

SAINT ANDREW'S EVANGELICAL LUTHERAN CHURCH OF DOVER, DELAWARE

BYLAWS

Introduction: Chapter 16 of the Constitution of St. Andrew's Lutheran Church provides in *C16.01 "The Congregation may adopt Bylaws. No Bylaw may conflict with this Constitution." **Section *C16.02 requires that the bylaws be adopted or amended at a meeting of the Congregation.**

Numbers with the prefix "C" which we accept as denoting "Constitution" identifies sections of the Constitution. In this document Bylaws are numbered to match any constitutional provision from which they may be derived. Bylaw numbers carry the prefix "BL" denoting "Bylaw." Not all Bylaws have matching constitutional sections.

The Congregation Council adopted these Bylaws on November 12, 2013, with recommendation for adoption by the Congregation at its Annual Meeting on January 26, 2014.

BL 1.01 – 4.04 (No Content for these Sections. Left vacant for future use).

MISSION STATEMENT

BL 4.05 Our mission is to be Christ's Disciples:
To Learn, Live and Spread Christian Faith, Hope and Love.

BL 4.06 – 8.01 (No Content for these Sections. Left vacant for future use).

MEMBERSHIP

For letters a, b, and d see St. Andrew's Constitution section C8.02.

BL 8.02 c. **Voting Member.** Where applicable, the State of Delaware Code: Age of Majority shall define eligibility for votes related to real estate purchases or sales. As per Delaware State Law Chapter 7 - 701 – Age of Majority.

BL 8.03 **All applications for confirmed membership** shall be submitted to and shall require the approval of the Congregation Council. Applications shall be submitted by the Pastor. In the absence of a Pastor, the President of the Congregation shall submit the applications.

BL 8.04 Since a **Voting Member** is expected to live out the privileges and duties as prescribed in our Congregation Constitution (*C8.04) it will be expected that by the time he/she is received as a new member in this congregation he/she will;

- a. have attended the Newcomer Orientation Seminar, (a revised plan adopted by the Church Council – October 2012)
- b. have attended worship and received communion for the three previous months, on a regular basis, in either this or another Christian congregation,

- c. have made a commitment to the ministry of this congregation with a contribution of time, ability, and financial support.

Any or all of the items in BL8.04 (a) (b), or (c) may be waived by a majority vote of the Congregation Council, upon the recommendation of the Pastor.

BL 8.05 For the purpose of **membership termination**, as described in the Congregation Constitution (*C8.05e), “inactivity” shall be defined as: failure to commune and make a contribution of record during any current or previous congregation year, unless;

- a. the member is or has been unable to commune as a result of illness, disability, or other physical malady; and/or
- b. the member is or has been unable to make a contribution of record as a result of financial hardship; and/or
- c. the member has temporarily relocated to an area from which it is impractical to commute to the church; and/or
- d. for some other reason, the pastor and/or another appropriate congregation member determines that the member is or was unable to commune or make a contribution of record during the aforementioned congregation year.”
- e. For the purposes of this section, “Contribution of record” shall be defined as any current, benevolence, endowment, special or unrestricted contribution recorded by the Financial Secretary; or contribution of professional services, or of real or personal property for which a letter of value could be provided by the Congregation Council.
- f. If any member has not communed or made a contribution of record by July 31 of any year, the Pastor and/or another appropriate congregation member should contact the member to assess the inactive member’s needs and intentions.
- g. Prior to membership termination, the Pastor and/or another appropriate congregation member shall contact each congregation member who is or has been inactive as defined in item BL8.05a of this Bylaw.

BL 9.01 – 9.21 (No Content for these Sections. Left vacant for future use).

CONGREGATION MEETING

BL 10.01 The **Annual Congregation Meeting** shall be held in the month of January, at a place, on a date, and at an hour, to be determined by the Congregation Council. The congregation and **fiscal year** shall be January 1 to December 31. The Congregation shall continue to operate under the previous year's budget until the congregation has approved a new budget.

(a) When the Congregation, in an Annual or Special Meeting, is considering the election of members to the Congregation Council and Trustees, following the presentation of the written report from the Nominating Committee, the Chairman of the meeting may accept **nominations from the floor** subject to these provisions:

(1) A group of five (5) voting members may present a person in nomination.

