

THE CONSTITUTION AND BY-LAWS

of

ST. JOHN EVANGELICAL LUTHERAN CHURCH

**17701 Cameron Road
Pflugerville, Texas 78660**

**Lutheran Congregations in Mission for Christ
(LCMC)**

As Amended and Approved by the Congregation on March 17, 2019

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CONSTITUTION

ST. JOHN EVANGELICAL LUTHERAN CHURCH

**17701 Cameron Road
Pflugerville, Texas 78660**

ARTICLE I

NAME

The name of this Church shall be St. John Evangelical Lutheran Church, located in Travis County, State of Texas, 17701 Cameron Road, Pflugerville, Texas, 78660.

ARTICLE II

PURPOSE

It shall be the purpose of this organization to establish and maintain in its community a Christian organization for worship, for the devout use of the Sacraments, and for the promotion of Christian life and the development of the Kingdom of God by all available means, both at home and abroad.

1. This Church shall be and remains a non-profit corporation and shall abide by the laws, rules, and policies governing non-profit corporations in the state of Texas and in the United States of America.
2. This Church shall be a member congregation of the Lutheran Congregations in Mission for Christ (LCMC), and shall abide by the rules and constitutional provisions pertinent to the local church as described and defined in the constitution of the LCMC.

ARTICLE III

FAITH AND COVENANT

As a member of the "Lutheran Congregations in Mission for Christ" (LCMC), this congregation subscribes to the following:

1. We believe, teach, and confess the Triune God, Father, Son and Holy Spirit.

2. We believe, teach, and confess Jesus Christ as Lord and Savior, and the gospel as the power of God for the salvation of all who believe in him.

Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death and resurrection God fashions a new creation.

The proclamation of God's message to us as both law and gospel is the Word of God, revealing judgment and mercy in the person of Jesus Christ, through whom God was pleased to reconcile all things to himself.

The canonical Scriptures of the Old and New Testaments are the Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them, God's spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

3. We believe, teach and accept the canonical Scriptures of the Old and New Testaments as the inspired Word of God, and the sole authoritative source and norm of our proclamation, faith and fellowship.
4. We accept the Apostles', Nicene, and Athanasian Creeds as true declarations of the scriptural faith.
5. We believe, teach and accept the Unaltered Augsburg Confession and the Small Catechism as true witnesses to the Word of God, normative for our teaching and practice. We acknowledge that we are one in faith and doctrine with all churches that likewise accept the teachings of the Augsburg Confession.
6. We believe, teach and confess the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles, the Treatise, the Large Catechism, and the Formula of Concord, as further valid expositions of the Holy Scriptures.
7. We believe, teach and confess the gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the priesthood of all believers for God's mission in the world.

ARTICLE IV

MEMBERSHIP

1. Membership in this Congregation shall be open to any person who has been baptized and has made a public confession of faith in Jesus Christ as Lord and Savior. In accordance with the gospel covenant which binds into a unity "faithful people of all ages, tongues and races," membership is open to all without regard to race or color.

2. Members shall pledge themselves to attend the regular worship of the church and the celebration of the Lord's Supper; to live the Christian life; to share in the life and work of the Church; to contribute to its support and benevolences; and to seek diligently the spiritual welfare of the membership and community.
3. Transfers.
 - A. Any member, at his or her own request, may be granted a letter of transfer to another church of any other denomination. The letter shall be signed by the Church Pastor or President of the Church Council and a copy shall be filed in the official records of the church.
 - B. If a member requests in writing to be released from membership, the request shall be approved by the Church Council, and a certificate of release shall be issued. The certificate may be used as a letter of transfer to another church or as a certificate of renewal in St. John Evangelical Lutheran Church.
 - C. If a member joins another church without requesting a letter of transfer or associate membership status, he or she shall be removed from membership in St. John Evangelical Lutheran Church.
4. Members.
 - A. An inactive member who for a period of one year fails to attend church, fails to contribute to its support and fails to celebrate the Lord's Supper may be placed on the conditional membership list by the Church Council. These members shall be notified of their placement on the conditional membership list by the Pastor and the Church Council.
 - B. A member whose address becomes unknown may be placed on the conditional membership list. If the address of the member later becomes known, that member shall be sent a certificate of membership and release which may be used as a letter of transfer to another church or a certificate of renewal in St. John Evangelical Lutheran Church if he or she wishes to be reinstated.
 - C. The conditional membership list is temporary. If during the year, the member becomes active again by attending church or contributing to its support; his or her name shall be removed from the conditional membership list and restored to the active membership list immediately.
 - D. If a member on the conditional membership list does not resume active participation during the conditional year, his or her name may be removed from the membership list. A certificate of membership and release shall be issued which may be used as a letter of transfer to another church or as a certificate of renewal and reinstatement in St. John Evangelical Lutheran Church.
 - E. The Church Council shall present a yearly report at the first annual congregational meeting of the calendar year notifying the congregation of members on the conditional membership list as well as those that have been removed from the membership list.

