

THE CONSTITUTION AND BY-LAWS OF BETHLEHEM LUTHERAN CHURCH

Milan, Wisconsin

The Constitution

Preamble

Whereas, according to Holy Scriptures, it is the duty of Christians:

1. To fellowship with those who confess the true faith (Acts 2:42-47; Hebrews 10:24-25; 1 John 2:19; 1 Corinthians 1:10-11);
2. To endeavor to keep the unity of the Spirit in the bond of peace (Ephesians 4:3-6);
3. To administer the Office of the Keys as a body (Matthew 18:17, John 20:22-23);
4. To conduct all the internal and external affairs of such body "decently and in order" (1 Corinthians 14:40); Therefore be it resolved that we, a number of Lutheran Christians residing in this vicinity, declare ourselves united as a congregation, and herewith adopt the following Constitution and Bylaws.

Article 1.0 — Name and Affiliation

- 1.1 The name of this congregation, a religious corporation organized under chapter 181 of the Wisconsin Statutes, shall be **Bethlehem Lutheran Church, Inc.**, at Milan, Wisconsin.
- 1.2 This congregation shall be a member of the **Lutheran Church–Missouri Synod** as long as the Synod conforms to the congregation's confessional standards set forth in Article 3.

Article 2.0 — Mission

The purpose of this congregation shall be:

- 2.1 To serve its members and to build the kingdom of God through the preaching of the Word, the administration of the Sacraments, by the religious instruction of youth and adults, and by due application of church discipline according to Matthew 18;
- 2.2 To conduct regular public worship in which hymns and church forms of

- Lutheran content shall be used;
- 2.3 To share the Gospel with the unchurched of the community by an active program of local evangelism (Acts 1:8);
 - 2.4 To extend the kingdom of God throughout the world (Matthew 28:19-20), by supporting to the best of our ability the missions of our Lutheran Church-Missouri Synod and North Wisconsin District;
 - 2.5 To "do good to all men, especially to those who are of the household of faith" (Galatians 6:2,10) through loving service and charity.

Article 3.0 – Confession

This congregation, and each individual member thereof, adheres to, confesses, and submits both its doctrine and life to the standards of

- 3.1 All the canonical books of the **Old and New Testaments** as the revealed and verbally inspired **Word of God**; and
- 3.2 The Confessional writings of the Lutheran Church, contained in the **Book of Concord** of the year 1580, as the true and correct exposition of the doctrines of the Bible. These Confessional writings are the Apostles' Creed, the Nicene Creed, the Athanasian Creed, the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles. Luther's Small and Large Catechisms, and the Formula of Concord.

Article 4.0 – Membership

The membership of the congregation consists of the following:

- 4.1 **Baptized Members** include, besides the communicant members, all others who have been baptized, and who, by their own indication or the indication of their guardians, look forward to becoming communicant members of this congregation at the proper time.
- 4.2 **Communicant Members** are those
 - 4.2.1 Who are baptized;
 - 4.2.2 Who accept all the canonical books of the Old and New Testaments as the only divine rule and standard of their faith and life;
 - 4.2.3 Who have been instructed in Luther's Small Catechism, and have declared their acceptance of it;
 - 4.2.4 Who diligently attend divine services and frequently partake of Holy Communion;
 - 4.2.5 Who willingly contribute towards the maintenance of the

congregation's mission and ministry according to their ability;

- 4.2.6 Who do not live in manifest works of the flesh, but lead a sober Christian life (Galatians 5:19-21);
 - 4.2.7 Who are not members, affiliates or supporters of secret societies or other organizations conflicting with the Word of God;
 - 4.2.8 Who permit themselves to be fraternally admonished and corrected when they have erred, and who submit to the rules and regulations adopted by this congregation, provided these are not contrary to God's Word.
 - 4.2.9 An individual may become a communicant member by
 - 4.2.9.1 Confirmation;
 - 4.2.9.2 Confession of Faith;
 - 4.2.9.3 Transfer of membership from a Lutheran church infellowship with the Lutheran Church-Missouri Synod.
 - 4.2.10 Communicant membership may be conferred at the discretion of the Pastor.
- 4.3 **Voting Members**
- 4.3.1 Voting membership shall be conferred on those communicant members who have reached the age of 18 and have read and subscribed to this Constitution and Bylaws with their signature. Only those who have been members of the Voters' Assembly for at least one year shall be eligible to be a candidate for an elected office or Board.
 - 4.3.2. Women who are communicant members and have reached the age of 18 may hold offices, serve as members of Boards and committees as long as these positions are not directly involved in the specific functions of the pastoral office (preaching, the public administration of the sacraments, church discipline).

