with a maximum of twenty-five (25) families per Elder, a Chairperson of the Board of Christian Education, a Chairperson of the School Board, a Chairperson of the Outreach Ministry, a Chairperson of the Stewardship Committee, a Chairperson of the Caring Ministry Committee. (as amended 5/16/1999)
- B. The Church Officers shall be elected at the Annual Meeting of the congregation. A slate shall have been prepared by a Nominating Committee consisting of four voting members – one from the Board of Elders, one from the Board of Trustees and two from the members at large appointed by the President and approved by the Church Council. The slate shall have been published in the May Newsletter and/or Church Bulletin at least two weeks prior to elections. (as amended 11/14/1971)
- C. All voting members of this congregation who have attained the age of eighteen (18) shall be eligible to hold any elected office, except that only voting members over twenty-one (21) years of age shall be eligible for the office of President and Vice-President. In addition to the age requirement, only male voting members shall be eligible for the office of Elder. (as amended 8/20/2006)
- D. The term of office shall be one year, except that of the Elders, Trustees, Treasurer, Financial Secretary, Chairperson of the Board of Christian Education, and Chairperson of the School Board whose terms shall be two (2) years. The terms of the Treasurer and Financial Secretary shall expire in alternate years. (adopted 5/22/1994)
- E. The newly elected officers shall be inducted into office on a Sunday in June and shall assume their duties on the first day of July. (as amended 11/14/1971)
- F. Every elected church officer is expected to devote the time and effort necessary to satisfactorily fulfill the duties and responsibilities of his office. If a member of the Church Council, this shall include regular attendance at meetings of the Church Council and the timely rendering of reports requested by the Church Council, as required by article VII of these By-Laws. (adopted 11/22/1981)
- G. The office of any elected church officer not complying with Article III (F) above, may, after fruitless admonition by the Church Council, be declared vacant by two-thirds (2/3) affirmative vote of those members of the Church Council present and voting at any regular meeting of the Church Council or at any special meeting of the Church Council called for that purpose. Such vacancy shall be filled in accordance with Article V(A) of these By-Laws. (adopted 11/22/1981)

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- H. Those elected Church Officers who serve as members of the Church Council (See Article IX of the Constitution) also serve as the Board of Directors of Faith Lutheran Church, Merritt Island, Florida, Inc. as provided for by the Articles of Incorporation filed 25 June 1965 with the State of Florida. (Adopted 5/22/2011)

ARTICLE IV MEETINGS

- A. The Annual meeting of the congregation shall be held in the month of May.
- B. The Fiscal meeting of the congregation shall be held in the month of November.
- C. The Church Council shall meet monthly.
- D. Special meetings of the Church Council or the congregation may be called by the Pastor, the President or by any three members of the Church Council.
- E. Notice of time and place of all meetings, except emergency Council meetings, shall be given at the regular Sunday morning services next preceding the date of such meetings. If the President of the congregation deems it necessary that the Council meet in an emergency session, he shall give such notice of the meeting to Council members as is practicable. (as amended 5/24/76)
- F. An attendance of one-fifth (as amended 5/21/2000) of the voting membership of the congregation shall constitute a quorum at any regular or special meeting of the congregation. An attendance of one-half shall constitute a quorum at any regular or special meeting of the Church Council. A simple majority vote of those present shall be sufficient for any transaction except as in the Constitution and By-Laws otherwise required.

ARTICLE V DUTIES OF OFFICERS AND BOARDS

- A. The President serves as Chairperson of the Church Council and shall preside at all meetings of the congregation and Church Council. He or she shall appoint the standing and special committees and shall, subject to approval by the Church Council, fill all vacancies that occur between elections on Boards, Committees and the Church Council. He or she shall perform such other duties as are usually incumbent upon the President. (as amended 8/20/2006 and 5/22/2011)
- B. The Vice-President serves as Vice-Chairperson of the Church Council and shall preside at all meetings in the absence of the President, shall assist the President in the performance of his or her duties, and shall fill the unexpired term of the President in case of his or her death, disability, resignation or removal. (as amended 8/20/2006 and 5/22/2011)
- C. The Secretary shall keep an accurate permanent record of the transactions in all meetings of the congregation and Church Council, and publish summary of same, carry on the official correspondence, keep a complete and current roster of the voting membership of the congregation and the membership of the Council, and perform such duties as usually devolve upon the office of Secretary.
- D. The Financial Secretary shall receive all offerings and other income of the congregation, keep an accurate record of the same, convey such funds to the bank as designated by the Council, informing the treasurer of such deposits, and submit his books for audit whenever asked to do so by the Council, but at least once a year.

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- E. The Treasurer shall be responsible for the review and oversight of payments made by the Business Administrator, and for giving an integrated summary of the financial matters of the church at each regular meeting of the Church Council.

Review and oversight of payments will be conducted at least monthly by examination of detailed information provided by the Business Administrator.