ARTICLE V
GOVERNING BODY

1. The governing body of this Congregation shall be the membership assembled in Church meeting. The vote of a majority of members present at the meeting shall be the action of the Congregation.
2. A congregational meeting shall be announced in two Sunday worship services, or by notification through the mails, to every member in good standing.
3. For informational purposes only, the following references concerning autonomy of local churches are reprinted from the By-Laws of the LCMC, Section 1.02 (Membership)

"A congregation is a community of baptized persons gathered around Word and Sacrament. It serves as God's people in the world, nurturing its members and reaching out in witness and service to the world. Each member congregation of this association shall adopt governing documents and govern itself in such a way as to involve its members in fulfilling the definition, purpose and functions of the congregation. This association does not direct, control or supervise the affairs of individual congregations except as specifically provided in the constitution."

ARTICLE VI
THE COUNCIL

1. The Council shall be the executive body of this Congregation. It shall be composed of ten (10) members, nine (9) of which will be duly elected by the Congregation plus the Pastor as an ex-officio member with voice only. One-half its members shall constitute a quorum.
2. The President of the Council shall be elected each year by a majority vote of the Congregation present at the Annual meeting and may not serve more than four (4) consecutive years. The rest of the organization of the Council is in the hands of the Council. They shall elect a Vice President, Secretary, Treasurer and Financial Secretary and shall form such committees as will serve to further the purpose of the Congregation.
3. If the Congregation shall ever become a part of a pastoral charge composed of two or more Congregations, the members of the Council shall be members of a Joint Council to which shall be committed the common interests of these Congregations.
4. Members of the Church Council shall be elected by a majority vote cast by the Congregation at the Annual Congregational meeting. They shall be elected for a two (2) year term and may be re-elected for two (2) additional terms--not to serve a total of more

than six (6) consecutive years. In order to provide continuity, four (4) Council members shall be elected each year.

5. Election of positions for the office of President, members of the Council, and Church School Superintendent shall be by secret ballot. The two persons receiving the highest number of votes in the first ballot shall be in a run-off on a second ballot unless one receives a majority of the votes cast. If a person receives a majority of the votes cast for a position, even if on the first ballot, then that person is elected to fill the position.
6. When elected, the President and members of the Council shall be installed in a public worship service, during the month of November, if possible.
7. Vacancies on the Council shall be filled by the Council for the unexpired terms.
8. The Council shall be the policy-making body and shall transact the business of the Congregation. The Council shall make provisions for the determining and raising of the current budget and benevolences and provide for the auditing of financial accounts. It shall keep a complete and accurate record of its proceedings, be the custodian of all congregational records, and report to the Congregation at its regular and special meetings. All acts and deliberations of the Council are subject to the will of and revision by the governing body. The Council shall have the authority and power of trustees of the Congregation.
9. The Council shall instruct the proper officers on all fiscal matters, including the payment of bills, with monthly review by the Council.
10. The Church Council shall have the authority to engage such personnel as may be necessary, within the limits of the budget, to carry out the work of the Church and care for its facilities.
11. The Council shall meet monthly unless a lack of business seems to justify not having a meeting. Special meetings may be called by the President or by the Pastor.
12. The Council must authorize all appointments to be added to the Church or the Church property, either by individuals or organizations.
13. The Council shall fill vacancies on special committees as prescribed by this Constitution and the Church By-Laws. In doing so, it is encouraged to make appointments which are representative of the demographics of the Church. The Council may set term limits on any Church Committee it is responsible for.