Article 5.0 — Duties of Members

It shall be the duty of every member of this congregation to:

- 5.1 Make faithful and diligent use of the Word of God and the Sacrament:
 - 5.1.1 By attendance at divine services;
 - 5.1.2 By partaking of the Lord's Supper, if a communicant
 - 5.1.3 Through the use of such educational agencies as are provided by the congregation;
- 5.2 Lead a Christian life and do not live in manifest works of the flesh

(Galatians 5:19-21);

- 5.3 Contribute regularly and faithfully, as God has prospered him or her, toward the building of Christ's kingdom in the congregation and in all the world through District and Synod;
- 5.4 Devote their time and talents to extension of the kingdom of God;
- 5.5 To faithfully attend meetings of the Voters' Assembly regularly, if a voting member.

Article 6.0 — Releases, Self-Exclusion and Excommunication

- 6.1 Members moving away, or desiring to join another congregation, shall apply to the Pastor for release or transfer of membership. Such application shall be acted upon at a subsequent regular or special meeting, and a release or transfer of membership shall be granted or withheld by resolution. The applicant shall be notified of the action of the Pastor and Voters' Assembly
- 6.2 Members may exclude themselves from membership in the congregation by:
 - 6.2.1 Their own request; or by
 - 6.2.2 Not communing with the congregation or another Lutheran congregation for two years, provided that they have been ministered to by the Pastor and Elders, and have been informed of the consequences of such neglect of the Word and Sacraments.
- 6.3 If members move away or leave this congregation without applying for release or transfer, and no contact with them can be established within a year, their names shall be stricken from the congregational roster.
- 6.4 Church discipline shall be exercised according to Matthew 18. Manifest and impenitent sinners shall be excommunicated from the congregation. Such excommunicated persons shall forfeit all rights and privileges of church membership, also any and all claims upon congregational property, so long as they remain impenitent. When such excommunicated persons repent of their sins and seek forgiveness from God and the congregation, they shall be reinstated.

Article 7.0 — Pastoral Office

The office of Pastor in this congregation shall be conferred upon such ordained ministers and candidates only

- 7.1 As profess and adhere to the confessional standard set forth in Article 3 of this Constitution; have been declared qualified and eligible by the Lutheran Church–Missouri Synod; and have been properly called by the

congregation.

7.2 If, in the judgment of the congregation, the Pastor is no longer able to serve it satisfactorily, he may be requested to resign. Any of the following reasons may be considered sufficient justification for the request:

7.2.1 Persistent adherence to false doctrine;

7.2.2 Leading an immoral and scandalous life;

7.2.3 Willful neglect or gross failure to perform the duties of his office.

Article 8.0 – Officers of the Congregation

8.1 The officers of this congregation shall be such officers, and members of such Boards or committees as the Bylaws of the congregation may prescribe.

8.2 Congregational officers or committees, whether elected by the voters or appointed by a Board, shall have no legislative power, but serve in an advisory or executive capacity for the Voters' Assembly.

8.3 Any officer may be removed from office by the congregation in Christian and lawful order for one of the following reasons:

8.3.1 Persistent adherence to false doctrine;

8.3.2 Immoral and scandalous life; and

8.3.3 Willful neglect of official duties or inability to perform them.

Article 9.0 – Powers and Rights of the Congregation

9.1 **General** – The congregation as a body, through the Voters' Assembly, shall have the supreme power to administer and manage all its external and internal affairs. The establishment and conduct of all institutions, organizations and societies with the congregation shall at all times be subject to the approval and supervision of the congregation. The congregation, however, shall not be empowered to decide anything contrary to the Word of God and the Confessions of the Lutheran Church (Article 3) and any such decision shall be null and void.

9.2 **Right of Calling** – The right of calling Pastors and teachers shall be vested in the congregation. Pastors shall be called by the congregation in a regular or special meeting of the Voters' Assembly.

