

A Constitution for Eastminster United Church

(Adopted by the Congregation February 2005
Approved by the Belleville Presbytery April 2005
Revised by the Congregation February 2007;
February 2008; May 2010; February 2013; Feb 2014)

ARTICLE I - INTRODUCTION

Preamble

- I.1 This constitution is based on the New Testament directions for church leaders and *The Manual of The United Church of Canada* which draw a distinction between the functions of 'ministering' and 'administering'.
- I.2 The purpose of this Constitution is to provide insight and guidance to all congregational members regarding the governance structure in place at Eastminster United Church.

General Approach To Governance

- I.3 Eastminster United Church has adopted a leadership structure which separates the two functions of ministering and administering so that the pastoral responsibility for spiritual oversight (ministering) shall rest with the *Session* and the responsibility for administering the life and work of the congregation shall rest with the *Church Council* and its supporting Standing Committees.
- I.4 The responsibility for holding Church property shall rest with the *Board of Trustees*.
- I.5 While the Church Council is the primary court for administration within the congregation, final decisions on certain matters shall be made through due process by the congregation. They are: approval and amendment of the Constitution; the pastoral relationship with Order of Ministry personnel; approval of budgets and financial goals; the election of officers and elders; approval and amendment of formal statements concerning the congregation's Faith, Mission or Covenant; disbursement of income from the congregation's Legacy of Faith Fund; the sale, purchase or mortgaging of property and other matters specified in the Trust of Model Deed of The United Church of Canada. The Church Council shall have the discretion to refer any other matter for action by the congregation.
- I.6 The Church Council shall act as a resource to the congregation in the preparation and/or review of proposals requiring congregational approval.
- I.7 The congregation shall elect members of the Session, the Church Council, the Standing Committees, the Board of Trustees and the congregation's delegates to the Kente Presbytery of The United Church of Canada. The terms of office are detailed in subsequent articles of this Constitution. Elections shall be held annually at a congregational meeting called for this purpose.
- I.8 In the case of any details of administrative responsibility and procedure not defined in this Constitution, *The Manual of The United Church of Canada* shall be the authority.

Governance Responsibilities

I.9 The Session.

The main responsibilities of the Session are pastoral care, spiritual oversight and theological reflection. Members of the Session, in the execution of their duties, shall 'minister with the minister(s)'.

The Session shall consist of Order of Ministry personnel settled in, or appointed to, the congregation and those women and men elected to that office. Members of the Session shall be called elders. Specific responsibilities, obligations and structure of the Session are shown in Article II of this Constitution.

I.10 The Church Council.

The purpose of the Church Council is to oversee and support the life and work of the congregation and its various committees and organizations.

The Church Council shall be composed of the Chairperson of the Church Council, the Vice-Chairperson of the Church Council, the Secretary of the Church Council, one of the lay delegates to Presbytery elected by the congregation, the Chairpersons of all Standing Committees of the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation (non-voting), the Church Administrator (non-voting), the Clerk of Session, the Chairperson of the Board of Trustees and the Past-Chairperson of the Church Council.

The responsibilities, obligations and structure of the Church Council are shown in Article III of this Constitution.

I.11 The Standing Committees.

The Standing Committees shall support the Church Council in the execution of its responsibilities. The chairpersons of these committees shall be members of the Church Council. The specified Standing Committees and their mandates are described in Article IV of this Constitution.

I.12 The Board of Trustees.

The primary responsibility of the Board of Trustees is to hold in trust all property, real and personal, for use of the congregation. It shall consist of a minimum of three (3) and a maximum of fifteen (15) members elected to that office.

The responsibilities, obligations and structure of the Board of Trustees are shown in Article V of this Constitution.

Approval/Amendment

I.13 Approval.

This Constitution is adopted by action of the congregation of Eastminster United Church and the Kente Presbytery of The United Church of Canada. The action by the congregation requires approval by a majority of members of the congregation attending a meeting called for this purpose. Such a meeting shall follow notice to the congregation specifying the purpose of the meeting given on at least two Sundays when public worship occurs.

