

CONSTITUTION AND BY LAWS

St. Jacobi Congregational Church
Richfield, WI

Article I. Name

- The name of this church shall be St. Jacobi Congregational Church, located at Highway 167 and Scenic View Road, Richfield, State of Wisconsin.

Article II. Purpose

- The avowed purpose of this church shall be to worship God, to preach the Gospel of Jesus Christ, and to celebrate the Sacraments; to realize Christian Fellowship and unity within this church and the Church Universal; to render loving service toward mankind; and to strive for righteousness, justice and peace.

Article III. Polity

- This church shall be part of the National Association of Congregational Churches (NACCC).
- The government of this church is vested in its members, who exercise the right of control in all its affairs, subject, however, to the Laws of the State of Wisconsin relating to corporations not for profit.

Article IV. Faith and Covenant

Faith: This church acknowledges as its sole Head, Jesus Christ, the Son of God and the Savior of man. It acknowledges as brothers in Christ all who share in this confession. It looks to the Word of God in the Scriptures, and to the presence and power of the Holy Spirit, to prosper its creative and redemptive work in the world. It claims as its own the faith of the historic church of the Protestant Reformers. It affirms the responsibility of the church in each generation to make this faith its own. In accordance with the teaching of our Lord and the practice prevailing among Evangelical Christians, it recognizes two Sacraments: Baptism and the Lord's Supper or Holy Communion.

Covenant: We covenant one with another to seek and respond to the Word and the Will of God. We purpose to walk together in the ways of the Lord, made known and to be made known to us. We hold it to be the mission of the church to witness the Gospel of Jesus Christ in all the world, while worshipping God, and striving for truth, justice and peace. As did our fathers, we depend on the Holy Spirit to lead and empower us. We pray for the coming of the Kingdom of God, and we look with faith toward the triumph of righteousness and eternal life.

Article V. Membership

- Membership in this church shall be open to any person who has been baptized, has been confirmed, or has made public confession of faith in Jesus Christ as Lord and Savior.
- 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 the community.
- Request, be granted a letter of transfer. If wishing to join a body not in fellowship with this church, he/she may be dismissed with a certificate of church membership.
- A member whose address has long been unknown or who for a period of two years, in spite of spiritual care, has not attended the church's worship or contributed to its support, may, by vote of the Council, be removed from the membership roll.
- If a member persistently breaches his/her covenant vows, the Church Council after due notice has been given to him/her, a hearing before the Council has been offered to him/her, and faithful efforts have been made to bring him/her to amendment in accordance with the Law of Christ, may censure him/her, or suspend or terminate his/her membership.

Article VI. Governing Body

- The Governing Body of the Church shall be the membership assembled in a church meeting. The vote of majority of members present at the meeting shall be the action of the church. A quorum shall consist of 10% of the members.

Article VII. Council (Amended: January 15, 2006)

- The Council shall be the executive body of this Church. It shall be composed of the Pastor and six (6) elected members. In addition, the Sunday School Superintendent and Director of Music, both appointed by the Council, shall be allowed a seat on the Council. One-half of its members shall constitute a quorum.
- The Council shall organize itself each year, electing a President, Vice President, Secretary and Treasurer; and shall form such boards or committees as will service to further purpose of the Church.
- Six members (6) at large shall be elected by a majority vote cast at a church meeting. They shall be elected for three years. In order to provide continuity, not more than two should become vacant in any one year.
- Nominations shall be made for the Church Council by a committee appointed each year by the Council. Public notice of such nominations shall be given from the pulpit or by bulletin or letter at least two weeks prior to the election. Other nominations may be made from the floor at the meeting at which the election is held.
- When elected, the Church Council members and officers should be publicly ordained to or installed to their respective offices.
- Vacancies on the Council shall be filled by appointment by the remaining Council members for the expired terms.
- The Council shall be the policy-making body and shall transact the business of the church, make provision for the determining and raising of the current expense budget as well as benevolences, and provide for the auditing of financial accounts and for the adequate support of the staff. It shall keep a complete and accurate record of its proceedings, by the custodian of all church records, and report to the church at its regular and special meetings. It shall establish procedures deemed advisable concerning weddings, funerals, baptisms, confirmations, etc. All acts and deliberations of the Council are subject to the will and/or revision by the governing body.
- The Council shall instruct proper officers on all fiscal matters, including the payment of bills; with monthly review by the Council.
- The Council may authorize any extraordinary expenses if funds are available; but if borrowing exceeds \$500, it must receive the approval of the church members.
- The Council shall meet monthly for the transaction of such business as may properly come before it. Special meetings are subject to the President or Pastor's call.