9.3 **Decisions** – Matters of doctrine and conscience shall be decided by the Word of God; other matters shall be decided by the Voters' Assembly by a majority vote unless otherwise specified by the Constitution or Bylaws. Decisions in the Voters' Assembly on matters of church discipline shall be

made by the male members of those present in accordance with the Word of God and Article 4.3.2. of this Constitution.

- 9.4 **Property Rights** – All rights to the property of the congregation are vested in the congregation. Should dissension and strife arise which the congregation cannot bring to a peaceful conclusion, it shall seek the advice and assistance of the Lutheran Church-Missouri Synod with which it is affiliated. If, even then, a separation or division cannot be avoided, the property of the congregation shall remain with those members who continue to adhere to the Confessions mentioned in Article 3, and who retain membership in the Lutheran Church-Missouri Synod.

Article 10.0 - Doctrinal Literature

Only such hymns, prayers and liturgies shall be used in the service of the congregation and in all ministerial acts as conform to the confessional standard of Article 3. Likewise, in all classes for instruction in Christian doctrine, only such books shall be used as conform to this standard.

Article 11.0 - Amendments

Amendments to this constitution and changes in the articles of incorporation may be adopted at a regular or special meeting of the Voters' Assembly, provided:

- 11.1 That they do not conflict with the provision laid down in Article 3 or with any section of any other article that pertains to the Scriptural doctrine and practice; and
- 11.2 That the proposed amendment has been submitted in writing at a previous meeting of the Voters' Assembly.
- 11.3 The affirmative vote of a two-thirds majority of the voting membership present at the meeting of the Voters' Assembly shall be required for the adoption of an amendment.

Article 12 – Bylaws

This congregation shall adopt such bylaws as may be required for the accomplishment of its purpose.

The Bylaws

Article 1 — Voters' Assembly

- 1.1 Regular meetings of the Voters' Assembly shall be held quarterly. The January meeting shall be designated the annual meeting. Other regular meetings shall be held in April, July, and October.
- 1.2 Regular meetings of the Voters' Assembly shall be announced orally or in the bulletin in two Sunday services prior to the regular meeting. Whenever a meeting has been thus announced, the voting members present constitute a quorum.
- 1.3 Special meetings of the Voters' Assembly as well as meetings of the Church Council may be called by the Board of Elders or by the Pastor or by the President of the congregation, as the need arises. Special meetings of the Voters' Assembly and then-purpose shall be announced in a least two public services.
- 1.4 The voting members present in a validly called meeting shall constitute a quorum. A resolution, in order to be valid, must be passed by a majority of the Voters' Assembly, or as otherwise specified in the Constitution.

Article 2 — Calling of Pastors

- 2.1 In case of a vacancy in the position of the Pastor, the congregation is urged immediately to notify the President of the District of Synod and the Circuit Counselor, that they may assist in filling the vacancy:
 - 2.2.1 By giving counsel in regard to the calling of a new Pastor;
 - 2.2.2 By suggesting names of candidates for consideration.
- 2.2 At a meeting of the Voters' Assembly properly convened [See Bylaws] names of candidates for the office of Pastor shall be submitted for consideration. Any voter is entitled to make nominations.
- 2.3 The election of a Pastor from the list of candidates chosen by the Voters' Assembly shall be by ballot. The candidate receiving a majority of all votes cast shall be considered elected. The election shall, if possible, be made unanimous by a rising vote, and the call shall be sent to the Pastor elect.

Article 3 — Election of Congregational Officers

- 3.1 The Voters' Assembly at its fourth quarterly meeting in October shall nominate aslate of candidates. Additional nominations may be made from the floor at the Annual Meeting, provided that the candidate has agreed to

serve, if elected.

- 3.2 The annual election shall be by ballot and shall take place at the Annual Meeting. To be elected, a candidate must receive a majority of all votes cast.
- 3.3 The elected officers shall assume their respective duties on the Sunday after the Annual Meeting.
- 3.4 Officers shall be elected for terms specified in these Bylaws and shall hold office until their successors have assumed their office.

Article 4 - Officers

- 4.1 The officers of the congregation shall be: a President; a Secretary; a Treasurer; a Financial Secretary; a Board of Elders; a Board of Trustees, and a Board of parish education; a Circuit Forum Representative; and such other officers and committees as may be necessary to effectively promote and carry out the work of the church by a definite program.
- 4.2 Women voting members cannot serve as Pastor, or as a member of the Board of Elders.

