

**THE CONSTITUTION AND BYLAWS  
OF THE  
ELIJAH KELLOGG CHURCH, CONGREGATIONAL**

**May, 2008**

**ARTICLE I  
Name**

This Church shall be called the Elijah Kellogg Church, Congregational.

**ARTICLE II  
Purpose**

The purpose of this Church shall be to maintain public services for the worship of God, to provide for instruction in and preaching of the Gospel, and to promote the interests of the Kingdom of God according to the teachings of Jesus Christ within the Church fellowship and in the community and throughout the world.

**ARTICLE III  
Statement of Faith**

This Church acknowledges as its sole head, Jesus Christ, the Son of God and Savior. It acknowledges as brothers and sisters 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 reconciling work in the world. It claims as its own faith that of the historic Church expressed in the ancient creeds and reclaimed in the basic insights 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 Holy Communion.

Its members subscribe to the following Covenant:

We covenant with one 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 to the Gospel of Jesus Christ in all the world, while

worshipping God and striving for truth, justice and peace. As did our forebears, 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 IV Membership**

### **Section 1 - Application and Recommendation**

Members of this Church shall be persons who have made request to and have received recommendation from the Board of Deacons. Membership will be conferred when public acceptance of the Church Covenant is made,

on presentation of satisfactory letters of transfer from other churches; or  
if letters are not available, by reaffirmation of faith; or  
on confession of faith and baptism (unless previously baptized or unless the Sacrament of Baptism is waived because of conviction).

### **Section 2 - Obligations**

Members shall have the Church Covenant presented to them by the Pastor or Board of Deacons and shall subscribe to its meaning and spirit. Members in good standing will strive to keep their Covenant obligations.

### **Section 3 - Withdrawal**

Any member may withdraw from membership or request a letter of transfer to another church by giving written notice of withdrawal to the Clerk, and his or her name shall be removed from the membership list after action by the Board of Deacons.

### **Section 4 - Associate Members**

Persons who wish to maintain their active membership status with another church for good and sufficient reason but choose to associate with this Church, may, upon recommendation and approval of the Board of Deacons, be received by public acceptance of the Church Covenant. Associate Members are entitled to all the rights of active members and expected to uphold the duties of the same. Letters of Transfer cannot be issued to Associate Members. The Board of Deacons may, upon request of the Associate Member and the presentation of a satisfactory Letter of Transfer, change Associate Members to active membership status.

## **ARTICLE V Officers**

The officers of this Church shall consist of the Pastors, Moderator, Clerk, Assistant Clerk, Treasurer and Assistant Treasurer. Each officer, except the Pastors, shall be elected annually and serve a one-year term or until his or her successor is elected.

### **Section 1 - Pastors**

The Pastor(s) shall be called by vote of the Church as provided in Article VIII, Section 1 and shall become members of the Church at the earliest opportunity.

The Pastor(s) shall have charge of the spiritual welfare of the Church, seek to enlist persons as followers of Christ, preach the Gospel, administer the Sacraments and rites, have care of the services of public worship, give pastoral guidance wherever needed, visit the sick and bereaved and carry out the ministries of the Church together with various officers, boards and committees.

The Pastor(s) shall serve as ex-officio, voting members of the Congregational Council. The Pastor(s) shall not be members of the Nominating Committee or Pulpit Committee. On all other standing boards and committees, the Pastor(s) shall serve as ex-officio, non-voting member.

A pastoral relationship may be terminated by either the Pastor or the Church by giving three months written notice. By mutual agreement the pastoral relationship may be terminated earlier.

### **Section 2 - Moderator**

A Moderator shall be elected from the membership by the Congregation at the Annual Meeting for a term of one year. The Moderator shall preside at all business meetings of the Congregation, and shall chair meetings of the Congregational Council.

In the absence of the Moderator, a Moderator Pro Tem shall be elected by those present after the Clerk has called the meeting to order.

The Moderator shall, if necessary, call an organizational meeting of any board or committee which has failed to do so by March 1 of any year, for the sole purpose of electing a chairperson, a secretary and delegate(s) to other boards and committees as required in these Bylaws.