ARTICLE VII

PASTOR

1. It shall be the responsibility of the Council (or Search Committee appointed by the Council) to seek a candidate for a vacancy in the office of Pastor.
2. As soon as a pastoral vacancy occurs, it shall be reported to the Ministry Board of the LCMC, or the District Ministry Committee if the congregation belongs to a district of the LCMC.
3. In filling a vacancy or in securing supply Pastors for the period of vacancy; the Council may seek the advice of the Ministry Board of the LCMC, or the District Ministry Committee.
4. The Council may request the Search Committee to secure relevant information about any Pastor whom it wishes to consider for the vacancy.
5. Any Pastor may confer with the Ministry Board of the LCMC, or the District Ministry Committee concerning a pastoral vacancy. At a Pastor's request his or her name shall be submitted for consideration to the local church Council.
6. The Council shall present to the Congregation the name of the candidate it recommends to fill the vacancy. A favorable vote of the Congregation constitutes a call.
7. In the call the terms of the relationship shall be stated, including the agreement of the congregation to participate in the pension fund of the LCMC, a health insurance program, and other terms agreed between the candidate and the Council. The Pastor, the Congregation, the Ministry Board of the LCMC, or the District Ministry Committee shall each receive a copy of the call.
8. When a Pastor accepts a call to this Congregation, the Congregation and Pastor shall arrange for a service of installation. A report of this service shall be signed by an officer of the Ministry Board of the LCMC, or the District Ministry Committee.
9. When a Pastor accepts the call, the moving expenses shall be borne in full by the Congregation.
10. The Pastor shall be elected for an indefinite period. In order to terminate this relationship, three (3) months notice, unless by mutual consent, shall be required by either Pastor or Congregation, presented in writing at the meeting of the Council. A two-thirds majority of voting members present at a congregational meeting is necessary for dismissal, and a majority vote of members present is necessary for the acceptance of the Pastor's resignation.

11. When either party decides to terminate the relationship, the termination shall be by action of the Council authorized by the Pastor and the Congregation, and notice of such termination shall be sent by the President of the Council to the Ministry Board of the LCMC, or the District Ministry Committee for appropriate action.
12. Brotherly discipline of the Pastor is the responsibility of the Ministry Board of the LCMC, or the District Ministry Committee.
13. The Pastor is an Ex-Officio member of the Church School staff and all organizations of the church. As long as he or she is in charge no other Pastor has the right to perform any religious ceremony in the church, without the Pastor's consent. To invite a speaker, either during a temporary absence of the Pastor or for a special occasion, the consent of both Pastor and Council is necessary.
14. The Pastor shall hold confidential as a sacred trust any information of a confessional nature given him or her in the course of his or her work.
15. It shall be the duty of the Pastor to set a good example to his congregation, to conduct all services on Sundays, holidays, and such other days as the Congregation shall desire, to direct the work of Christian education, administer the Holy Sacraments, visit the sick and comfort the distressed, and to perform all such duties as belong to the Pastor's office, in keeping with the tradition of the Congregation. He shall keep a record of all services performed and make an annual report of his work to the Congregation.

ARTICLE VIII

PROPERTY

1. The Congregation may in its corporate name sue and be sued, acquired by purchase, gift, devise, bequest or otherwise and own, hold, invest, reinvest or dispose of property both real and personal for such work as the Congregation may undertake and may purchase, own, receive, hold, manage, care for and transfer, rent, lease, mortgage or otherwise encumber, sell, assign, transfer and convey such property for the general purposes of the Congregation. It may receive and hold in trust both real and personal property and invest and reinvest the same and make any contracts for promoting the objects and purposes of the Congregation.
2. Upon dissolution of the Congregation, its assets and all property and interest of which it shall be possessed, including any devise, bequest, gift or grant contained in any will or other instrument, in trust or otherwise, made before or after such dissolution, shall be transferred to a trust set up by the Church Council for the perpetual operation of the St. John Evangelical Lutheran Church Cemetery.