Article 5 — The Church Council

The Church Council shall be composed of the President of the congregation, the Secretary, the Treasurer, the Financial Secretary, the chairman of the Board of Elders, Trustees, and parish education, and the Pastor. It shall be the duty of the Church Council to meet quarterly to consider and discuss all matters pertaining to the spiritual and material welfare of the congregation, as presented by the various Boards and committees and to present recommendations to the congregation. The Church Council shall act in matters committed to it by the Voters' Assembly and, in case of emergency, between meetings of the Voters' Assembly.

Article 6 — Terms of Officers

- 6.1 The term of office of the President and Secretary shall be three years. They are not eligible for more than two consecutive terms.
- 6.2 The term of office of the Treasurer and Financial Secretary shall be three years. They are not eligible for more than two consecutive terms.
- 6.3 Members of the Board of Elders, Trustees, and Board of Education shall be elected for a term of three years, one third of the members to be elected each year. No Board member is to hold office for more than two consecutive

terms.

- 6.4 If any office becomes vacant in the course of a term, the Church Council shall appoint a successor who is to serve in that capacity until the next annual election.
- 6.5 The term of office for all appointed offices shall ordinarily be one year, subject to review by the appointing body.

Article 7 — Duties of the Pastor and Officers

7.1 The **Pastor's** duties shall be:

- 7.1.1 To administer the Word of God in its full truth and purity as contained in the Holy Scriptures of the Old and New Testaments, and as set forth in the confessional writings of the Evangelical Lutheran Church in the Book of Concord;
- 7.1.2 To administer the Holy Sacraments in accordance with their divine institution;
- 7.1.3 To perform the functions of a Pastor in an evangelical manner; to aid, counsel, and guide the members of all ages and social conditions; to visit the sick, shut-ins, and the dying; to admonish the indifferent and erring;
- 7.1.4 To guard and promote faithfully the spiritual welfare of the members of the congregation, in particular to instruct catechumens, both children and adults;
- 7.1.5 To promote and guide the mission activity of the congregation as it is related to the local community and to the District and the Lutheran Church-Missouri Synod, in particular to train workers and guide them in evangelistic activities, to enlist the support of the congregation for mission work generally;
- 7.1.6 To advise and assist the congregation in adopting administrative and programing policies and procedures which will help the congregation carry out its mission;
- 7.1.7 To serve the congregation as an example of Christian conduct, to endeavor earnestly to live in brotherly unity with the members of the congregation and fellow workers and sister congregations in the District and the Synod.

7.2 The **President** shall

- 7.2.1 See to it that all meetings are conducted in an orderly and Christian manner;
- 7.2.2 Preside at all meetings of the Voters' Assembly and the Church

Council and prepare an agenda for these meetings;

- 7.2.3 See that all officers and Board members carry out their duties;
 - 7.2.4 Appoint annually a committee to audit the Treasurer's records;
 - 7.2.5 Together with the Secretary and Trustees, sign legal documents in behalf of the congregation.
- 7.3 The **Secretary** shall:
- 7.3.1 Keep accurate minutes of the meetings of the Voters' Assembly, and submit for approval;
 - 7.3.2 Keep attendance at Voters' Assembly meetings;
 - 7.3.3 Act as the official correspondent of the Voters' Assembly and Church Council;
 - 7.3.4 Together with the President and Board of Trustees sign legal documents in behalf of the congregation.
- 7.4 The **Treasurer** shall:
- 7.4.1 Be responsible for the keeping of all funds of the congregation;
 - 7.4.2 Remit offerings for missions and church agencies monthly and make payment of salaries and all regular fixed expenses of the congregation;
 - 7.4.3 Pay all other bills that are duly authorized by the Board of Trustees and the Voters' Assembly;
 - 7.4.4 Submit quarterly and annually a report to the Voters' Assembly of the congregation's financial condition;
 - 7.4.5 Keep orderly records of deposits and transactions and submit such records for annual auditing.
- 7.5 The **Financial Secretary** shall:
- 7.5.1 Keep accurate records of the contributions of the giving units in the congregation;
 - 7.5.2 Be responsible for the quarterly and annual issuance of individual statements to members;
 - 7.5.3 Shall order and distribute offering envelopes;
 - 7.5.4 Submit books and records for annual auditing;
 - 7.5.5 Report to the Treasurer weekly the amounts of the week's contributions; and
 - 7.5.6 Organize and oversee the work of the Finance Committee to insure that members of that committee are present for the counting of the offerings.