### **Section 3 - Clerk**

The Church Clerk shall be elected from the membership, by the Congregation, at the Annual Meeting for a term of one year.

The Clerk shall keep accurate minutes of the business proceedings of the Church, including the reception of members and records of Baptisms; shall keep a complete roll of its members and their addresses; shall issue letters of transfer and certificates of Christian standing and letters of recommendation as authorized by the Church;

The Clerk shall fulfill the duties of Vice President and Clerk of the Corporation under the laws of the State of Maine and shall sign all official correspondence; shall preserve and properly file all letters, reports and other documents pertaining to the office; and shall assist in preparing the Association reports, and any others that may be required.

#### **Section 4 - Assistant Clerk**

The Assistant Clerk shall be elected from the membership, by the Congregation, at the Annual Meeting for a term of one year.

The Assistant Clerk shall aid the Clerk in the prescribed duties of that office as requested and act as Clerk whenever the Clerk is unable to serve.

#### **Section 5 - Treasurer**

A Church Treasurer shall be elected from the membership by the Congregation for a term of one year.

The Treasurer shall be the custodian of all monies of the Church and Church School except the Deacon's Benevolent Fund and shall disburse the funds only as authorized by vote of the Church except in the case of emergency as defined in Article VII, Section 2, b.

The Treasurer shall keep properly receipted vouchers of all disbursements and a complete financial record which shall be submitted to the auditors when they examine the accounts. The Treasurer shall make reports of the receipts and expenditures of the Church to the Congregational Council and the Board of Finance for use at their meetings.

The Treasurer shall also present to the Church at its Annual Meeting an itemized report of receipts and disbursements, showing the actual financial condition of the Church. All deposits made and all checks drawn shall be in the name of the Church. The Treasurer shall be bonded in accordance with the Board of Finance recommendation.

#### **Section 6 - Assistant Treasurer**

The Assistant Treasurer shall be elected from the membership, by the Congregation, at the Annual Meeting for a term of one year.

The Assistant Treasurer shall aid the Treasurer in the prescribed duties of that office as requested and act as Treasurer whenever the Treasurer is unable to serve. The Assistant Treasurer shall be bonded in accordance with the Board of Finance recommendation.

### **ARTICLE VI Congregational Council**

The Congregational Council shall consist of the following voting members: the Pastor(s), Moderator, Clerk, Treasurer, the chairpersons or designated representative of the Boards of Deacons, Trustees, Finance, Christian Education, Missions, and two at-large members of the church. One at large member will be elected annually for a two year term. At-large members may be elected to a second consecutive term. Members having served two consecutive terms are eligible for election after one year.

The Congregational Council shall be responsible for the general management

of the Church and its activities between meetings of the Congregation. In accordance with the pertinent laws of the State of Maine regulating corporations, the Congregational Council shall serve as the Board of Directors of this corporation. The Moderator and Clerk shall be President and Vice President respectively of the Board of Directors.

The Council's function shall include but not be limited to the coordination of Church activities, long range planning and review and approval of the proposed Church budget.

Whenever it is necessary to call a Pastor, the Congregational Council shall immediately cause the nominating committee to nominate a Pulpit Committee and present them for election at a meeting of the Church as soon as possible.

The Council shall meet at least nine times per year including prior to both the Annual Meeting and the Roll Call Meeting. Additional meetings are at the call of the Moderator.

Should any Congregational Council member miss three consecutive regular meetings (that are unexcused by a vote of the Council), or attends fewer than five regular Council meetings in any twelve month period, that member's position shall be declared vacant. The nominating committee shall be informed of any resulting at-large vacancy and proceed to nominate a replacement in accordance with Article VIII, Section 7.

## **ARTICLE VII Boards**

Boards of this Church shall consist of the Deacons, Trustees, Finance, Christian Education, and Missions. Board members may be elected to a second consecutive term. Members having served two consecutive terms are eligible for election again after one year. A person elected to fill an unexpired term of two (2) years or less may be re-elected to a full three (3) year term. All board meetings shall be held publicly except when an executive session is deemed necessary. All Board members shall be members of this Church.

