

**CONSTITUTION
and
BY-LAWS
of
St. John's Evangelical Lutheran Church
of the
Lutheran Church - Missouri Synod**

809 South 6th Avenue
West Bend, Wisconsin

Revisions approved by Congregation
April 27 & July 20, 1998 and
April 28 & October 20, 2003
October 17, 2005 & January 30, 2006

CONSTITUTION

PREAMBLE

- A. Whereas, according to Holy Writ, it is the duty of Christians:
 - 1. To fellowship with those who confess the true faith (Hebrews 10:24-25),
 - 2. To endeavor to keep the unity of the Spirit in the bond of peace (Ephesians 4:3-6),
 - 3. To administer the Office of the Keys as a body (John 20:21-23), and
 - 4. To conduct all the internal and external affairs of such body decently and in order (1 Corinthians 14:40):
- B. Therefore we, in agreement with the preamble outlined above, accept and subscribe to the following Constitution and By-Laws, in accordance with which all spiritual and material affairs of our Congregation shall be governed.

ARTICLE I NAME

The name of this Congregation shall hereafter be known as ST. JOHN'S EVANGELICAL LUTHERAN CHURCH of the Lutheran Church - Missouri Synod, West Bend, Wisconsin.

ARTICLE II CONFESSION OF FAITH

- A. This Congregation subscribes to all the Canonical Books of the Old and the New Testament as being the Inspired Word of God and the only guide of faith and life (2 Tim. 3:15-17).
- B. This Congregation subscribes to the Confessional Writings of the Evangelical Lutheran Church as being a correct exposition of the Word of God. These Confessions are:
 - 1. The Augsburg Confession (Unaltered),
 - 2. The Apology of the Augsburg Confession,
 - 3. The Smalcald Articles,
 - 4. The Formula of Concord,
 - 5. Luther's Large Catechism,
 - 6. Luther's Small Catechism.
- C. We also subscribe to the three Ecumenical Creeds, namely, the Apostles' Creed, the Nicene Creed, and the Athanasian Creed.

ARTICLE III PURPOSE

- A. The purpose of this Congregation is to preach the true Gospel of Jesus Christ as commanded by God in His Holy Word (John 20:21-23).
- B. This preaching of the Gospel is to be carried out by the Congregation through:
 - 1. the regular conducting of corporate worship services (Acts 2:42),
 - 2. the instruction of all members for continued growth in the knowledge of God's Word (2 Tim. 3:16, 17),
 - 3. the conducting of evangelism work for the building of God's Kingdom (Jer. 23:28),
 - 4. the promotion of mission work wherever there yet remain some who have not come to know Jesus as their personal Savior (Matt. 28:19-20),
 - 5. the support of our Lutheran Church - Missouri Synod as it provides for the extension of the work of the Christian congregation (1 Cor. 16:1,2), and
 - 6. the support of the charities of our Church (Matt. 9:35).

ARTICLE IV

ADMINISTRATION AND RIGHTS OF THE CONGREGATION

- A. The Congregation shall hold regular meetings of its voting members, and is supreme in the administration of its affairs.
- B. This corporate body may receive, acquire, hold title to, and manage such real estate and other property as it may need to accomplish said purpose, and may sell and dispose of such real estate and other property or any part thereof; and this corporate body shall have all the rights and powers granted by the laws of the State of Wisconsin to religious corporations.
- C. All property of the Congregation shall forever be the indivisible possession of the Congregation. Should discord and schism occur in this Congregation, the properties of the Congregation and all allied benefits shall remain the possession of those who abide by this Constitution.

ARTICLE V MEMBERSHIP

- A. **Baptized Membership**
Baptized membership includes all members who have been baptized, also the children on the membership rolls who have not yet publicly confirmed their baptismal vows.
- B. **Communicant Membership**
Communicant membership in this Congregation shall consist of such as:
 - 1. have been baptized and confirmed,
 - 2. submit to this Constitution,
 - 3. do not live in open sin (Gal. 5:19-23), but lead a Christian life,
 - 4. diligently attend Divine Worship, if possible, and frequently take Holy Communion (Acts 2:42),
 - 5. is not a member of any secret organization, or group that spurns the Word of God (2 Cor. 6:14-18),
 - 6. supports the Church according to ability (Mal. 3:10), and
 - 7. permits himself to be admonished in a brotherly manner when having erred or given offense (Matt. 18:15-18).
 - 8. adheres to the Membership Covenant, as established by the Leadership Board, which states the lifestyle and commitments of members.
- C. **Voting Membership**
 - 1. Voting membership shall be conferred upon such communicant members as have reached the age of 18 years.