7.6 The **Board of Elders** shall consist of four members and shall elect a chairman to represent the Board on the Church Council. In the absence or inability of the President of the congregation, the chairman of the Board of Elders shall assume the office of the President of the congregation. They shall:

7.6.1 Assist the Pastor in the spiritual care of the members of the congregation;

7.6.2 Assist the Pastor with the administration of Holy Communion in the Divine Service;

7.6.3 Make an effort to visit members negligent in the attendance at worship services and Holy Communion;

7.6.4 Make sure that services are conducted properly and provide for the congregation's need for organists;

7.6.4 Shall be a helping hand to the Pastor and be concerned for the spiritual and physical welfare of the Pastor.

7.8 The **Board of Trustees** shall consist of three members and shall elect a chairman to represent the Board of Trustees on the Church Council. They shall:

7.8.1 Be in charge of the care and repair of all the physical property of the congregation;

7.8.2 Shall sign legal documents and represent the congregation in court, if necessary;

7.8.3 Shall review regularly insurance policies to be sure that they cover the needs of the congregation, and make recommendations for changes, if necessary.

7.9 The Board of Parish Education shall consist of four members and the Sunday School Superintendent as an advisory member of this Board. The Board shall elect a chairperson to represent the Board on the Church Council. They shall:

7.9.1 Provide for a program of Christian education for all age levels, (preschool, school age, youth, and adult) and maintain the ministries of the Sunday School, the Lutheran Youth Fellowship, and Adult Bible Study.

7.9.2 Bring to the attention of the Voters' Assembly the needs of facilities and equipment for all educational agencies;

7.9.3 Annually appoint the Sunday School Superintendent and recruit teachers and staff for the educational agencies of the congregation;

7.9.4 Meet quarterly to review the past quarter's educational efforts and to

- plan for the next quarter of education in the congregation; and
- 7.9.5 Annually review the operation of the library and find candidates for and appoint the Librarian and library helpers as needed.

Article 8 — Forum Representative

- 8.1 The Forum Representative shall be elected by the congregation for a three-year term.
- 8.2 The Forum Representative shall represent the congregation and cast its vote in the Circuit Forum.

Article 9.0 — Special Committees

- 9.1 The Finance Committee shall consist of three members, one elected annually to a three-year term, but not for more than two consecutive terms. They shall:
- 9.1.1 Count and record the contributions immediately following Sunday and special services;
 - 9.1.2 Return the envelopes and the offering to the Financial Secretary for deposit in the bank; and
 - 9.1.3 Make a report of the offerings received to the Financial Secretary.
- 9.2 The Evangelism Committee shall consist of three members to be appointed annually by the Board of Elders in consultation with the Pastor. They shall:
- 9.2.1 Foster a climate of evangelism that encourages congregation members to witness to Christ to one another and to those who do not yet know Christ;
 - 9.2.2 Promote and direct congregation-wide evangelism projects;
 - 9.2.3. Visit those moving into the community and to invite them to take part in the spiritual care and fellowship of the congregation;
 - 9.2.4 Be conscious of the atmosphere of friendliness in the congregation, and suggest ways and means of improvement;
 - 9.2.5 Be responsible for a program of community public relations that identify the congregation with the Gospel of Christ; and
 - 9.2.6 Foster a concern for the mission work of our District and Synod at home and abroad.

Article 10 — Appointed Offices

The appointed offices of the congregation shall be:

- 10.1 The Sunday School Superintendent, recruited and appointed by the Board of Parish Education annually;
- 10.2 Sunday School Teachers, recruited and appointed by the Board of Parish Education annually;
- 10.3 The Vacation Bible Sunday School Superintendent and staff, recruited and appointed by the Board of Parish Education;
- 10.4 The Counselor to the Lutheran Youth Fellowship, recruited and appointed by the Board of Parish Education annually;
- 10.5 The Librarian, recruited and appointed by the Board of Parish Education annually.

Article 11 — Changes in the Bylaws

The congregation may from time to time adopt, alter, or amend these Bylaws and general instructions for the officers, boards and committees in their work. Such changes may be made by a majority vote in any meeting of the Voters' Assembly, provided they have first been presented to the Church Council for consideration and recommendation.