3. According to the constitution of the LCMC, Article 4.02, "Except as otherwise agreed in writing between this association [LCMC] and one or more member congregations, each congregation retains its own property and assets and LCMC makes no claim to any congregational assets or property."

ARTICLE IX

CHURCH MEETINGS

1. Ten (10) percent of the members in good standing shall constitute a quorum for the transaction of business at any meeting of the Congregation.
2. The Annual Meeting of the Congregation shall be held, if possible, during the month of October.
3. The congregation shall elect the following positions at the Annual Congregational meeting in the following order:
 - a. President
 - b. Council positions up for election in order of position (1 through 8)
 - c. Sunday School Superintendent
4. The Sunday School Superintendent may serve no more than four (4) consecutive years.
5. A special congregational meeting may be called by the Church Council or by a petition to the Council signed by not less than twenty (20) percent of the members of the Congregation.
6. Another Congregational Meeting shall be held no later than the third Sunday in February. At this meeting, the Pastor, Officers, and all Congregational organizations shall submit their annual reports.

ARTICLE X

RULES OF ORDER

1. Robert's Rules of Order shall be the parliamentary authority for all matters of procedure not specifically covered by this Constitution and/or By-Laws.

ARTICLE XI

AMENDMENTS

1. Amendments, additions or alterations to this Constitution may be proposed in any meeting of the Congregation. Said amendments, additions or alterations, however, shall not come up for a vote until the next regular or duly called meeting, and can then be adopted only by a two-thirds majority of all voting members present.
2. By-laws may be amended at any regular or called meeting of the Congregation by a majority vote of all voting members present.

BY-LAWS

ARTICLE I

CONGREGATIONAL REPRESENTATION

Voting delegate(s) and an alternate(s) to the National Convention of the LCMC may be elected each year by the Congregation as allowed by the LCMC Constitution which states: "Each congregation shall be entitled to two delegates at all conventions where the LCMC business is conducted". Reasonable travel expenses and the registration fees of the voting delegates shall be paid by the Church.

ARTICLE II

PRIVILEGES AND DUTIES OF MEMBERS

1. It shall be the privilege and duty of members of this congregation to:
 - a. be entitled to a full share in the fellowship and spiritual blessings of St. John Evangelical Lutheran Church and to the services of its Pastor, officials and other workers, as well as to the Christian Sympathy and support of all members;
 - b. make regular use of the means of grace, both Word and Sacraments;
 - c. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - d. support the work of St John Evangelical Lutheran Church, and the church wide organization of the Lutheran Congregations in Mission for Christ through contributions of their time, abilities, and financial support as biblical stewards.
2. Candidates by confession of faith shall be instructed in the fundamentals of the Lutheran Congregations in Mission for Christ.
3. Reception of new members shall be announced two weeks in advance of the public reception service which shall be in accordance with the ritual of the Congregation. The candidates shall be added to the membership register.
4. Persons who wish to retain full membership in another church may become Associate members of St. John Evangelical Lutheran Church and divide their financial support between the two churches. Associate members shall have all membership rights and responsibilities.

ARTICLE III

PROPERTY AND PARISH HALL USE

The Church Council is empowered to develop and amend policies for the use of St. John's buildings and grounds. Property of the Congregation shall not leave the premises. Exceptions may be made to members of St. John Evangelical Lutheran Church by action of the Council, which is authorized to loan tables and/or chairs and make related decisions.

ARTICLE IV

CONGREGATIONAL BUDGET AND OFFICIAL YEAR

1. In September of each year, the Church Council shall appoint a Committee to prepare an operations budget for the coming year and to present this budget to the Congregation for consideration. A majority vote of all voting members present at the Annual Congregational Meeting is necessary for approval.
2. The Council may authorize additional expenses not included in the operations budget up to and not to exceed \$1500.00 per occurrence. In the event of an emergency, the Council may authorize expenses not included in the operations budget up to \$3,000.00 as it deems important to the life of the Church, providing it gives a full report to the Congregation within 30 calendar days following the decision.