Each year, the Treasurer shall be the Chairperson of the Annual Audit Committee responsible for the conduct of audits of the financial statements and accounting records of the Church and its affiliated organizations. The Treasurer cannot be a paid employee of the church. (as amended 5/20/01)

- F. The Trustees shall have custody and control of all temporalities and property, real and personal belonging to the congregation and shall see to it that they are kept presentable and in good repair. They shall be authorized to make expenditures to the extent of \$750.00 without special authorization of the Council. The Trustees shall, at their regular meeting in July of each year, elect a Chairman and Secretary. (as amended 8/20/2006)
- G. The Elders shall look after the spiritual phase of the congregational life, see to it that order is maintained in services and, whenever necessary, be of assistance to the Pastor in matters of public services and in the externals connected with the administration of the Sacraments. The Elders shall, at their regular meeting in July of each year, elect a Chairman and a Secretary. (as amended 5/22/83)
- H. The Board of Christian Education shall have the following items under its supervision: all phases of Parish Education such as Sunday School, Bible Class, Vacation Bible School, Confirmation & Membership Classes, and Youth Program. (adopted 5/22/1994)
- I. The School Board shall establish guidelines and policy for day care and preschool; shall oversee the financial operations of day care and preschool; shall assist the School Director in decision making; shall approve all new programs; shall approve all staff changes and teacher contracts; and, in fulfilling these obligations, shall promote the philosophy of ministry of Faith Lutheran Church. All of the above functions shall be subject to the review and approval of the Church Council. At least two-thirds (2/3) of the numbers of the School Board shall be members of Faith Lutheran Church. (adopted 5/22/1994 and 5/22/2011)
- J. The Stewardship Committee shall have the following items under its supervision: Stewardship Education and the promotion of faithful stewardship of time, talents and treasures on the part of every member of the congregation.
- K. The Outreach Ministry shall be responsible for maintaining Evangelism within the congregation and shall conduct Evangelistic type activities to win the unchurched and unsaved for Christ. (as amended 5/17/1987)
- L. The Caring Ministry provides care to those with temporary or emergency needs, makes referrals to appropriate agencies for those with special needs, and provides educational programs on social, health and safety issues. (adopted 2/3/1991)
- M. The Reaves Home has been a ministry of Faith Lutheran Church since 1994. The Church Council shall be responsible for contracting all required services for the residents of the Reaves Home. The Trustees shall be responsible for the maintenance of the property and building except as otherwise covered by the contract for services. The Outreach Committee shall be the liaison between the congregation and the residents and ensure that we minister according to the needs of the residents. (Added 5/22/2011)

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- N. The Finance Committee shall consist of the Stewardship Committee Chairman, the Treasurer, the Financial Secretary and the President of the congregation. It shall concern itself with the financial needs and allocations, all matters of finances and the preparation of the financial program for the congregation.
- O. The Steering Committee shall be appointed by the Church Council and shall provide for both short-range planning (1 year) and long-range planning (2-5 years) for the needs of the congregation. It shall make preliminary written reports to the Church Council and a formal report to the congregation at the Annual meeting.
- P. The Annual Audit Committee shall be chaired by the Treasurer and consist of at least two voting members of the congregation who have been appointed by Church Council. The Audit committee is responsible for the auditing of the books of the Church and its affiliated organizations once a year. An audit and report shall be required no later than the April meeting each year. (as amended 5/20/2001)
- Q. The Sunday School Superintendent and Sunday School Secretary shall be appointed by the Church Council and shall be responsible for the operation of the Sunday school, and the recruitment of teachers. The Secretary shall assist in maintaining records and will act in the absence of the Superintendent. Appointments to be made in May and the term of office to be for one year. (as amended 11/20/1977)
- R. The Church Council may adopt guidelines setting forth in greater detail the duties, responsibilities and organizational structure of the Boards and Committees and Officers as long as such guidelines are not in conflict with the provisions of the Constitution and By-Laws. (as amended 5/22/1983)
- S. The Church Council may adopt policies which define an action, a guiding principle, a procedure, or a code to assist the congregation and its officers in administrating the operation of the church and its functions. Policies shall not conflict with the provisions of the Constitution and By-Laws. They shall be continued perpetually unless suspended, modified, or rescinded. They will be identified by calendar year and adoption sequence (i.e., 82-C is the third policy adopted in 1982) and a complete index kept to show their active status. (as amended 6/9/1985)

ARTICLE VI **SOCIETIES**

Since all societies or organizations within the congregation exist only by virtue and authority of the congregation, such societies shall be under the direct control of the Church Council and shall submit their constitutions to the Council for approval.

The church Council shall have the authority to dissolve any subsidiary organization. When a society disbands, the funds and other assets of the society shall be turned over to the congregation. The Pastor of the congregation shall be an ex-officio member of all societies within the congregation.

ARTICLE VII **ORDER OF BUSINESS**

All meetings shall be conducted according to Robert's Rules of Order with the order of business to be determined by the Church Council and shall include opening and closing prayers. (as amended 8/20/2006)

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ARTICLE VIII REPEALS AND ALTERATIONS

To alter or repeal any paragraph in these By-Laws, it shall be requisite that in two consecutive meetings of the congregation two-thirds of all the voting members present cast their votes in favor of such alterations or repeals.

Revision History

1. 14 November 1971
2. 10 January 1972
3. 18 May 1975
4. 24 May 1976
5. 20 November 1977
6. 21 May 1978
7. 22 November 1981
8. 23 May 1983
9. 9 June 1985
10. 23 February 1986
11. 17 May 1987
12. 3 February 1991
13. 22 May 1994
14. 16 May 1999
15. 21 May 2000
16. 20 May 2001
17. 20 August 2006
18. 18 November 2007
19. 22 May 2011