ARTICLE VI MODE OF ADMISSION

- A. Members of Congregations in fellowship with us shall be received by transfer of membership.
- B. Lutherans not in fellowship with us shall be received by a Profession of Faith to the satisfaction of the Senior Pastor or his pastoral designee.
- C. People of different faith, or no faith, shall be received by adult confirmation only after due instruction in the doctrines of Holy Scriptures to the satisfaction of the Senior Pastor or his pastoral designee. They shall also be baptized if necessary.
- D. All admissions shall be submitted for ratification at the next regular meeting of the Voters Assembly.

ARTICLE VII TERMINATION OF MEMBERSHIP

- A. Members in good standing, who for a legitimate reason, desire to join a sister congregation, shall be granted a written transfer of membership through the Senior Pastor or his pastoral designee in a manner consistent with the direction of the Leadership Board.
- B. Members desiring to become members of a Lutheran Church not in fellowship with us shall be granted a release from

membership at the discretion of the Senior Pastor or his pastoral designee in a manner consistent with the direction of the Leadership Board.

- C. Members joining, or desiring to join a Church other than the Lutheran Church, shall be declared self-excluded, if they insist on leaving the Lutheran Church (Due attempt shall first be made to retain such members).
- D. Members living away from the Congregation shall be encouraged to transfer to a sister Congregation. After diligent attempts have been made and failed, their names may be stricken from the membership roster by the Congregation.
- E. All terminations of membership shall be regularly communicated to the voting membership.

ARTICLE VIII CHURCH DISCIPLINE

The Spiritual Health Ministry Team shall be responsible for exercising church discipline according to Matt. 18: 15-20 in a manner consistent with the direction of the Leadership Board. Excommunicated persons shall forfeit all rights and privileges of church membership so long as they remain impenitent. When such excommunicated persons repent of their sins and seek forgiveness from God they shall be reinstated by the Spiritual Health Ministry Team.

ARTICLE IX DOCTRINAL INTERPRETATION AND CONGREGATIONAL DECISIONS

All matters of Doctrine shall be decided solely on the basis of God's Holy Word; all other matters requiring congregational action shall be decided by a majority of the members present at a Voters Assembly, so long as such decisions are not in conflict with Article II.

ARTICLE X PASTORAL OFFICE

- A. The Pastoral Office shall be conferred only upon such pastors and candidates who:
 - 1. Possess the qualifications of a Pastor as prescribed in Holy Scripture (1 Tim. 3:2-7 and Titus 1:7-9),
 - 2. Subscribe to this Constitution,
 - 3. Have been declared qualified by our Lutheran Church - Missouri Synod,
 - 4. Are members of the Lutheran Church - Missouri Synod and
 - 5. Have been properly called by the Congregation.
- B. Duties of the Pastor(s)
It shall be the duty of the Pastor(s):
 - 1. To fulfill the stipulation of his call, including preaching the Word of God, baptizing, administering the Lord's Supper, instructing, confirming, visiting the sick, performing marriages, conducting funerals, and being a good example to the Congregation in Godly living (1 Peter 5:1-3),
 - 2. To fulfill the needs and desires of the Congregation in accordance with God's Word, and to the best of his ability,
 - 3. To discuss Calls he receives with the Leadership Board through the Senior Pastor before final action is taken on his part, and
 - 4. To see that official records are kept, and to report them annually to the Congregation,
 - 5. To sign and adhere to the Leadership Covenant as established by the Leadership Board.
- C. The Senior Pastor shall be called by the congregation, serving as staff leader and liaison to the St. John's Leadership Board.