An emergency for purposes of Council expenditures is defined as repairs, improvements or purchases without which the spiritual life, worship and program of St. John Evangelical Lutheran Church would immediately be hampered or discontinued; or which pose a risk to the health and well being of the members involved in the events held at St. John Evangelical Lutheran Church. In such instances, the council members must have reasonable expectation of the Congregation approving such funds during a Congregational Meeting.

3. The official or fiscal year of the Congregation shall be from January 1 through December 31.

ARTICLE V

CEMETERY RULES AND REGULATIONS

To keep the Resting Place of our dead in good condition, the following rules will be strictly enforced:

1. The administration of the cemetery of St. John Evangelical Lutheran Church shall be vested in the Church Council. Sextons shall be appointed by the Council who will be in charge of the cemetery.
2. Sextons shall see to the operation of the cemetery, seeing to its maintenance and upkeep. They shall be responsible to the Church Council.
3. All funerals that are not conducted by the current minister of St. John Evangelical Lutheran Church, will have to be approved by the Church Council.
4. All graves must be constructed to the correct dimensions as to length and depth as required by law. The opening and closing of a grave shall be the responsibility of the family involved. The cost of the design and placement of the headstone shall be the responsibility of the family. Urns shall be placed in a burial site with minimum dimensions of 2 feet X 2 feet X 2.5 feet in depth. Biodegradable urns are preferred.
5. A cemetery Sexton or a member of the Church Council shall be present to see that a grave site is properly located before any work commences. They shall also see to it that no damage is done to any existing graves, markers, trees, or monuments. Any damages incurred shall be reported to the Church Council who shall contact the funeral home responsible for settlement of damages.
6. It is specifically understood that any reference to purchase of and/or ownership in the following articles shall be construed to mean that a family or individual has contracted for a specific grave site for burial rights only and not for land ownership of such sites.
7. Burial rights to grave sites may be purchased through the Church Council or the Secretary/Treasurer of the cemetery. The burial of an urn requires one grave site. The Council has the right to reject any application for a grave site. These grave sites, size 5' by 10' are available to members and non-members. These grave sites may be purchased on sites specified by the Church council. The resale or other transfers of burial ownership rights are not allowed without official consent of the Church Council in writing. A member may not sell, give or bequeath without cost a grave site to a non-member without first paying the difference between a member and a non-member cost. A system of statements or receipts shall be given with the sale of burial sites. The same shall be available to owners of grave sites bought previously.

8. The Church Council reserves the right to remove anything objectionable. No curbs, cradles or fences shall be placed on graves were they do not now exist. No trees or shrubs shall be planted where they do not now exist, except with permission of the Council.
9. It is recommended that new tombstones or markers be even with the ground, so mowers can pass over them--or according to other specifications given by the Church Council. To facilitate maintenance, families are requested to keep the use of flowers at a minimum. Preferably one vase to a grave.
10. New tombstones, markers and monuments cannot be erected without a permit from a cemetery Sexton, the Pastor or a member of the Church Council. Tombstones and monuments shall not be contrary to Christian tradition. All tombstones and monuments must be erected on a base large enough to insure a good foundation. Curbing, tombstones and monuments which are not straight, or which are dilapidated, must be straightened or removed. No foot stones shall be placed on new graves.
11. The care-taking of any graves purchased will be included in the original cost of the graves.
12. The cost of graves shall be determined by the Church Council. There will be different fees for non-members and St. John Evangelical Lutheran Church members to be buried. Before a site can be purchased at member rates, the person for whom the plot is being purchased must have been a member in good standing for a minimum of one year. These amounts shall be placed in an insured savings account. Any income or interest received from these accounts may be used for maintenance of the cemetery. No part of the moneys collected from members or non-members for burial rights may be used for maintenance other than the amount that these funds yield, except in hardship circumstances as deemed necessary by Church Council.
13. Any income from the savings account or other investments, when payable, may be transferred to the checking account of St. John Evangelical Lutheran Church Cemetery Fund. Any withdrawals from the cemetery checking account for maintenance services require the signature of a Secretary/Treasurer of the cemetery fund, who is appointed by the Church Council and is authorized to sign all checks.
14. The Secretary/Treasurer shall keep accurate records of fees collected for burial rights. He shall keep accurate records of all expenditures and receipts which are subject to inspection by the Sextons or Council members at any time. The records of the Secretary/Treasurer shall be audited annually by a committee appointed by the President of the Church Council.