I.14 *Amendment.*

Amendments to this Constitution may be initiated by the Church Council, the Session, the Board of Trustees or by members of the congregation. Responsibility for assisting those proposing amendments and for reviewing the wording and implications of proposed amendments shall normally belong to the Standing Committee on Governance.

This Constitution may be amended by action of the congregation of Eastminster United Church and the Kente Presbytery of The United Church of Canada. The action by the congregation requires approval by a majority of members of the congregation attending a meeting called for this purpose. Such a meeting shall follow notice to the congregation specifying the purpose of the meeting given on at least two Sundays when public worship occurs.

- I.15 Final endorsement of this Constitution and subsequent amendments rests with the Kente Presbytery of The United Church of Canada.
- I.16 This Constitution shall be reviewed two (2) years after congregational approval and every five (5) years subsequently. Any proposed changes shall be considered 'amendments' and shall be enacted through the process described in Article I.14.

ARTICLE II - THE SESSION

- II.1 The PURPOSE of the Session shall be to oversee the spiritual interests of the congregation. To accomplish this purpose, the Session shall normally meet at least four times during the year. The members of the Session shall be called ELDERS.
- II.2 The MEMBERS of Session shall be the Order of Ministry personnel settled in, or appointed to, the congregation and those women and men elected to that office. Elders shall be selected from those in full membership. In addition to the elders elected by the congregation the Session may also include those elected to be VISITING ELDERS. The Visiting Elders participate fully in the Pastoral Care ministry of the Session and may assist in the administration of the sacraments. Visiting Elders must be members or adherents in good standing with the congregation. Visiting Elders participate in the business meetings of Session as corresponding members only.
- II.3 The CHAIRPERSON of the Session shall be the Order of Ministry personnel settled in, or appointed to, the congregation with lead responsibility for pastoral care. The responsibilities of the Chairperson shall be to preserve order and to introduce any matters which are the concern of the Session. If absent or unable to preside, the Chairperson of the Session shall be any other Order of Ministry personnel settled in, or appointed to, the congregation. When the pastoral charge is vacant, the Presbytery, in consultation with the Session, shall appoint a temporary presiding officer.
- II.4 The members of Session shall elect a secretary who shall be known as the CLERK OF SESSION. The normal term of the Clerk of Session shall be two years. The Clerk shall keep the Record of Proceedings of the Session, preserve all papers and submit its records for regular review by Presbytery. The Clerk shall represent the Session on the Church Council and shall act on behalf of the Session in Services of Public Worship. The Clerk shall also organize and co-ordinate the elders for leadership in the Sacrament of the Lord's Supper.
- II.5 The members of Session shall elect a CLERK-ELECT OF SESSION who will be responsible to support the Clerk and act in his/her absence. The Clerk-Elect will normally succeed the Clerk at the end of his/her term.
- II.6 It shall be the responsibility of the Session to provide for the PASTORAL CARE of the congregation. The Session shall maintain the rolls of members and adherents, maintain the registers of baptisms, marriages and funerals, and provide for the regular visitation of all church households. Members of Session assigned to visitation districts should cultivate special acquaintance with all members, adherents and children in their care. All households should be contacted at least quarterly.
- II.7 It shall be the responsibility of Session to provide SPIRITUAL OVERSIGHT of the congregation. The elders shall deal with matters of discipline of church members and will recommend to Presbytery suitable candidates for the Order of Ministry. The elders shall be responsible for the administration of the sacraments.
- II.8 It shall be the responsibility of the Session to provide THEOLOGICAL REFLECTION within the life and work of the congregation. The elders may review the work and decisions of the congregation and its organizations in the light of the Biblical witness, church polity or tradition, and may report their findings and recommendations to the Church Council. The elders shall also receive and judge petitions and appeals from members of the congregation, and transmit petitions and appeals to Presbytery.
- II.9 It shall be the responsibility of the Session to provide adequate orientation and training for its members.
- II.10 All members of Session shall be elected for TERMS OF THREE YEARS and may be eligible for election to additional terms on an annual basis.