ARTICLE XI THE POSITION OF COMMISSIONED WORKER AND CONTRACTED WORKER

- A. The position of commissioned worker shall be conferred only upon such who:
 - 1. Possess the qualifications as prescribed in Holy Scripture (Eph. 4:11-13),
 - 2. Subscribe to this Constitution,
 - 3. Have been declared qualified by our Lutheran Church - Missouri Synod,
 - 4. Are members of a Lutheran Church - Missouri Synod, and
 - 5. Have been properly called by the Congregation upon recommendation by the Leadership Board.
- B. The position of contracted worker shall be conferred only upon such who:
 - 1. Possess the qualifications as prescribed in Holy Scripture (Eph. 4:11-13),
 - 2. Subscribe to this Constitution,
 - 3. Have been contracted through the Senior Pastor's office, in a manner consistent with the direction of the Leadership Board.
- C. Duties of the Commissioned Worker and Contracted Worker
 - 1. It shall be the duty of the commissioned worker and contracted worker:
 - a. To fulfill the needs and desires of the congregation as expressed in the Diploma of Vocation, or contract, in accordance with God's Word, and to the best of his or her ability, and
 - b. To work in harmony with the pastor(s) and the congregation in the performance of their duties.
 - c. To sign and adhere to the Leadership Covenant as established by the Leadership Board.
 - 2. It shall be the duty of the commissioned worker to discuss all calls received with the Senior Pastor or his designee.

**ARTICLE XII
THE AUTHORITY OF THE VOTERS' ASSEMBLY**

- A. The Voters' Assembly is the final authority of the congregation and has the sole responsibility for:
 - 1. Amending the Constitution and By-Laws,
 - 2. Purchase or sale of real property,
 - 3. Approval of the annual operating budget,
 - 4. Campus development exceeding 5% of the approved annual budget,
 - 5. Borrowing of funds over 10% of the approved annual budget,
 - 6. Election of the Congregational Officers: President, Vice President, Treasurer, and Secretary,
 - 7. Election of at large members of the Leadership Board,
 - 8. Calling or releasing called staff.
- B. All other internal and external affairs shall be delegated to the Leadership Board to act on its behalf.
- C. All Leadership Board members and called workers may be removed in a lawful manner. Sufficient and urgent causes are:
 - 1. Persistent adherence to false doctrine,
 - 2. Manner of living offensive to God,
 - 3. Willful neglect of official duties, or
 - 4. Reduction in work force.

**ARTICLE XIII
CHURCH SPONSORED ORGANIZATIONS,
SOCIETIES AND LEAGUES**

- A. All organizations, societies, and leagues, together with their activities within the Congregation, shall be under the jurisdiction of the Congregation.
- B. Constitutions of all organizations, societies, and leagues shall be submitted to the Congregation for approval.
- C. Annual "activities reports" shall be submitted to the Congregation at the January quarterly meeting.
- D. Annual financial reports shall be submitted to the Church Council by March 31st.

**ARTICLE XIV
ALTERATIONS**

- A. Article II of this Constitution shall be unalterable.

- B. The remainder of this Constitution or any of its Articles may be revised, altered, amended, or repealed, at a regular meeting of this Congregation, provided the proposed amendment shall have been previously presented in writing at the preceding regular meeting.
- C. This meeting and its purpose shall be announced orally at the services on the two Sundays preceding the meeting.
- D. To effect such revision, alteration, amendment, or repeal, a two thirds (2/3) majority of the voting assembly present shall be necessary.
- E. No revision, alteration, amendment, or repeal, shall be made which conflicts with Holy Writ and the Symbols of the Evangelical Lutheran church enumerated in Article II.

BY-LAWS
ARTICLE I
VOTERS' ASSEMBLY

A. Meetings

1. Quarterly meetings of the Voters' Assembly will be scheduled by the Congregation President, in January, April, June, and October. Notice of the meeting, place, date, time, and the agenda will be published at least two Sundays prior to the meeting date.
2. Special meetings of the Voters' Assembly may be scheduled by the Congregation President, the Leadership Board, or the Spiritual Health Ministry Team. The purpose, date, time, and place of the meeting must be announced at least two Sundays prior to the meeting.

B. Quorum and Decisions

The voters present at a properly called meeting shall constitute a quorum. Decisions will be made by a simple majority of those present and voting unless the Constitution specifies otherwise.

C. Order of Business

1. The meeting of the Voters' Assembly shall be conducted in accordance with the Constitution and By Laws and shall include a devotional. Minutes of the prior meeting shall be available for review.
2. In questions of parliamentary procedure not specified in this Constitution or its Bylaws, the most recent edition of "Robert's Rules of Order" shall prevail.

ARTICLE II
THE LEADERSHIP BOARD

A. Membership

The Leadership Board shall consist of nine (9) elected members. Those serving on the Leadership Board will include the President, Vice President, Secretary, Treasurer and five (5) at-large voting members.

B. Duties.

The Leadership Board shall deal with governance matters, leaving operating matters to the church staff.