ARTICLE VI

RULES GOVERNING THE ENDOWMENT FUND

1. An interest bearing account (savings, certificate of deposit or other) and a savings account shall be established, to be called; “The St John Evangelical Lutheran Church (LCMC) Endowment Fund”.
2. An Endowment Treasurer shall be appointed by the Council to manage the account as necessary, to make deposits and withdrawals as necessary and to report to the congregation at its annual meeting as to the status of the account.
3. The account shall receive any contributions so marked or designated “Endowment Fund” by way of gift, bequeath, memorial, or donation. A complete and accurate accounting of all contributions so designated will be kept and a full report of the contributions and interest earnings will be rendered by the Treasurer at each annual meeting.
4. Members of St. John Evangelical Lutheran Church (LCMC) and non-members alike are encouraged to contribute by way of gift, bequeath, memorial, or donation to the Endowment Fund.
5. The interest earned by the Endowment Fund at the close of each calendar year shall be distributed by the Endowment Fund Treasurer in this fashion;
 - a. 34% to the Endowment Fund
 - b. 33% to the Building/Improvement Fund
 - c. 33% to two (2) benevolence agencies or ministries chosen by the congregation at each annual meeting.
6. The interest, principle or any part of it accounted for in the Endowment Fund at any time may not be used, spent, transferred to another account, borrowed from or held in lien as collateral for any reason, except as stated in paragraph five (5), without the consent of the congregation of St. John Evangelical Lutheran Church (LCMC). Such consent shall be defined as a favorable 2/3’s vote of members present at a duly called congregational meeting.
7. The Endowment Fund Treasurer shall submit a full report of the congregational approved funds used, spent, transferred to another account, borrowed or held as collateral to the Congregation following the completion of the expenditure, transfer or loan at the annual January congregational meeting.
8. At the annual Congregational meeting, the Council shall submit a minimum of three (3) recommendations of benevolences or ministries for the Congregation to vote to adopt to share the interest for the coming year. These ministries or benevolence will be publicized throughout the year, allowing for educational experiences and programs to learn about each.

ARTICLE VII

BUILDINGS AND GROUNDS USAGE AGREEMENT (BGUA)

(updated 5/10/2016)

Any use of St. John's buildings and grounds requires coordination with the Pastor and Council President for scheduling and reservations. All reservations will be honored except in the case of unforeseen needs for ministry to St. John's members. Should such a cancellation occur all donations will be reimbursed in full. Donations need to be received at the time of the reservation.

1. Members may use the buildings and grounds when approved by the Pastor and Council President for no donation when the usage involves a ministry of the Church and events relating to the ministry of weddings, funerals, baptisms, or other Church ministry functions.
2. Members may use the Parish Hall when approved by the Pastor and Council President for a suggested minimum donation \$75.00 when the usage involves private functions or other gatherings not affiliated with the ministry of the Church. Private functions include birthday parties, baby showers, wedding showers, anniversary celebrations, etc.
3. Rules of Usage
 - a. A person appointed by the Pastor and Council President shall be present to open and close the building and ensure that St. John's Buildings and Grounds Usage Agreement (BGUA) is followed.
 - b. No contents shall leave the premises except when approved by the Council.
 - c. All contents, buildings and grounds shall be left in the order it was found. Any broken or lost articles or defaced property shall be replaced or repaired.
 - d. **No smoking or tobacco use in any of the buildings.**
 - e. **No alcoholic beverages allowed on the premises.** (Exception: wine used in appropriate ceremonies of the Church overseen by ordained clergy.)
 - f. All activities will remain within the bounds of the law in the state of Texas and Travis County.
 - g. Breach of any of the above rules and policies will lead to legal action in the interests of the Church if necessary.