Article VIII. Pastor

- It shall be the responsibility of the Pulpit Committee, appointed by the Council, to seek a candidate for a vacancy in the Office of Pastor.
- As soon as a Pastoral vacancy occurs, it shall be reported to the NACCC Offices.
- In filling a vacancy or in securing supply ministers for the period of the vacancy, the Pulpit Committee may seek the counsel of the NACCC.
- The Pulpit Committee may request the appropriate Association Executive to secure relevant information about any minister whom it wishes to consider for the vacancy.
- The Pulpit Committee shall present to the church the name of the candidate it recommends to fill the vacancy. A favorable vote of the church constitutes a call.
- The Pastor shall be elected for an indefinite period. In order to terminate this relationship, three months notice shall be given by either party. When either party decides to terminate the relationship, the termination shall be by action of the Church Council.

Article IX. Property

- For incorporated Churches – The church may in its corporate name sue or be sued, acquire 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 church may undertake and may purchase, own, receive, hold, manager, card for and transfer, rent, lease, mortgage or otherwise encumber, sell assign, transfer and convey such property for the general purpose of the church; 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 church.
- Upon dissolution of the church, its assets and all property and interests of which it shall then be possessed, including any devise, bequest, gift or grant contained in any will or instrument, in trust or otherwise, made before or after such dissolution, shall be transferred to the NACCC.

Article X. Church Cemetery (Amended – January 17, 1997)

- The Cemetery Board of Trustees, consisting of at least three members appointed by the Council, shall have the care and management of the cemetery grounds in all respects, except the conveyance of real estimate which poser shall remain with the Council. The Cemetery Board of Trustees shall make rules respecting the cemetery and shall make a written report at the Annual Meeting, giving particular account of receipts and expenditures.
- Within 20 days after their appointment, the Cemetery Board of Trustees shall meet and elect from among their number a President and Secretary-Treasurer.
- The duties of the President shall be to preside at all meetings of the Board. He/She shall be authorized to sign all checks and perpetual card agreements. He/She shall generally perform all such duties as usually falls to that office, and do and perform all such duties as may be required of him/her by the Cemetery Board of Trustees.
- The duties of the Secretary-Treasurer shall be to keep account of all the monies of the Board and shall disburse the same by check, signed by the President and countersigned by the Secretary-Treasurer. He/She shall keep a record of the burials made in the cemetery. He/She shall keep such further records, as the Board shall deem necessary to carry out the requirements of the Board. He/She shall sign all perpetual care agreements. He/She shall have care and custody of the map showing the location of all burials and record book listing the burials, and perpetual card contracts and temporary perpetual card contracts entered into by the Board.
- The Cemetery Board of Trustees shall appoint a sexton of the cemetery grounds, who shall serve at their pleasure; they shall prescribe his/her duties and fix his/her wages.
- The Cemetery Board of Trustees may make a reasonable annual assessment upon all members of this Church for cleaning, care and improvement of the cemetery as a whole. Such assessment shall not exceed \$2.00 per year per member. Holders of perpetual care agreements may be subject top this assessment.
- The Secretary-Treasurer shall forthwith mail a notice of such assessment to each member of the Church, directing payment to the Treasurer of the Cemetery Board within 30 days of the date of notice. Such assessment shall be a personal liability of each member and may be enforced by an action against him/her, if living, and against his/her estate, if dead, providing the assessment and notice thereof was made prior to the time of his/her death.
- All funds received by the Treasurer shall be deposited or invested in the name of the Cemetery Board of Trustees in a “General Fund” and a “Perpetual Care Fund”. Funds received from assessments made by the Board or as interest or dividends from investments shall be used for the payment of such expenses as are necessarily incurred in the operation and maintenance of the Cemetery. The Cemetery Board of Trustees shall designate the depository for all funds of the Board.

Article X. Church Cemetery, cont.

- Funds received by the Cemetery Board as perpetual care charges, gifts or special donations, except when otherwise provided, shall be deposited in the “Perpetual Care Fund” and may only be drawn upon to make investments, the income of which is to be used for the care and maintenance of the Cemetery. All other funds received shall be deposited into the “General Fund”, from which shall be drawn monies necessary to maintain the cemetery.
- All investments made by the Cemetery Board with funds from the “Perpetual Care Fund”, shall be made in subject to Chapter 320 of the Revised Statutes of the State of Wisconsin and Acts amendatory thereto or in such manner as may be approved by the County Judge of the County.
- During the month of January of each year, the Cemetery Board shall make a report to the County Judge, stating how much money has been received for the perpetual care during the year and how it has been invested.
- Graves for burial may be granted to any member in good standing.
- All members granted burial rights must arrange with the Cemetery Board for payment of the perpetual care for such grave spaces selected. Failure to pay or arrange for payment of the perpetual care charge shall grant to the Cemetery Board the right to file a claim against the estate of the member.
- The charge for perpetual care shall be the basis of \$250 per grave space selected. Perpetual care payment shall grant to the member burial rights as provided in these by laws. Burial space is non-transferable. No perpetual care payments shall be refunded.
- A majority of the Cemetery Board with the approval of a majority of the Church Council may in hardship cases make other arrangements for burial rights than those herein provided.
- Non-members of the Congregation may be granted burial rights by the Cemetery Board upon payment of \$600 for each space selected of which \$300 shall be placed into the “Perpetual Care Fund” and \$300 shall be placed in the “Cemetery Fund”.

