

FIRST CONGREGATIONAL CHURCH
United Church of Christ
of South Portland, Maine

BYLAWS

Revised January, 2009



301 Cottage Road
South Portland, Maine 04106

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**BYLAWS
FIRST CONGREGATIONAL CHURCH, UNITED CHURCH OF CHRIST
OF SOUTH PORTLAND, MAINE**

ARTICLE 1 GENERAL PROVISIONS

1.1 *Name*

The legal name of this church is FIRST CONGREGATIONAL CHURCH, UNITED CHURCH OF CHRIST OF SOUTH PORTLAND, MAINE (referred to in these Bylaws as the “Church”).

1.2 *Purpose*

The purpose of the Church is to worship God; preach and spread the gospel of Jesus Christ; celebrate the Sacraments; realize Christian fellowship and unity within the Church and the Church Universal; seek God’s will so it may become dominant in the lives of all people, especially as that will is set forth in the life, teachings, death, and resurrection of Jesus Christ; and to strive for righteousness, justice, and peace in the affairs of all people.

1.3 *Mission Statement*

The Mission of the Church is:

- to worship God as made known in the Scriptures, as revealed in Jesus Christ, and as encountered through the Holy Spirit;
- to serve our members, our community and our world, working in faithful witness toward justice and peace for all people;
- to educate people of all ages toward a deeper understanding of their individual faith pilgrimage, their relationships with others, and their responsibilities as stewards of God’s created order;
- to grow in fellowship as the Body of Christ, inviting others to share in the Good News of God’s love.

1.4 Statement of Faith

Preamble to the Constitution of the United Church of Christ

This Church acknowledges as its sole head, Jesus Christ, the Son of God and the Savior of all people. 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 redemptive work in the world. It claims as its own the faith 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 the Lord's Supper or Holy Communion. One expression of this faith is:

THE UNITED CHURCH OF CHRIST STATEMENT OF FAITH

We believe in You, O God, Eternal Spirit, God of our Savior Jesus Christ and our God, and to Your deeds we testify:

You call the worlds into being, create people in Your own image, and set before each one the ways of life and death.

You seek in holy love to save all people from aimlessness and sin.

You judge people and nations by Your righteous will declared through prophets and apostles.

In Jesus Christ, the Man of Nazareth, our crucified and risen Savior, You have come to us and shared our common lot conquering sin and death and reconciling the world to Yourself.

You bestow upon us Your Holy Spirit, creating and renewing the Church of Jesus Christ, binding in covenant faithful people of all ages, tongues and races.

You call us into Your Church to accept the cost and joy of discipleship to be Your servants in the service of others, to proclaim the gospel to all the world and resist the powers of evil, to share in Christ's baptism and eat at His table, to join Him in His passion and victory.

You promise to all who trust You forgiveness of sins and fullness of grace, courage in the struggle for justice and peace, Your presence in trial and rejoicing, and eternal life in Your realm which has no end.

Blessing and honor, glory and power be unto You. Amen.

1.5 Open and Affirming Statement

Like a beacon, First Congregational Church stands on Meetinghouse Hill. In the spirit of Jesus' great commandment to love God, and our neighbors as ourselves (Mark 12:28-34), and Paul's teaching of acceptance of one another (Romans 14:1-15:13), we, the members of First Congregational Church, welcome and affirm all persons of every race, age, gender, marital standing, physical or mental ability, economic status, nationality, and sexual orientation or identify into the full life and ministry of this community of faith, including membership and leadership. We welcome and embrace the God-given gifts that each person brings to the life of our congregation.

As an Open and Affirming church, we join our sisters and brothers in the United Church of Christ and all persons who are committed to the struggle for justice, love and inclusiveness, with the example and teachings of Jesus Christ as our guide.

1.6 Property

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, manage, care for and transfer, rent, lease, mortgage or otherwise encumber, sell, assign, transfer and convey such property for the general purposes 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 purpose of the Church.

Upon dissolution of the Church, its assets and all property and interests of which it will then 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, will be transferred to the Maine Conference of the United Church of Christ or its successors.

1.7 Amendments

Amendments to these Bylaws may be made by a two-thirds affirmative vote of the members present and voting at any membership meeting duly called and with a quorum present. Written announcements of the text of the proposed amendment(s) must be made two weeks prior to the meeting.