Each Board shall elect or appoint a chairperson and a secretary. The Chairperson shall lead the respective Board in fulfilling their responsibilities outlined herein and represent it on the Congregational Council. The Secretary shall be responsible to record accurate minutes of the business meetings of said Board to be filed in the church office.

Should any Board member miss three consecutive regular meetings (that are unexcused as determined by a vote of that Board), or attends fewer than half the regular Board meetings in any twelve month period, that member's position shall be declared vacant and reported to the Nominating Committee.

### **Section 1 - Board of Deacons**

The Board of Deacons shall consist of nine members, ~~with at least four men and~~

~~four women~~ with both men and women in as nearly equal proportions as possible. Three individuals shall be elected each year for a term of three years. (Amended at the May 2013 Roll Call Meeting)

The Board of Deacons shall be responsible for coordinating the activities of the Music Committee, Greeting Committee, the Hospitality Committee, the Head Usher and the Flower Committee.

The Board of Deacons shall make all necessary preparations for the administration of the Lord's Supper and assist the Pastor(s) in the Sacraments of Baptism and of the Lord's Supper.

The Board of Deacons shall work together with the Pastor(s) in providing for pulpit supply and in all matters pertaining to the conduct and maintenance of religious services. It shall also assist the Pastor(s) in calling on Church members and other people of the community.

A sum of money may be included in the budget each year at the request of the Board of Deacons and recommendation of the Board of Finance to be known as the Deacon's Benevolent Fund. This money may be used by the Board at its discretion.

The Board of Deacons shall receive and act upon applications for membership, requests for withdrawal of membership and letters of transfer.

The Board of Deacons may recommend any former Deacon who has given long and faithful service to become an Honorary Life Deacon. Nominees may be elected at any Annual Meeting or Roll Call Meeting of the Church.

The Deacons shall review the Church profile prepared by the Pulpit Committee for pastoral candidates.

## **Section 2 - Board of Trustees**

The Board of Trustees shall consist of six members, two of whom shall be elected annually for a term of three years. The Board of Trustees shall have the care of all Church property, and see that it is kept in repair. The Board shall engage a custodian or a custodial service in accordance with the approved budget, set performance standards and review the custodian's performance. The Board shall process all applications for the use of Church property, approve or deny each request, and set the terms and conditions for such use. All Church use shall be in accord with the stated purposes of the Church (ARTICLE II – Purpose). Questions concerning the propriety of any application shall be referred to the Congregational Council for a final determination.

In case of emergency the Board of Trustees is authorized to expend a discretionary amount not to exceed \$2,000.00

The Board of Trustees shall arrange for the complete management of the Cemetery property through a board consisting of Church members or through a separate agency. Such management shall be subject to policies laid down by the Trustees. If the Trustees shall arrange for such management through a separate agency, any three members of the Board of Trustees shall be, and hereby are, empowered to sign an agreement with the agency.

*“Complete management”* as used above, includes the selling of burial lots, arranging for perpetual care, laying out roadways and paths, diagramming

unsold lots and all other activities usually associated with a cemetery.  
The Board of Trustees shall provide a fire-resistive safe depository for Church records, bank books and other important papers.  
The Trustees shall review the Church profile prepared by the Pulpit Committee for pastoral candidates.  
The Board of Trustees shall be responsible for coordinating the activities of the Remembrance Committee.

### **Section 3 - Board of Finance**

The Board of Finance shall consist of six members, two of whom shall be elected annually for a term of three years. Additionally, the Treasurer and Assistant Treasurer shall be members of the Board of Finance. It shall be the duty of this Board to prepare and present an annual budget (a full report of prospective income from all sources, together with its recommendations of salaries and all other expenses) to the Congregational Council prior to the membership at the Annual Meeting. This Board shall devise ways and means of raising the current budget of the Church. All special monetary gifts to the Church shall be invested by the Board of Finance and shall be used for the purpose named by the donor, if so designated. The Board of Finance shall select the bank(s) and/or financial institution(s) where all Church funds shall be deposited. The Board of Finance in cooperation with the Pulpit Committee shall set an itemized compensation package to be negotiated with a pastoral candidate before he/she is called by the Church.