It shall be the duty of the Leadership Board to:

1. establish governance policies
2. monitor compliance to governance policies
3. resolve all matters pertaining to the general welfare of the Congregation which are not reserved for the Voters' Assembly or delegated by policy to staff

C. Qualifications

1. Must be a non-staff, Voting Member committed to the Great Commandment (Matthew 22: 36-40) and the Great Commission (Matthew 28: 18-20).
2. Must be committed to ongoing discipleship
3. Must evidence critical reflection.
4. Must be trusted by the congregation
5. Must be committed to the mission of the congregation.
6. Must sign and adhere to the Leadership Covenant, which states the expectations of lay leaders as established by the Leadership Board.

D. Nomination Procedure

1. The President of the Congregation will select a Nominating Committee, in January, of not less than four (4) voting members including the Senior Pastor. The Nominating Committee will prepare a single slate of candidates drawn from Voting Members 18 years of age or older. The Nominating Committee will secure a candidate's willingness to serve and appropriateness based upon the Leadership Board Qualifications Article II. C of the By-laws before placing any names in nomination.

2. Approximately one third of the elected members of the Leadership Board shall be elected each year in April and take office July 1st.
3. At least two Sundays before the date of the election the Leadership Board shall publish a list of the candidates.
4. The candidate receiving the majority of votes for an elected position on the Leadership Board shall be declared elected.

E. Vacancies of Elected Positions

If the position of President is vacated, the Vice President shall assume the position for the remainder of the President's unexpired term. The vacated position of the Vice President shall be filled by Leadership Board appointment of one of its members, for the remainder of the unexpired term.

If any other elected position is vacated, the Leadership Board will appoint a person to fill that position for the remainder of the unexpired term. If any appointment is for less than 1 year, the appointment shall not count as part of the appointee's first term.

F. Term of Office

The term of office of all elected positions shall be three (3) years. No person shall serve in the same elected position for more than two (2) consecutive terms.

**ARTICLE III
OFFICERS OF THE CONGREGATION**

The Officer of the Congregation shall be President, Vice President, Secretary and Treasurer. The President and Vice President shall be occupied by males only.

**ARTICLE IV
THE SPIRITUAL HEALTH MINISTRY TEAM**

A. Membership

The Spiritual Health Ministry Team shall consist of up to nine (9) members appointed by the Leadership Board and ratified by the congregation. The Senior Pastor or his designee will serve as ex-officio member of the Spiritual Health Ministry Team.

B. Duties

1. It shall be the duty of the Spiritual Health Ministry Team to assist the Senior Pastor's office in the ongoing work of

Biblical discipline among St. John's members. The Spiritual Health Ministry Team will approach all situations guided by God's Word in a manner consistent with Article II of the Constitution with the intent of strengthening the faith of all involved, restoring those seeking forgiveness, and articulating God's truth to the unrepentant. (Matthew 18: 15-20; 1 Corinthians 5: 4-5; 2 Corinthians 2: 5-11, Galatians 6: 1-2)

Christian concern for every member meeting with The Spiritual Health Ministry Team will move its members to faithfully pray for the God-pleasing resolution of all issues. However, should all attempts to restore the member be unsuccessful, the Team will carry out Church discipline consistent with Article VIII of the Constitution and report the names of all released from membership to the Leadership Board through the Senior Pastor for public record.

2. It shall be the duty of the Spiritual Health Ministry Team to call a special meeting of the Voter's Assembly, upon the request of a voting member, after due diligence has determined the necessity of such meeting.

C. Qualifications

A Spiritual Health Ministry Team Member:

1. must be a male Voting Member who is committed to the Great Commandment (Matthew 22: 36-40) and the Great Commission (Matthew 28: 18-20).
2. must be committed to ongoing discipleship
3. must evidence critical reflection .
4. must be trusted by the congregation
5. must be committed to the mission of the congregation.
6. must sign and adhere to the Leadership Covenant, which states the expectations of lay leaders as established by the Leadership Board.

D. Term of Office

The term of office for appointed positions shall be three (3) years. They shall assume their duties immediately following their ratified appointment. No person shall serve for more than two (2) consecutive terms.