LIBIALITY STATEMENT:

ST. JOHN EVANGELICAL LUTHERAN CHURCH (LCMC) CANNOT BE HELD RESPONSIBLE OR LIABLE FOR ANY DAMAGE OR INJURY DONE TO PERSONS AND THEIR PROPERTY WHO ATTEND A FUNCTION FOR WHICH BUILDINGS OR GROUNDS WAS RESERVED RESULTING FROM ACTS OF NATURE OR ACCIDENTS ATTRIBUTABLE TO RESPONSIBLE OR INAPPROPRIATE USE OF THE BUILDINGS, GROUNDS, FURNITURE OR EQUIPMENT.

BUILDINGS AND GROUNDS USAGE AGREEMENT - Pg. 2 of 2
(updated 5/10/2016)

AGREEMENT

Responsible Party (RP) Name: _____

Organization (if applicable): _____

Address: _____

City, State, Zip: _____

Phone (home and work): _____

Date of Use: _____

Time of Use: _____

Purpose: _____

Appointed person in charge (see III. a.): _____

“As the Responsible Party (RP) in this agreement with St. John Evangelical Lutheran Church (LCMC), I have read and understand and agree to follow the policies, rules and liability statement printed above.”

Signature of Responsible Party (RP): _____

Date Signed: _____

Donation received: _____

Received by: _____

Date: _____

ARTICLE VIII

MEMORIALS

1. The Church Council shall appoint a minimum of three (3) members to a Memorial Committee which are representative of the Congregation. Vacancies that occur shall be promptly filled by the Council.
2. The Memorial Committee shall follow the procedures set out in Article XI of these By-laws related to Congregation Organizations. They shall meet as needed to conduct business.
3. The Memorial Committee shall be responsible for accepting and accounting for all memorial funds given to the Congregation. Funds shall be deposited in any of four accounts which include the Church General Fund (Memorial escrow account or general account donations), Improvement Fund, Cemetery Fund and Endowment Fund as may be designated by the donor. The Memorial Fund will be managed as an escrow account within the General Fund for the purchase of memorial gifts approved by the Church Council.
4. The Memorial Committee is not responsible for the purchase of memorials. The Church Council shall have sole responsibility for accepting or rejecting any memorial purchases or items given as memorials to the Church. Any donor or member of the Congregation may suggest memorials to the Church Council or any of the Council members. Following Council approval, all memorials shall be dedicated at a church service.
5. The Memorial Committee shall:
 - a. Provide thank you notes to donors of all memorials on behalf of the Church which serve as a receipt and include the following language: "The goods or services provided to you as consideration for these gifts, consist solely of intangible religious benefits."
 - b. Send a letter or card acknowledging memorial gifts to the family of the person(s) for whom the memorial was given. A list of donors shall be included but no dollar amounts will be mentioned.
 - c. Keep a confidential master list of donors for committee records.
6. Unless changed by the Council, Memorial Service to honor those who have passed on will be held on "All Saints Day" and during the worship service the names of those who have passed on since the prior year's memorial service will be read. The Memorial Committee shall prepare a list of those for whom memorials were given so that the list may be included in the bulletin for the memorial service.
7. The Memorial Committee is encouraged to sponsor an event following the worship service in remembrance of those who have passed on and in celebration of their lives and the memorials dedicated.

8. Except as otherwise stated in this article, the names of the donors or the amount given will not be made public.

ARTICLE IX

CHURCH RECORDS

1. The Church Council shall be responsible for the recording of church business and the safe keeping of the official records of the church.
2. The Church Council shall appoint a minimum of four (4) members to a Records Committee that will be responsible for collecting and filing the official records of the church. Any vacancies that occur shall be promptly filled by the Council.
3. The Records Committee shall develop a retention schedule and filing system and present it to the Church Council for approval along with any amendments thereto.
4. The records shall be made available to the Church Council or members of the congregation as requested.