ARTICLE 2 MEMBERSHIP

2.1 Statement of Polity

The Church is a part of the United Church of Christ, as established by vote of its members. The governing body of the Church will be its membership assembled in Church meeting. Any actions of the Church that require membership approval under these Bylaws will be determined by the vote of a majority of members present and voting at the meeting. There will be no absentee ballots. Any member of the Church may vote. All actions of the Church are subject to the laws of the State of Maine.

2.2 Membership Qualifications

Persons become members of First Congregational Church by baptism and (a) profession of faith in Jesus Christ as Lord and Savior; or (b) reaffirmation of faith; or (c) letter of transfer or certification from another Christian Church. Before their profession of faith, persons who are not yet 16 years of age will complete the regular Confirmation program. Persons who are already 16 years of age or older will complete a course of preparation in consultation with the minister(s). New members will ordinarily be received during a regular service of worship, will receive the Right Hand of Fellowship, and will sign the Church Membership Roll. Persons who are members of First Congregational Church are thereby members of the United Church of Christ.

Associate membership may be offered to any baptized person who is a full, active member of another Christian Church where he or she is unable to participate regularly because of distance, physical limitations, or the like. Associate members enjoy all the rights and responsibilities of regular members, including eligibility to serve on the Council, any Team or Committee, and to vote at any meeting of the congregation. They shall not be included in the membership report for the purpose of per capita dues. An associate member will be received at a regular service of worship and will be carried on the rolls as long as the member continues to be active in our congregation's life. No letter of transfer can be issued.

2.3 Membership Responsibilities

Members shall pledge themselves to attend 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 diligently seek the spiritual welfare of the membership and the community. Each such person shall agree to the Membership Covenant as stated in Section 2.4.

2.4 Membership Covenant

The following is the covenant to which each person who desires to be a member of the Church will agree:

We sincerely affirm our faith in God our Creator, our reverent love for Jesus Christ our Lord and Savior and our willingness to be guided by the Holy Spirit. We promise, as members of this Church, to walk together as Christian disciples, obedient to the teachings of the Holy Scriptures and the spirit of Christ, and to submit to the government and discipline of this Church until regularly dismissed therefrom. We also promise to give generously of ourselves in the earnest labor of the Church to establish the reign of Christ in the hearts and in the affairs of people and to establish God's realm on earth. And this we do for the glory of God, the good of all people, and our mutual growth in Christian character in the name and through the strength of Jesus Christ our Lord.

2.5 Termination of Membership

A member will be granted a letter of transfer to another church upon request. Members may be released from their Covenant with the Church upon written request.

An annual review of the membership list will be made by the Clerk and the Senior Minister. The names of members who have permanently relocated from the area, or whose addresses are unknown, or who have not contributed to the Church's support, or who have not communicated with the Church, its minister, or its Clerk for a period of two years, will be submitted to the Spiritual Life and Worship Team who may transfer such names to the inactive list. If the member's relationship with the Church thereafter changes, the member may be restored to the active membership rolls by the Spiritual Life and Worship Team. Should a member become an offense to the Church or persistently breach Covenant vows, a membership meeting may terminate the membership, but only after due notice and a hearing by the Spiritual Life and Worship Team, and after faithful efforts have been made to bring the member into accord with the teachings of Christ.

ARTICLE 3 FISCAL YEAR AND MEMBERSHIP MEETINGS

3.1 Fiscal Year

The fiscal year of the Church is January 1 through December 31.

3.2 Quorum for Membership Meetings

In order to hold a vote, there must be present at the start of the meeting a quorum of members. A quorum shall consist of at least 10% of the membership as reported at the previous Annual Meeting.

3.3 Annual Meeting

The Church shall conduct an annual meeting on a date determined by the Council. The Clerk will give written notice which states the purpose of the annual meeting at least two weeks prior to the meeting by, at a minimum, posting the notice in at least two conspicuous places within the church building. The officers of the Church, the staff, the Council, the Teams, the committees, and all Church organizations shall submit their annual reports in writing for this meeting. Any new Council and Team members shall be elected at the annual meeting. The Council shall propose a slate of members to fill vacancies on the Council and Teams for the congregation to consider for approval; provided, however, any member may nominate any member for any vacancy either before or at the Annual Meeting. Nominees must consent to being nominated prior to being voted upon by the congregation.

3.4 Annual Budget Meeting

The Church shall hold an annual budget meeting in January on a date selected by the Council. The Clerk will give written notice which states the purpose of the annual budget meeting at least two weeks prior to the meeting by, at a minimum, posting the notice in at least two conspicuous places within the church building. The Council shall submit a proposed annual budget in writing to the membership at this meeting.

