

# CONSTITUTION AND BY-LAWS

*Trinity Evangelical Lutheran Church  
128 South 7<sup>th</sup> Street  
Zanesville, Ohio*

*Revised October 2007*

## PREAMBLE

WHEREAS, Christians should practice fellowship with all those who profess the true doctrine (Acts 2, 42; Heb. 10, 24-25) and

WHEREAS, they should endeavor to keep the unity of faith (Eph. 4, 3-6; 1 Cor. 1, 10); and

WHEREAS, as a body they should administer the Office of the Keys (John 20, 21-23; Matt. 18, 17-20) and

WHEREAS, in such body all things should be done decently and in order, (1 Cor. 14, 40),

## THEREFORE

WE, the undersigned, herewith adopt the following Constitution and its By-Laws according to which all affairs of this congregation, both spiritual and material shall be conducted.

## CONSTITUTION OF

**TRINITY EVANGELICAL LUTHERAN CHURCH**  
**Zanesville, Ohio**

**CONSTITUTION**

**Article I**  
**Name**

The name of this congregation shall be Trinity Evangelical Lutheran Church, Zanesville, Ohio.

**Article 2**  
**Purpose**

The purpose of this congregation shall be to serve its members and to spread the kingdom of God by the preaching of the Word of God, by the administration of the Sacraments, and by the religious instruction of youth and adults, according to the confessional standard of the Evangelical Lutheran Church (Article 111), and to foster Christian fellowship and charity.

**Article 3**  
**Doctrinal Statement**

- A. This congregation acknowledges and accepts all the canonical books of the Old Testament and the New Testament as the revealed and inerrant Word of God, verbally inspired, and submits to them as the only infallible authority in all matters of faith and life.
- B. This congregation acknowledges and accepts all the confessional writings of the Evangelical Lutheran Church, contained in the Book of Concord of the year 1580, as true and genuine expositions of the doctrines of the Bible. These confessional writings are the three Ecumenical Creeds (Apostles', Nicene, and Athanasian), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, Luther's Large and Small Catechisms, and the Formula of Concord.

**Article 4**  
**Membership**

- A. Admission into Membership
  - 1. Baptized members are all who have been baptized in the Name of the Triune God.
  - 2. Communicant members are those who:
    - a. Are baptized in the name of the Triune God.
    - b. Declare their acceptance of and adherence to the Doctrinal Statement as contained in Article 3 of this Constitution.
    - c. Do not live in manifest works of the flesh (Gal. 5:19-21), but lead a Christian life.
    - d. Understand that membership in secret societies or any other organizations conflicting with the Word of God and the Conduct of a Christian is discouraged.
    - e. Attend public worship diligently.
    - f. Partake of Holy Communion frequently.
    - g. Provide their children with the proper Christian religious instruction as offered by this congregation and supplement this with Christian training and education in the home.

h. Contribute according to ability toward maintenance of church and other expenses.

i. Submit and conform to the rules and regulations established by the congregation.

3. Reception of Communicant Members: Communicant members are received through the Rite of Confirmation, by transfer from a Lutheran congregation, or upon Profession of Faith, provided they conform to the requirements for membership. Their reception shall be approved by the Church Council and subsequently by the Voters' Assembly.

**B. Termination of Membership**

1. Transfer to other Lutheran Congregations: Communicant members desiring to join another Lutheran congregation shall present their requests to the Pastor to whom authorization is granted to issue such transfers. Such transfers of membership shall be approved by the Church Council and the Voters' Assembly in a subsequent meeting.

2. Release to Other Denominations: Communicant members desiring to join other than Lutheran congregations shall present their requests to the Pastor to whom authorization is granted to issue such a release. Such releases of membership shall be approved by the Church Council and the Voters' Assembly in a subsequent meeting.

3. Membership Inactivity:

a. Communicant members who move out of the community and thereby become inactive shall be encouraged to transfer their membership to the nearest Lutheran congregation.

b. Communicant Members whose whereabouts are unknown and whose addresses cannot be established and who for an extended period of time have not fulfilled their duties, exceptions to be made for due cause, shall have their names placed in the inactive file.