Article XI. Endowment Committee (Amended January 6, 1994)

- The Endowment Committee Board shall be made up of three members, one appointed by the Council, two elected by the Congregation at the Annual Meeting. In order to provide continuity, not more than one term should become vacant in any one year. The Board shall have the care and management of the Endowment Fund in all respects. The Endowment Fund Board shall make rules respecting the Fund and shall make a written report at the Annual Meeting, giving particular account of receipts and expenditures. Semi-Annual reports shall be made to the Council in the months of June – July. This report will be made available to the Congregation.
- Within 20 days after their election, the Endowment Committee Board shall meet and elect from among their number a Chairman-Secretary-Treasurer and Vice Chairman.
- The duties of the Chairman-Secretary-Treasurer shall be to preside at all meetings of the Board. He/She shall be authorized to sign all investment agreements, checks, and to make all deposits on behalf of the Board. The duties of the Vice Chairman shall be to assume the duties of the Chairman-Secretary-Treasurer when he/she is not available to do so.
- All funds received by the Chairman-Secretary-Treasurer shall be deposited in an interest bearing savings account until enough monies have been accrued to purchase a share or shares in a known mutual fund(s) or other similarly recognized opportunities.

Article XII. Church Meetings

- The Annual Meeting of the Church shall be held on the 3rd Sunday in the month of January. At this meeting the Council, Officers of the Church, the Pastor, and all Church Organizations shall submit their annual reports in writing.
- Special Church Meetings may be called by the Council or by a petition to the Council signed by not less than 10% of the members. The Council shall call such meetings within three weeks from the receipt of the petition, and adequate notice of such meetings shall be sent to the Membership by the Secretary.

Article XIII. Rules of Order

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

Article XIV. Amendments

- Amendments to this Constitution and/or By Laws may be made at any duly called Church Meeting by a two-thirds affirmative vote of the members' present, public announcement of the text of the proposed amendment(s) having been made two weeks prior to the meeting.

Article XV. Maternity and Leave of Absence (Amended on January 17, 2010)

- Timing and Duration of a Ministerial Maternity Leave
 - Timing and duration of a maternity leave should be determined no less than three months prior to the anticipated time of childbirth and will be the result of a mutual agreement between the Church Council and the Minister. (Consultation with the attending physician might also be helpful, especially if there are any complications with the pregnancy or delivery).
 - The length of the maternity leave will be four weeks paid at 100% of current salary with the option to add another two weeks paid at 75% of current salary at the mutual agreement between the Minister and The Church Council.
 - The timing of the leave is up to Minister as she may decide to begin her leave before the childbirth or take the entire leave after the child is born.
 - The Church will be supportive in every way possible that the Minister receive adequate recovery time and not feel the pressure to return to work too soon. The Minister and Church Council will discuss and arrive at a mutual agreement of any additional weeks of maternity that might be needed past the six weeks defined above. Any additional weeks off will be paid at 75% of current salary.
 - Maternity Leave arrangements are subject to approval by the Church Council and subsequently be made known to members of the Congregation.

Article XV. Maternity and Leave of Absence, cont.

- Adjustment of Responsibilities During a Leave
 - Arrangements for Pulpit support during the weeks of the leave will be made in advance by the Church Council.
 - The Minister will take primary responsibility to see that their Administrative and Ministerial responsibilities during the weeks of leave are covered and will notify the Church Council of such arrangements.

- **Leave of Absence Policy**
 - The Female Minister will be eligible for additional medical leave not to exceed eight weeks for pregnancy related illness or disability to be paid at 75% of current salary. Exact length of the additional leave will be based upon the medical recommendation of the Minister's doctor and mutual agreement between Minister and Church Council.
 - The Female Minister will have the same four to six weeks of maternity leave prior to or following the adoption of a child.
 - The Father (Male Minister) will be granted two weeks of paternity leave following the birth or adoption of a child paid at 100% of current salary with the option to add another two weeks paid at 75% of current salary at the mutual agreement between the Minister and The Church Council.
 - Unpaid leave will not exceed twelve weeks in a year when a family member has a serious health condition. Family members are defined as the spouse, children and parents of the minister or family member of the household. The Church Council would reserve the right to pay a percentage of the Minister's current salary if deemed appropriate.

This Constitution and By Laws was unanimously passed at a special Congregational Meeting on May 3, 1981.