ARTICLE X

CONGREGATIONAL ORGANIZATIONS

1. Unless otherwise provided by this constitution and By-laws, all congregational organizations which have members, shall elect a presiding officer, assistant presiding officer to act when the presiding officer is absent and a secretary or scribe to keep a record of the actions of the organization.
2. All congregational organizations which collect monetary contributions shall also elect a treasurer who will be responsible for submitting a report of income and expenditures to the organization at each called meeting for approval. Copies of the approved report of expenditures shall be made available to the church council and presented to the congregation at the annual meeting.
3. No improvements may be made to the Church facilities or grounds without prior approval by the Church Council.
4. All congregational organizations shall submit copies of their approved minutes and other records to the Records Committee as requested.
5. Tithing by each organization is encouraged.

ARTICLE XI

SPECIAL FUNDS

1. The pastor, a council member or any member of the congregation may request that the council set up a special fund.
2. If the council receives such a request, it shall approve or disapprove such action at a regularly scheduled council meeting.
3. The Council shall designate a name for the fund, the benefits of having such a special fund and how the funds received will be deposited and dispersed. If the purpose of the fund is not specified, the council shall deposit donations into the general fund to be used in accordance with the rules governing the general fund.
4. Anyone wanting to give a monetary gift to the fund will designate the name of the fund on their check, special offering envelope or by separate document.
5. The council treasurer shall keep a separate accounting of the funds to assure they will be used as approved. This fund shall be included with the annual audit review.
6. The names of the donors or the amounts given by individuals will not be made public.
7. If, after 2 years of inactivity in the fund and the council determines that the fund has zero balance, it may take action to dissolve the fund after posting it on the agenda.

ARTICLE XII

CAPITAL BUILDING FUND

1. ESTABLISHMENT AND PURPOSE
 - a. St. John Evangelical Lutheran Church shall establish and maintain a Capital Building Fund (“Fund”).
 - b. The purpose of the Fund shall be to further the purposes of the congregation as set forth in Article II of the Constitution.
 - c. Gifts, donations, and/or bequests given to this Fund shall be unrestricted. Donors who wish their gifts, donations, and/or bequests to be restricted should use the process outlined in Article XI of the By-laws.
2. PARAMETERS

Use of the Capital Building Fund shall be subject to the following limitations:

 - a. The Fund shall be used only for projects which are consistent with the purpose of this Fund and which may be recommended by the Church Council or committee appointed by the Church Council.

- b. The Fund shall be used only for the design and construction of new free-standing structures or additions to existing structures whose total cost is in excess of 75% of St. John's duly approved annual operating budget.
- c. Authorization for withdrawals from the Fund are subject to a two-thirds (2/3) majority approval of those members present at a duly called and convened congregational meeting.
- d. Cash assets of the Fund shall not be loaned to the congregation, to any member thereof, or to any organization with which it is associated.

3. MANAGEMENT AND ADMINISTRATION

The Capital Building Fund shall be managed for investment purposes by the Church Council, or a committee appointed by the Church Council for this purpose. Gifts other than cash donations shall be reviewed by appropriate professionals prior to acceptance to assure that title or ownership is granted in clear title and that the acceptance will not cause the church any unacceptable liabilities or risk.

4. DURATION AND DISPOSITION

The Capital Building Fund shall continue to exist in perpetuity and not be dissolved, so long as St. John Evangelical Lutheran Church shall continue to exist. If the members determine by two-thirds (2/3) vote at a duly called and convened congregational meeting that there is a dire emergency, principal and interest earnings may be spent. If the congregation shall cease to exist, dissolve or disband, all assets of this Fund shall be dispersed in the same manner as specified in Article VIII of the Constitution.

ATTEST

The Above Constitution and By-laws are As Amended and Approved by the Congregation of St John Evangelical Lutheran Church on March 17, 2019.

President, Church Council

Secretary, Church Council