### **Section 4 - Board of Christian Education**

The Board of Christian Education shall consist of six members, two elected each year for three-year terms. Working with the assigned Pastor, the Board shall have general supervision over all educational activities of the Church. It shall recruit the Church School officers and teachers and shall choose the Church School curriculum.

### **Section 5 - Board of Missions**

The Board of Missions shall consist of six members, two members elected annually for three-year terms. It shall be the responsibility of this Board to plan a local, national and international outreach program, to inform the congregation of its program, and to encourage the active participation of all Church members.

## **ARTICLE VIII Committees**

The committees of this Church shall consist of the Pulpit Committee, Music Committee, Flower Committee, Hospitality Committee, Greeting Committee, Remembrance Committee, Nominating Committee and Personnel Committee. No Committee member shall serve more than two consecutive terms except as provided in Article VIII, Section 8 (Personnel Committee). All committee

meetings, except those of the Pulpit Committee, shall be held publicly except when an executive session is deemed necessary.

### **Section 1 - Pulpit Committee**

When it is necessary to call a Pastor, the Church shall elect a representative Pulpit Committee of seven Church members as nominated by the Nominating Committee. This Committee shall prepare a Church profile that will be approved by the boards of Deacons, Trustees and Finance. Included in this profile shall be the parameters for a pastoral compensation package not to exceed the amount designated for that purpose in the latest annual budget.

Before the recommended candidate is called, the Pulpit Committee, in cooperation with the Board of Finance, shall prepare a detailed compensation package to be presented to that candidate. If this total package exceeds the amount designated for that purpose in the latest annual budget, a vote of the Church will be required before the compensation package is presented to the candidate. Any negotiation of this package will be conducted by the Pulpit Committee and one or more designees from the Board of Finance. The Pulpit Committee shall present to the Church the candidate it recommends to fill the vacancy. A favorable vote of the membership constitutes a call. Upon a negative vote of the membership, the Committee shall present another candidate.

### **Section 2 - Music Committee**

The Music Committee shall consist of six members, two elected each year for three year terms. One member elected must not be a member of any choir. The Choral Director and Organist shall act in a non-voting capacity to the Committee.

The Committee shall be responsible for the ministry of music, including the purchase of music and the maintenance of musical instruments or equipment. The Committee shall be responsible for engaging all paid music personnel in accordance with the approved budget and for setting performance standards.

### **Section 3 - Flower Committee**

The Flower Committee shall consist of six members, two elected annually to serve three-year terms. This Committee shall make provision for floral decorations for Church services.

### **Section 4 - Hospitality Committee**

The Hospitality Committee shall consist of six members, two elected annually to serve three-year terms. Its duties shall consist of providing refreshments for special occasions and it shall act as a committee in charge of fellowship suppers.

### **Section 5 - Greeting Committee**



The Greeting Committee shall consist of six members, two elected annually to serve three-year terms. It shall be the duty of this Committee to make arrangements for welcoming worshippers at all Church services. The committee shall be responsible for the management and maintenance of name tags and the "Welcome" packages and communications with new-comers.

### **Section 6 - Remembrance Committee**

The Remembrance Committee shall consist of one representative from each of the following: Board of Deacons, Board of Finance, Board of Trustees, Board of Christian Education, Board of Missions and the Music Committee. Their terms on the Remembrance Committee shall run concurrently with their terms on the Board or Committee which they represent unless terminated by said Board or Committee. The Remembrance Committee shall be responsible for developing a program to encourage undesignated gifts to the Memorial Fund; shall be available to prospective memorial donors for consultation on appropriate designated or tangible gifts to the Church; and shall maintain a Book of Remembrance listing those memorialized, said Book to be on continuous display in the vestibule.