**Article 5  
Church Discipline**

A. It shall be the duty of the congregation to discipline an erring member in accordance with St. Matthew 18:15-17.

B. Fruitless admonition shall result in severance of membership and the loss of all rights and privileges of membership.

**Article 6  
Authority of the Congregation**

A. The Voters' Assembly shall be the governing body of this congregation and shall be empowered to administer and manage all its affairs. The establishment and conduct of all organizations and societies within the congregation shall be subject to the approval and supervision of the Voters' Assembly.

**Article 7  
Voting Membership**

**A. Reception**

Eligibility for voting membership is for all confirmed members of the congregation who have reached the age of 18 years. An applicant for voting membership shall give notice of intention to the chairperson at a regularly scheduled meeting of the Voters' Assembly by signing a form entitled, "*Application for Voters' Assembly Membership.*" The name shall be announced by the chairperson at the meeting. At a subsequent quarterly meeting, or a meeting within a year, unless a valid excuse is presented to the chairperson, the applicant shall sign the Constitution and By-Laws of the congregation and be declared a voting member.

**B. Termination**

A voting member who is absent from the meetings of the Voters' Assembly for two full years without offering valid excuse to the Recording Secretary shall have said name removed from the roster of voting members and shall be duly notified of this action by the Secretary. The person may be reinstated, however, by reapplying for voting membership.

### **Article 8 Office of the Pastor**

- A. The congregation shall confer the office of pastors and candidates only on such as:
1. Unreservedly pledge their acceptance of and adherence to the Doctrinal Statement as contained in Article 3 of this Constitution;
  2. Are members of, or have applied for membership in, the same Synod to which the congregation belongs;
  3. Have been properly and rightfully called by the congregation through the Voters' Assembly.
- B. A pastor may be removed from office for valid reasons in a Christian manner.

### **Article 9 Synodical Membership**

- A. The congregation shall hold membership in The Lutheran Church-Missouri Synod as long as this Synodical Body conforms to Article 3 of this Constitution. It shall send its Pastor and a lay-delegate to the Conventions of such Synod.
- B. It shall be the duty of the congregation and its individual members to support the work of Synod in all its activities according to their ability.

### **Article 10 Doctrinal Literature**

Only such hymns, prayers, and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the confessional standard of Article 3.

### **Article 11 Amending the Constitution**

- A. Alteration or repeal of any alteration and repealable article or section of this Constitution and its By-Laws shall require a two-thirds majority of those present in a regular Voters' Assembly duly announced on two previous Sundays.
- B. Article 3 of this Constitution and all such other articles or sections as pertain to Scriptural doctrine and practice shall be unalterable and irrevocable.

### **Article 12 Ownership of Property in Case of Division**

- A. Should separation on account of doctrine or for any other reason take place, the property of the congregation shall remain in possession of those members who steadfastly and unreservedly adhere to the Doctrinal Statement contained in Article 3 of this Constitution.
- B. In the event the congregation should totally disband, the property and all rights connected therewith shall be transferred to the Ohio District of The Lutheran Church-Missouri Synod.

## **BY-LAWS**

### **Article I Voters' Assembly**

- A. Regular meetings of the Voters' Assembly shall be held quarterly and if possible on the second Sunday of the quarter, at 9 AM, between the 8 AM and 10:15 AM services. These meetings shall be announced on two previous Sundays.
- B. A quorum shall be 20% of the voting membership.
- C. Special meetings may be called by order of Church Council, the Pastor, or the President of the congregation. Such meetings may be held on the day they are announced, but in such cases it shall require a quorum. Only emergencies are to be considered. Approval of any action requires two-thirds of the voting members present at a special meeting.