(2) The proposed nominee must have given permission, for that nomination, to the group of nominators and if present shall indicate to the Chair his/her willingness to be nominated and possibly elected.

(3) A written ballot shall be used for election when there are more nominations than open positions.

(b) The congregation's **fiscal year** shall be January 1 to December 31. The Congregation shall continue to operate under the previous year's budget until the congregation has approved a new budget.

BL 10.02 – 10.07 (No Content for these Sections. Left vacant for future use).

OFFICERS

BL 11.01 (1) The **President** shall preside over all Congregation Council and Trustees meetings. The president shall be the chairman of this Congregation. He/She shall have custody of the seal. In the event of the President's inability to perform his/her duties the Vice-President shall serve in his/her stead.

(2) The **Vice President** of the Council will be the standing chair for the Personnel Committee.

(3) The **Secretary** shall keep accurate minutes of all meetings of this Congregation, Congregation Council and Trustees in volumes provided by this Congregation, which shall be preserved permanently in its archives.

(4) The **Financial Secretary** is responsible for receiving, depositing and keeping records of all income from contributing members and other sources. The Financial Secretary will appoint a Cash Count Supervisor and committee to perform this duty.

(5) The **Treasurer** shall keep the books of account of this Congregation. He/She shall account for all funds received and disburse them on proper orders, making monthly remittance of benevolent receipts to the Treasurer of the Synod. The Treasurer shall make written report of all his/her transactions to the Congregation Council and Trustees monthly and to this Congregation at the Annual Meeting. Checks drawn upon the accounts of the Church will have only one signature, primarily the Treasurer's or either the President or Secretary of the Congregation Council if the Treasurer is not available for a period of time.

(6) The **President** and **Treasurer**, when sitting as Trustees, shall comply with the provisions of Delaware Title 27, Sections 107 and 108 to wit:

“§ 107. Appointment of chairman; powers and duties; access to records”

“The Trustees shall choose one of their number as chairman. He shall have custody of the seal and all books and papers of the Corporation, shall make fair entries therein of all proceedings of the Trustees and every member of the society or congregation shall have access thereto.”

“§ 108. Appointment and duties of Treasurer.

“The Trustees may also choose one of their members as Treasurer and may require him to give security. He shall receive and account for all the money of the Corporation. If no Treasurer be chosen, the Chairman shall receive and account for such money.”

(7) If, because of the particular skills required to fulfill the office of Treasurer or the office of **Financial Secretary**, no elected member of the Congregation Council/Trustees is willing to serve as Treasurer or Financial Secretary and in recognition of the option offered in Delaware Code Title 27, Section 108, the Council/Trustees may elect a Treasurer and or Financial Secretary who is not an elected member of the Council/Trustees but who is a Voting Member of the Congregation. Such Treasurer and Financial Secretary shall attend, and report to, the meetings of the Council and Trustees but shall not vote upon matters before those bodies.

BL 11.02 Each council member who is not an officer of the Council shall serve as either the **Chairman of a council appointed committee or as the liaison to such a committee** and report to the Council upon the work of the designated committee. All chairman and liaison persons shall be appointed by the President and confirmed by the Council. No chairman, who is a member of Council, shall serve more than six (6) consecutive one (1) year terms as chair of a particular committee.

BL 11.03 – 11.04 (No Content for these Sections. Left vacant for future use).

THE CONGREGATION COUNCIL

The duties and responsibilities of the Congregation Council/Trustees are generally defined in the Constitution Chapter 12.

BL 12.01 – 12.10 (No Content for these Sections. Left vacant for future use).

BL 12.11 **Time of Meeting** The Congregation Council/Trustees shall normally meet once each month on a day and at an hour to be determined by the Council/Trustees or the Executive Committee of Council.

BL 12.12 **Agenda** A quorum being present, the meeting of the Council or Trustees, shall proceed according to an agenda adopted by the Council/Trustees. The agenda may be modified as necessary to suit the needs of the Council/Trustees.

BL 12.13 – 20 (No Content for these Sections. Left vacant for future use).