3.5 Special Meetings

Except as provided in Section 7.4, special meetings may be called by the Council, or by any member with a petition to the Council signed by not fewer than twenty members of the Church. The Clerk will give written notice which states the purpose of such meetings at least two weeks prior to the date of the meeting by, at a minimum, posting the notice in at least two conspicuous places within the church building.

3.6 Conduct of Membership Meetings

Any membership meeting, including the annual budget meeting, the annual meeting, and any special meetings, shall be conducted by the Moderator of the Church. In the event that the Moderator is not available or has a conflict of interest, the meeting shall be conducted by the

Vice Moderator. The Moderator may conduct the meeting in any manner deemed appropriate, with a view toward fairness to all members attending, and taking into consideration the purpose of the meeting, the members who desire to speak, the length of the meeting, and any other relevant factor. The Moderator may decide that formal rules should be used, in which case the latest edition of *Robert's Rules of Order* shall apply. In any event, the membership may move to conduct any meeting at any point using *Robert's Rules of Order* by a majority vote of those present.

ARTICLE 4 CHURCH OFFICERS

4.1 *Elections*

The elected officers of the Church will be a Moderator, a Vice Moderator, a Clerk, a Treasurer and Assistant Treasurer(s). The Council will nominate all officers. The Council will elect a Moderator and a Vice Moderator from the membership of the Council. The Clerk, Treasurer and Assistant Treasurer(s) will be elected by the congregation. The Moderator and Vice Moderator will be elected for one year terms or until their successor(s) have been elected. The Moderator shall serve no more than two consecutive terms.

4.2 *Moderator and Vice Moderator*

The Moderator of the Church shall also hold the title and fill the role of "President" for purposes of Maine law. The Vice Moderator shall also hold the title and fill the role of "Vice President" for purposes of Maine law. The Moderator shall chair the meetings of the congregation, with the Vice Moderator presiding in the absence of the Moderator.

4.3 *Clerk*

The Clerk shall serve for a term of one year or until a successor is elected. There is no limitation on the number of terms that may be served. The Clerk will keep a complete record of all membership meetings and a record of all baptisms, marriages, blessings of union, Church memberships, deaths, and other membership details. The Clerk will issue all letters of membership, transfer, and dismissal and will secure the signature of all new members on the Church Membership Roll. The Clerk will present a report of the principal events of the past Church year at the Annual Meeting and will give notice of all meetings as required by the Church or by the laws of the State of Maine.

4.4 Treasurer

A Treasurer will be elected to serve for one year or until a successor is elected. There is no limitation on the number of terms that may be served. The Treasurer will disburse all monies as properly approved by procedure approved by the Council. The Treasurer will have authority to sign stock assignments, securities, bonds, savings accounts, or other financial papers as directed by the Council. The Treasurer shall be bonded at the expense of the Church in such amount and with such corporate surety as the Council approves.

4.5 Assistant Treasurer(s)

Assistant Treasurer(s) will be elected to serve term(s) of one year or until successor(s) are elected. There is no limitation on the number of terms that may be served. Assistant Treasurer(s) will have authority to perform the duties of the Treasurer in the absence of the Treasurer. Assistant Treasurer(s) will be bonded at the expense of the Church in such amount and with such corporate surety as the Council approves and will aid the Treasurer as needed or when so directed by the Council.

ARTICLE 5 COUNCIL

The Council shall act for the congregation when the congregation is not in meeting and will serve as the coordinating body of the Church in carrying out its purpose. It will serve as the policy-making agent of the Church, recommending adjustments and improvements concerning policies and administration to the Church. For purposes of Maine law, the Council shall be considered as the “Board of Directors” and shall serve such role.

5.1 Membership

The Council shall consist of twelve at-large members of the Church, each of whom shall have voting rights. In addition, the Senior Minister and the Associate Minister shall be ex officio members with no voting rights. Council members shall be elected by the congregation for three-year staggered terms, with four members being voted onto the Council each year. No member shall serve on the Council for more than six consecutive years.

5.2 Meetings

The Council shall meet once a month for the months of September through June, or more often if necessary to carry out its purpose. The Moderator shall conduct the meetings of the Council, with the Vice Moderator presiding in the absence of the Moderator. Special meetings

may be called by the Moderator or by written request to the Moderator by three members of the Council. Eight of the members, excluding ministers, shall constitute a quorum. The meetings of the Council will be open to any member of the Congregation. Team members are invited to attend Council meetings to present information, make recommendations and seek guidance on issues related to Team concerns.