### **Article 2 Officers**

- A. The Officers of the congregation shall be three, and no more than five Elders, twelve Deacons, five Trustees, a President, a President-elect, the President of the School Board, a Recording Secretary, a Treasurer, an Assistant Treasurer, a Financial Secretary, and an Assistant Financial Secretary.
- B. These Officers along with the immediate past President shall constitute the Church Council. The President shall be the chairperson of the Church Council.
- C. For the purpose of properly managing and carrying out the work of this congregation, the following boards shall be maintained: Board of Christian Education; Board of Evangelism; Board of Stewardship; Board of Human Care Ministry; School Board; and special boards of committees as necessary, such as Lutheran Hour Representative, Historian, etc.

### **Article 3 Election of Officers**

- A. The President shall appoint the Nominating Committee, consisting of the President-elect as Chairman, and two members from each service from the congregation. This Committee shall present a slate of office candidates from the communicant membership for each office, except Treasurer and Financial Secretary (See Art. 5, By-Laws). All candidates proposed shall previously be notified and their willingness to serve secured. This slate shall be approved or augmented by the Voters' Assembly.
- B. The election shall be held by ballot in the last regular meeting of the year. A plurality of votes shall constitute an election, except for the offices of Trustees and Deacons, in which case the 2 or 3 nominees receiving the highest number of votes shall be elected.
- C. The boards or committees heretofore mentioned in Article 2, Section C, shall be appointed by the Church Council, subject to the approval of the Voters' Assembly.
- D. In case of vacancy of office, the Church Council shall have the power to fill a vacancy on the Church Council or on any other board or committee until the next election meeting fills the unexpired term.

### **Article 4 Duties of Officers and Boards**

A. The Church Council:

1. The Church Council shall act in an advisory capacity. It shall consider and discuss all matters presented by the various boards and shall present recommendations to the Voters' Assembly.
2. It shall act in matters committed to it by the Voters' Assembly and, in cases of emergency, it shall act between the Voters' Assembly.
3. The Church Council shall ordinarily meet the first Wednesday evening of the month.
4. Any member of the congregation shall have the right to appear before the Church Council upon request.
5. The Church Council may authorize the expenditure of \$5,000, under extenuating circumstances, without the Voters' Assembly approval.

B. The President:

1. The President shall be the executive officer of the congregation and shall preside at all meetings of the Voters' Assembly, be an advisory member of all boards and committees, and attend their meetings at his or her own discretion.
2. Shall enforce the Constitution and By-Laws and see that all the Resolutions of the Voters' Assembly are carried out according to its best wishes and in its best interests.
3. At the first meeting of the year, shall appoint an Auditing Committee of not less than three members which is to carefully examine the books of the Treasurer and Financial Secretary. Cf. Article 3, Section 1.
4. As Chairperson of the Voters' Assembly, shall follow Robert's Rule of Order, where this does not conflict with the Word of God.

C. The President-elect:

1. In the absence of the President, or in the event of his or her inability to function, the President-elect shall act for and in the stead of the President. The President-elect shall be an advisory member of all boards and committees, and shall attend their meetings at his or her discretion.

D. The Recording Secretary:

1. The Recording Secretary shall keep an exact record of all transactions and resolutions of the Voters' Assembly in both regular and special meetings, submit minutes for approval at the next regular meeting, and enter such approved minutes in a book provided for that purpose.
2. Shall perform such other duties as may be delegated.
3. Shall inform voting members after 6 consecutive absences of Article 7, B of the Constitution.

E. The Treasurer:

1. Shall be responsible for an accurate account of the receipts and disbursements and render a quarterly statement and report at every regular meeting, and present an annual report at the first meeting of the new year.
2. Shall make payments of the current expenses by check as authorized by the congregation, and of such other expenses as directed by the Voters' Assembly or by the Trustees.

F. The Assistant Treasurer:

The Assistant Treasurer shall assist the Treasurer in every way possible, and in absence or inability to perform duties, shall take over the work temporarily.

G. The Financial Secretary:

1. Shall receive all congregational monies, including offerings, contributions, special collections, loans, subsidies, bequests, etc. and keep a record thereof.
2. Shall deposit all monies received and present a certified deposit slip to the Treasurer.