### **Section 7 - Nominating Committee**

A Nominating Committee consisting of four Church members, two of whom shall be nominated by the Congregational Council and elected by the membership each year (at the Roll Call Meeting) to serve two-year terms; . They shall prepare nominations for Church officers (excluding the Pastors), Board members and Committee members, a head usher, and an auditor to be presented at the next Annual Meeting. Whenever a vacancy exists in any Church office (except Pastors), Board or Committee membership, the Nominating Committee shall prepare nomination(s) to fill the vacancy for the remainder of the term of office or membership and ~~present them at a meeting of the Church called as soon as possible~~ submit them to the Congregational Council for approval until they are ratified by membership at the next general meeting of the Congregation. It shall be the intent of the Nominating Committee to strive for an equitable distribution of men and women to serve on the various boards and committees. *(Amended at the May 23, 2012 Roll Call Meeting)*

Whenever it is necessary to call a Pastor, the Committee shall immediately prepare nominations for the Pulpit Committee and present them at a meeting of the Church called as soon as possible.

At any meeting where nominations are submitted by the Committee, additional nominations may be made from the floor.

### **Section 8 – Personnel Committee**

The Personnel Committee shall consist of the Moderator as chairperson and at least two other Church members appointed annually by the Congregational Council. Appointed members may serve a maximum of six consecutive one

year terms.

In consultation with the Pastors, the Committee shall recommend to the Congregational Council policies which promote a clear understanding of the duties and responsibilities of the church staff. It shall draft, recommend and periodically review personnel policies and job descriptions for all staff positions. The committee shall make recommendations to the Board of Finance concerning employee compensation.

The committee shall hear concerns of staff members regarding working conditions and shall mediate grievances.

The committee shall be responsible for insuring that a written annual performance evaluation for all salaried personnel is completed.

## **ARTICLE IX Support Functions**

### **Section 1 - Ushers**

A Head Usher shall be elected annually for a one-year term. The Head Usher will recruit and coordinate Ushers, outline their responsibilities and publish a schedule of assignments for the coming year. The Head Usher may be re-elected upon completion of his or her term.

### **Section 2 - Auditors**

There shall be two Auditors, one elected each year for a two-year term or until his or her successor is elected. It shall be the duty of the Auditors to audit all accounts of the Church at the close of the year and at such other times as may be required.

## **ARTICLE X Church Meetings**

### **Section 1 - Annual Meeting**

The Annual Meeting shall convene the last ~~Tuesday~~ Sunday of January. Officers, Board members and Committee members shall be elected and shall hold office as specified, or until their successors are elected. A written report will be expected from each appropriate officer, board, and committee and fellowship organization in sufficient time for publication before the Meeting.  
*(Amended at the January 26, 2010 Annual Meeting)*

### **Section 2 - Roll Call Meeting**

The Roll Call Meeting shall convene the fourth Wednesday of May.

### **Section 3 - Special Meetings**

Special Meetings may be called by the Pastor, or by written request to the Clerk signed by ten or more members of the Church.

**Section 4 - Notice**

The Clerk shall post notice of each Church Meeting on the front doors of the Church seven days before the time of such meeting, and it shall be announced from the pulpit on the previous Sunday. Meetings for the election of delegates to conventions may be called by the Pastor from the pulpit at any regular gathering of the Church.

**Section 5 - Quorum**

Twenty-one members shall constitute a quorum at any business meeting, and a lesser number may adjourn to another time.

**ARTICLE XI  
Parliamentary Authority**

The rules contained in the current edition of "Robert's Rules of Order Newly Revised" shall govern the Church in all cases to which they are applicable and in which they are not inconsistent with the Statutes of the State of Maine, these Bylaws, and any special rules of order the Church may adopt.

**ARTICLE XII  
Amendments**

This Constitution and Bylaws may be amended by a two-thirds majority vote of those present and voting at any Annual Meeting or Roll Call Meeting provided that the proposed amendment has been submitted in writing and read at the preceding Annual Meeting or Roll Call Meeting.

All Bylaws of the Church heretofore existing are hereby repealed.