ARTICLE III - THE CHURCH COUNCIL

III.1 The PURPOSE of the Church Council shall be to administer the life and work of the congregation.

III.2 The MEMBERS of the Church Council shall be:

EX OFFICIO:

Order of Ministry personnel settled in, or appointed to, the congregation (non-voting), Church Administrator (non-voting), Clerk of Session, Past-Chairperson of the Church Council, Chairperson of the Board of Trustees.

ELECTED BY THE CONGREGATION:

Chairperson of the Church Council, Vice-Chairperson of the Church Council, Secretary of the Church Council, one of the lay delegates to Presbytery elected by the congregation, Chairpersons of all Standing Committees of the congregation.

III.3 It shall be the responsibility of the Church Council:

- a) to plan, initiate, direct and oversee the total life and work of the congregation.
- b) to direct as required, through its committees, the work of all paid and volunteer staff.
- c) to meet monthly, except July and August, or as required.
- d) to ensure that the congregation is kept adequately informed of the work of its committees and organizations, as well as of the whole church.
- e) to appoint and oversee other committees and task groups as may be needed.
- f) to review the Annual Budget proposed by the Standing Committee for Finance and present it for approval by the congregation.
- g) to receive regular reports from all Standing Committees, the Session, the Board of Trustees and the Presbytery.
- h) from time to time, to receive reports, delegations and/or recommendations from sub-committees, ad hoc committees, task groups, organizations or members of the congregation.
- i) to name the members of the Nominating Committee and its Chairperson.
- j) to provide for training and orientation for all officers of the congregation and members of all Standing Committees.

III.4 Special meetings of the Church Council may be called by the Chairperson of the Church Council, the Order of Ministry personnel settled in, or appointed to, the congregation, at least ten (10) members in good standing of the congregation who request a meeting in writing, or the Kente Presbytery of The United Church of Canada.

III.5 The congregation shall elect each year the CHAIRPERSON of the Church Council. The Chairperson shall serve for one year but shall be eligible for re-election to a maximum of two consecutive terms.

It shall be the responsibility of the Chairperson:

- a) to preside at all regular and special meetings of the Church Council.
- b) to consult with the Order of Ministry personnel settled in, or appointed to, the congregation on agenda items for all such meetings, including listing and bringing forth all unfinished business and other items pending from previous meetings of the Church Council.
- c) to approve the agenda for all such meetings
- d) to be the official representative of the Church Council.

III.6 The congregation shall elect each year the SECRETARY of the Church Council.

It shall be the responsibility of the Secretary:

- a) to prepare the agenda for all regular and special meetings of the Church Council and solicit approval from the Chairperson.

- b) to record all Minutes of the Church Council and the Minutes of the Annual and other Congregational meetings. Minutes shall be kept according to the guidelines described in *The Manual of The United Church of Canada* (sections 90-94).

III.7 The congregation shall elect each year the VICE-CHAIRPERSON of the Church Council.

It shall be the responsibility of the Vice-chairperson:

- a) to preside at all regular and special meetings of the Church Council in the absence of, or at the request of, the Chairperson.
- b) to assume the position of Chairperson of the Church Council if the Chairperson should become unable to complete his/her term.
- c) to act for the Chairperson of the Church Council if he/she is not available.

III.8 The congregation shall elect each year the CHAIRPERSONS OF ALL STANDING COMMITTEES of the congregation. Care shall be taken to ensure that the Chairpersons of Standing Committees have an appreciation of, and concern for, the purpose of the committees for which they are recruited.

It shall be the responsibility of the Committee Chairpersons:

- a) to direct the work of the committee as it is described in this Constitution or as given by the Church Council.
- b) to call and conduct meetings of the committee as required to do its work.
- c) to prepare the agenda for all committee meetings.
- d) to report for and communicate recommendations of the committee to the Church Council. If the Chairperson of a Standing Committee is unable to attend a meeting of the Church Council, he/she may be represented by another Committee member who will be a voting member of that meeting of the Church Council.
- e) to keep sufficient records of the committee's work to ensure continuity in its work.
- f) to file correspondence and documents of permanent value in the Church Office or with the congregation's Archivist.
- g) to prepare and submit an annual report on the work of the committee.