H. The Assistant Financial Secretary:

1. The Assistant Financial Secretary shall assist the Financial Secretary in every way possible, and in absence or in inability to perform duties, shall take over the work temporarily.

I. The Elders:

1. The Elders shall organize annually and elect a Chair- person who shall represent them on the Council and in the Voters' Assembly.
2. They shall assist the Pastor in all matters pertaining to the spiritual welfare of the congregation, and in carrying out official duties in the cultivation of peace and harmony among the members.
3. They shall strive to maintain Christian doctrine and discipline in the congregation, and in case of strife and contention in the congregation, they, with the Pastor, shall endeavor to restore peace and harmony.
4. They shall make every effort to induce the members to make use of the Means of Grace.
5. They shall see to it that the congregation fulfills its duties toward the Pastor as specified in the Call.
6. They shall be an example of devout Christian life.
7. They shall assist the Pastor in arranging for pulpit assistance, and shall prepare a list of candidates to present to the Voters' Assembly when a Pastoral vacancy occurs.

J. The Deacons:

1. The Deacons shall organize annually and elect a Chair- person who shall represent them on the Council and in the Voters' Assembly.
2. They shall maintain good order in all worship services and see that all services are conducted with a sense of reverence.
3. They shall be in charge of the ushering, shall take up the offerings, and deliver the offerings to the Financial Secretary.

K. The Trustees:

1. The Trustees shall organize themselves annually and elect a Chairperson who shall represent them on the Council and in the Voters' Assembly.
2. They shall be the legal representatives of the congregation.
3. They shall administer all property belonging to the congregation and keep it in good condition and repair. Suggested physical alterations in the form of memorials or otherwise shall be presented to the Church

Council.

4. They shall make contracts; accept and receive grants and bequests; sign documents; appear in court; in short, transact all the business of the congregation assigned to them by the Voter's Assembly.
5. They shall have the power to draw on the treasury to the amount of \$2000.00 for repairs or other necessary expenditures without special resolution from the Voters' Assembly.
6. They shall sign all bills directed to the congregation. The signature of two Trustees is necessary.
7. All major decisions of the Trustees are to be approved by no less than three of the five Trustees.

L. Board of Christian Education:

1. This Board shall consist of at least three members and they shall assist the Pastor and Sunday School Superintendent in the supervision of all Christian educational activities of the congregation and, in general, seek to stimulate and maintain proper interest in Christian training of all age levels.

M. Board of Evangelism:

This board shall consist of at least three members and they shall:

1. Plan, promote and carry out an Evangelism Program in the congregation and in the community.
2. Enlist aid in visiting prospective members in the church.
3. Integrate new members into the life and work of the church.
4. To publicize and interpret the Gospel to the community by various methods.

N. Board of Stewardship:

This Board shall consist of the Financial Secretary, Assistant Financial Secretary, the Treasurer, the Assistant Treasurer, and five additional members. They shall:

1. Supervise the raising of all funds within the congregation.
2. Prepare the Budget to be presented for the new year.
3. Fully inform the membership of their local congregation's program.
4. To work in close harmony with the Synod, District, and Circuit Stewardship Committee.
5. To instruct the people in the grace of proportionate giving to God's work in the parish and in the world.
6. To discover the talents of the membership and enlist them in the congregational program.

O. Board of Human Care Ministry:

This board shall consist of at least three members who shall:

1. Discover the needs of individuals in the congregation, of the aged, of the sick, and of the poor, and give such immediate help as it finds necessary.
2. Call to the attention of the congregation the work of Synod and the Welfare Agencies being conducted by our Lutheran Church-Missouri Synod and solicit support for them.

P. Benevolence Committee

To monitor and recommend assistance to those members who may be in need of help from the congregation. The committee is to consist of the Pastor, President and one other member.

Q. Historian:

1. Shall keep the history of the congregation current.
2. Shall preserve old records and items of historical interest.
3. Shall send all special occasion bulletins (Installations, Anniversaries, etc.) to the Synod and District archivists.
4. Shall promote interest in the congregation of our heritage.
5. Shall be a "sitting" member of the Church Council.