**ARTICLE V
CHANGING THE BY-LAWS**

These By-Laws may be amended or repealed by the Voters' Assembly, provided:

- A. That they do not conflict with the provisions of the Constitution pertaining to the Scriptural doctrine and practices;
and
- B. That the proposed change has been published at least two Sundays prior to the meeting at which the proposed change will be acted upon; and
- C. That an affirmative vote of a two-thirds (2/3) majority of the voting assembly present is secured.

St. John's Evangelical Lutheran Church
West Bend, Wisconsin
HISTORY

1. The Congregation was organized on July 11, 1858 and incorporated on November 16, 1858.
2. The Congregation became a member of the Wisconsin Synod (now the Wisconsin Evangelical Lutheran Synod) in 1859.
3. The First Constitution was revised under the ministry of the Rev. George Vorberg and adopted on December 22, 1863.
4. The second revision of the Constitution was made under the ministry of the Rev. Eduard Hoyer and adopted in 1912.
5. The third translation and revision of the Constitution, together with By-Laws, was made under the ministry of the Rev. W. P. Sauer and adopted on February 19, 1940.
6. The fourth printed revision of the Constitution and By-Laws was made under the ministry of the Rev. W. P. Sauer at various times since 1940, terminating on April 26, 1954.
7. The Congregation became a member of the Lutheran Church - Missouri Synod in June of 1963.
8. The fifth printed revision of the Constitution and By-Laws was made during the ministry of the Rev. George A. Mumm and the Rev. Arthur A. Palenschat and adopted March 18, 1968.
9. The sixth printed revision of the Constitution and By-laws was made during the ministry of the Rev. George A. Mumm and the Rev. Roger A. Janke and adopted on October 16, 1978.
10. The seventh printed revision of the Constitution and By-Laws was made during the ministry of the Rev. George A. Mumm, the Rev. Robert P. Hoehner, and the Rev. Kevin C. Jones, and adopted on July 16, 1990.
11. This eighth printed revision of the Constitution and By-Laws was made under the ministry of the Rev. Daniel W. Kelm, the Rev. J. Blair Clark, and the Rev. Calvin F. Seban and adopted on July 20, 1998.
12. This ninth printed revision of the Constitution and By-Laws was made under the ministry of the Rev. Daniel W. Kelm and the Rev. Calvin F. Seban and adopted on October 20, 2003.
13. This the tenth printed revision of the Constitution and By-Laws was made under the ministry of the Rev. Jeffrey D. Dorth, the Rev. Calvin F. Seban, and the Rev. Robert P. Hoehner and adopted on January 30, 2006.

PASTORS OF ST. JOHN'S

J. H. Roell	1858-1863
George Vorberg	1863-1865
Carl Gausewitz	1865-1872
Ernst Mayerhoff	1872-1883
Eduard L. Hoyer	1883-1920
Henry J. Anger	
Herman Klingbiel	1930-1938
John E. Schaefer, Interim	
Waldemar P. Sauer	(em 1966-1977)
Arlo J. Nau	1963-1965
George A. Mumm	(Em. 1990-)
Arthur A. Palenschat	1967-1970
Horst Wm. Jordan	
Roger A. Janke	1975-1982
Robert P. Hoehner	1983-1995
Kevin C. Jones	1988-1995
Daniel W. Kelm	1995-2003
J. Blair Clark	1996-2000
Calvin F. Seban	1996-
Jeffrey D. Dorth	2004-
Robert P. Hoehner	2005-

St. John's Evangelical Lutheran Day School has been a vital part of the Christian education of our children since its beginning in 1872.

Head teachers or principals during that time were:

C. Daus	1872-1873
Edward Gross	1873-1874
Emma Juergens	1874-1877
J. C. Harms	1877-1878
H. Denninger	1878-1883
W. Spiegel	1884-1885
G. Schneider	1886-1889
Mr. Gruel	1889-1891
Miss R. Karstens	1890-1891
E. Winter	1891-1894
Henrietta Hagner	1894-1896
William Prah	1896-1902
Henry J. Zautner	1902-1938
John A. Bushman	1938-1947
Henry Gruenhagen	1947-1963
Clarence Zimbrick	Interim Principal
Marlin Schultz	1963-1968
Gordon Beckler	1968-1974
Roman Valleskey	1974-1976
Rupert Giesselmann	1976-1977
Kenneth Gundlach	1977-1988
Philip Heddemann	Interim Principal
Richard Timm	1989-1994
Philip Hedeman	1994-1995
Pamela Muther	Interim Principal
Earl Guse	1996-2001
David Kellerman	2001-