5.3 Duties

A. Call of Ministers

In the event of need, the Council shall be responsible for overseeing the process for the calling of a Senior Minister, Interim Senior Minister, Associate Minister, and Interim Associate Minister.

B. Vacancies

In the event of a vacancy on the Council between Annual Meetings, the Council may fill the vacancy on the Council without need for congregational approval. If the term of the vacancy extends beyond the next Annual Meeting, the Council shall submit a nomination at the next Annual Meeting for a vote by the congregation.

C. Suspension of Officers and Removal of Council Members

The Council shall have the authority to remove any Moderator or Vice Moderator and install replacements from the Council membership. The Council shall also have the authority to suspend the Clerk, Treasurer, or Assistant Treasurer(s) for cause until such time as a membership meeting can be held. The Council may appoint an interim Clerk, Treasurer, or Assistant Treasurer if deemed necessary. The Council may remove any member from the Council if that member fails to attend a majority of its meetings or to participate in the work of the Council in ways deemed appropriate by the majority of the Council.

D. Budgets

The Council shall propose an annual budget for vote at the Annual Budget meeting. The Council may approve supplemental expenditures that do not exceed three percent of the annual budget. All fundraising activities must have prior approval of the Council.

E. Areas of Responsibilities

The Council shall be responsible for overall policy-making of the Church and for the oversight of all Teams. It shall also be responsible for the oversight of all matters related to employees. It shall have fiduciary responsibility for all financial matters, including the endowment funds, gifts and devises, debts, and the annual operating budget. The Council shall have authority to borrow up to \$10,000 without approval of the congregation, and at no time shall the balance of outstanding borrowing exceed \$20,000 without approval of the congregation.

The Council shall ensure timely communication between the Council and the Teams and between the Council and the Congregation by such means as it deems appropriate. The Council shall be responsible for oversight of investment policy, stewardship, pastor-parish relations and personnel.

F. Delegates

The Council shall appoint a minimum of six Delegates, each with a two year term, who will represent the Church at meetings of the Maine Conference, United Church of Christ, including the Cumberland Association, and at other associations, councils or fellowships of churches at which the Church has representation. The delegates will submit a report of these meetings to the Council, to the Church, or to the Moderator if immediate attention is required. No one shall serve as a Delegate for more than six consecutive years.

ARTICLE 6 TEAMS

The Church shall have four Teams, each with a delineated area of responsibility. Those four Teams are the Spiritual Life and Worship Team; Administration Team; Education, Growth and Fellowship Team; and Mission and Outreach Team. The Council shall have oversight responsibility for all Teams. No one may serve on more than one Team at a time. No one may serve on the Council and a Team at the same time.

6.1 Common Attributes of each Team

A. Membership

Each Team shall consist of at least six members and shall inform the Council of the number of Team positions. Approximately one third of the Team membership, at least two Team members, shall be elected at each Annual Meeting for three-year staggered terms. No member shall serve on any one Team for more than six consecutive years. Each Team shall have the

authority to remove any member from the Team if that member fails to attend a majority of the meetings or to participate in the work of the Team in ways deemed acceptable by the majority of the Team.

In the event of a vacancy on a Team between Annual Meetings, the Council may fill the vacancy on the Team without the need for congregational approval. If the term of the vacancy extends beyond the next Annual Meeting, the Council shall submit a nomination at the next Annual Meeting for a vote by the congregation.

B. Leadership

Each Team shall select its own leadership and decide how to conduct its meetings. Each Team shall select one member as the contact person.

C. Meetings

Each Team shall meet as often as necessary to meet its responsibilities.

6.2 *Spiritual Life and Worship Team*

A. Purpose

Coordinating with the ministers, the Team shall be responsible for the overall spiritual life of the Church including all aspects of all worship services. It will ensure that there is an active lay visitation ministry and be responsible for all administrative matters pertaining to the reception of new members in the Church. The Team shall be responsible for oversight of the communion, chancel, narthex, and music functions.

B. Complementary Groups

The Team shall oversee the committees and groups whose primary purposes are complementary to those of the Team. The Team shall inform the Council in a timely manner of the title, purpose and members of each of its committees and complementary groups.

C. Elders

Elders are elected from the membership in such number as the congregation, on recommendation of the Spiritual Life and Worship Team, may choose. This honor will be

accorded in recognition of their exemplary longstanding service to the Church. Membership is honorary and will be for the lifetime of the recipient. Because of their experience and wisdom, the Elders may be called upon in an advisory capacity.