R. Superintendent of the Sunday School:

Is the executive head of the Sunday School and shall conduct it according to the provisions of the Sunday School Constitution, as ratified by the Voters' Assembly. The Superintendent of the Sunday School is an advisory member of the Board of Christian Education.

S. Assistant Sunday School Superintendent:

Shall assist the Superintendent in every way possible and in the absence or inability to perform duties, shall take over the work temporarily.

The Assistant Sunday School Superintendent is an advisory member of the Board of Christian Education.

T. School Board

1. In order to provide a positive outreach and experience, built on the Gospel of Jesus Christ, insuring that all students obtain academic, spiritual, and social skills allowing them to reach their fullest potential and become productive, Christian citizens of a global society, Trinity School shall be opened and operated. The Trinity School Board shall be the governing body of the school.
2. The School Board shall be made up of an odd number of individuals elected by the Voters' Assembly and shall contain no fewer than five or more than nine voting members; additional advisory, non-voting members shall include the Pastor, Congregational President and School Administrator.
3. This Board shall answer to the Voters' Assembly; reporting no less than bi-annually to said Assembly and shall further report regularly to the Church Council.
4. The Trinity School Board shall meet and elect annually a President to conduct meetings, a Vice-President to act in the absence of the President, and a Secretary to take minutes of the regular monthly and any special meetings. The School Board President shall also attend meetings of the Church Council.

U. School Scholarship Committee

1. The committee shall be made up of three members of the congregation.

**Article 5**  
**Duration of Elected Officers and Appointed Boards**

A. Duration of Elected Officers:

The duration of a term of office shall be 3 years. An officer may serve successive terms. Elders, Deacons and Trustees shall have staggered terms to allow for continuity and stability. The election to be held in October 2007 may provide for terms of less than 3-years in order to establish staggered terms. Under normal circumstances, the Assistant Treasurer and the Assistant Financial Secretary shall be advanced to the Treasurer and Financial Secretary respectively, with the approval of the Voters' Assembly.

- B. Duration of office for appointed board members shall be three years, not be successive, one member to be appointed each year. Board Members shall be appointed by the Church Council subject to approval by the Voters' Assembly. The exception shall be the Sunday School Superintendent and Assistant, who shall be reappointed every three years, with Voters' Assembly approval.
- C. Any resignation of Pastor, officers, or appointed board members, shall be in writing and presented to the Church Council.

### **Article 6** **The Calling of a Pastor or Associate/Assistant Pastor**

A. Nominations:

When a pastoral vacancy occurs, the President shall appoint a Call Committee consisting of the President, an Elder, and five members of the congregation. The congregation is given the opportunity to submit a *Nomination of Names for Consideration*. Forms for that purpose will be made available. The committee shall forward the complete list of nominations to the District President and Circuit Counselor, and request a Call List, along with supporting information. The committee shall review the *Pastor Information Form* and *Self-Evaluation Tool for Pastors*, included with the Call List. Assuming high qualifications for most candidates, the Committee will select and interview two to four recommended candidates. A written summary of the candidates shall be presented at a meeting of the Voters' Assembly; properly convened in the presence of the Circuit Counselor. Any voter is entitled to make additional nominations from the floor.

B. Elections:

The election of a Pastor from the list of candidates, chosen by the Voters' Assembly, shall be by ballot. The candidate receiving the 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 7** **Changes and Regulations**

The congregation shall from time to time adopt, alter, or amend rules and regulations (or directives) for the guidance of officers and committees in their work.

### **Article 8** **Order of Business**

At regular business meetings of the Voters' Assembly, the order of business shall be as follows:

1. Devotion
2. Roll Call
3. Application of Voting Members
4. Declaration of the Quorum
5. Reading of the minutes
6. Report of the Pastor
7. Treasurer's Report
8. Reports of Boards and Committees
9. Recommendations of the Church Council
10. Unfinished business
11. New business

12. Announcements
13. Adjournment with prayer

**Soli Deo Gloria**