6.3 Administration Team

A. Purpose

The Team shall oversee all aspects of the administration of all Church properties, including modifications and maintenance, and daily operations. Its responsibilities will include oversight for establishing procurement policies, for obtaining appropriate insurance coverage, for the rental properties, for all offerings of the Church, for reviewing the financial statements of the Church each month, for selecting an outside auditor and overseeing the annual audit, and overseeing a planned giving program.

B. Complementary Groups

The Team shall oversee the committees and groups whose primary purposes are complementary to those of the Team. The Team shall inform the Council in a timely manner of the title, purpose and members of each of its committees and complementary groups.

6.4 Education, Growth and Fellowship Team

A. Purpose

The Team shall be responsible for oversight of the growth and education of the congregation. It shall promote faith formation for all ages. It shall also be responsible for the oversight of fellowship within the Church and between the Church and the community. It shall also oversee efforts to increase Church membership.

B. Complementary Groups

The Team shall oversee the committees and groups whose primary purposes are complementary to those of the Team. The Team shall inform the Council in a timely manner of the title, purpose and members of each of its committees and complementary groups.

6.5 Mission and Outreach Team

A. Purpose

The Team shall be responsible for the oversight of all aspects of mission and outreach, including guiding and encouraging the congregation to serve the community locally, regionally, and globally. It will be responsible for overseeing distribution of designated special offerings and gifts.

B. Complementary Groups

The Team shall oversee the committees and groups whose primary purposes are complementary to those of the Team. The Team shall inform the Council in a timely manner of the title, purpose and members of each of its committees and complementary groups.

ARTICLE 7 PERSONNEL

7.1 Senior Minister

A Senior Minister will be called by the congregation and will hold the office until the relationship is terminated in accordance with these Bylaws. The Senior Minister will be installed by the Cumberland Association of the Maine Conference of the United Church of Christ after becoming a member of this congregation. The Senior Minister will be responsible directly to the congregation.

The Senior Minister will oversee the spiritual welfare of the congregation, will preach the Word, and will have supervision over the stated services of worship and will serve the sacraments. The Senior Minister will exercise the privilege of religious teacher and counselor in public and in private. The Senior Minister will work with the Council regarding oversight of all Church policy and affairs and will supervise the employees.

7.2 Associate Minister

Associate Minister(s) may be called by the congregation and will hold the office until the relationship is terminated in accordance with these Bylaws. Associate Ministers will be installed by the Cumberland Association of the Maine Conference of the United Church of Christ after becoming a member of this congregation. Their duties will be determined by the Senior Minister

and the Council, including preaching the Word and serving the sacraments. In the case of absence of the Senior Minister, the Council may designate an Associate Minister to assume temporarily the responsibilities of the Senior Minister.

7.3 Other Ministerial Staff and Personnel

In consultation with the Senior Minister, the Council will define the nature of any additional ministerial staff positions and the procedure by which those persons will be called. The Council may approve additional non-ministerial personnel positions and will have the authority to fill these positions and the authority to terminate such personnel in accordance with the provisions of the Personnel Handbook. .

7.4 Minister Resignations/Dismissals

The relationship of the congregation and its pastoral leaders is based on a covenant of mutual promises and is substantially defined by Terms of Call that are approved by that pastor and the congregation at the time of call.

If serious issues or divisive conflicts arise in the relationship of the congregation and one of its called ministers, the Pastor/Parish Relations Committee will collaborate with the Council to address the issues and will seek assistance from the Maine Conference, UCC, and/or the Cumberland Association Committee on Church and Ministry. Should the Cumberland Association Committee on Church and Ministry have reason to question the fitness for ministry of a called minister of this Church, every effort will be made by all parties to cooperate fully in the investigation, to remain in covenant with all parties and to provide appropriate leadership and nurture for all parties during and after the fitness review.

While the term of the minister shall be indefinite, the congregation may request and will receive the resignation of either the Senior or Associate Minister by a two-thirds majority of the quorum present and voting at a meeting called expressly for this purpose. Sixty (60) days' advance notice of such meeting shall be given to the congregation and to the Minister affected.

The Senior Minister or Associate Minister shall give at least sixty (60) days notice of resignation to the Council. By mutual consent the sixty (60) day notice of resignation or dismissal of the Minister may be reduced or extended by such time as is mutually agreeable.

Upon approval by the congregation, these Bylaws supersede all prior Bylaws.

These Bylaws were approved by the Congregation on _____.

Chris Keiter, Moderator