III.9 The congregation shall elect each year its DELEGATES TO KENTE PRESBYTERY, as many as allowed by the formula for Presbytery membership.

It shall be the responsibility of the Presbytery Delegates:

- a) to represent the congregation as full members of Kente Presbytery.
- b) to attend all meetings of Presbytery and to participate in its work, as directed by the Executive of Presbytery.
- c) to inform the Church Council of the work of Presbytery.
- d) to report to Presbytery the Concerns of the congregation.
- e) to name one of their number to represent them at the Church Council.
- f) to nominate to the Church Council its delegate to the Annual Meeting of the Bay of Quinte Conference.

III.10 The Church Council shall invite the youth of the congregation each year to select not fewer than six (6) of their number to be the YOUTH COUNCIL of the congregation. The Youth Council shall elect a Chairperson who will be an ex officio member of the Standing Committee for Faith Formation.

III.11 Members of the Church Council and Standing Committees shall be ELECTED ANNUALLY at a Congregational Meeting called for that purpose in May and shall serve no more than five (5) consecutive one-year terms in any one office. Ex Officio members (III.2) will remain on the Church Council as their office requires.

In the best interests of the congregation and with the consent of the individual, the Church Council may choose to waive the term limit.

- III.12 ALL MEMBERS AND ADHERENTS of the congregation may attend meetings of the Church Council and shall qualify for recognition as corresponding members who shall have the right to participate fully in Council proceedings with the exception that they shall not have the right to vote
- III.13 Due to the occasional sensitive issue discussed by the Church Council, the Chairperson reserves the right to go in-camera and ask any corresponding members to leave.
- III.14 Standing Committees shall be free to delegate specific responsibilities within their mandates to SUB-COMMITTEES which they may recruit from members and adherents of the congregation. The Standing Committee shall itself remain both responsible and accountable for all matters pertaining to its Purpose and Responsibilities.
- III.15 The immediate Past-Chairperson of the Church Council shall be the Parliamentary Advisor of the congregation for the duration of his/her term.

The purpose of the Parliamentary Advisor is to assist the presiding officer at meetings of the Church Council and congregation by offering advice concerning parliamentary procedure and process. The duly elected or appointed Chairperson retains all authority of presiding officer.

If the Past-Chairperson chooses to participate in the business of a meeting, he/she may temporarily delegate the role of Parliamentary Advisor.

If the Past-Chairperson is not available, the Chairperson of the Church Council shall appoint a Parliamentary Advisor.

- III.16 A quorum for the Church Council shall be the lesser of one-half or ten (10) of its voting members and at least one of the Order of Ministry personnel settled in, or appointed to, the congregation. In the event that none of the Order of Ministry personnel settled in, or appointed to, the congregation is available, the quorum shall include a representative appointed by the Kente Presbytery of The United Church of Canada. A quorum is necessary before a binding vote may be taken.

ARTICLE IV - THE STANDING COMMITTEES

- IV.1 The Standing Committees, their mandates and membership are detailed in subsequent paragraphs.
- IV.2 Specified duties of the Standing Committees are detailed in the Policies and Procedures of the congregation.
- IV.3 The Staff Leadership Team shall be the Order of Ministry personnel settled in, or appointed to, the congregation and the Church Administrator. Members of the Staff Leadership Team shall be appointed to each of the Standing Committees to provide support/advise. They shall be NON-VOTING members of their Standing Committees.

IV.4 STANDING COMMITTEE ON GOVERNANCE

The purpose of the Standing Committee on Governance is to provide insight and guidance on matters of organizational structure and procedure, policy creation and review, and compliance with church polity and statutory requirements.

The members of the Standing Committee on Governance shall be its Chairperson elected by the congregation, the Chairperson of the Church Council, the Order of Ministry personnel settled in, or appointed to, the congregation, the Church Administrator and at least two (2) members-at-large.

IV.5 STANDING COMMITTEE ON WORSHIP

The purpose of the Standing Committee on Worship is to provide leadership for the congregation in its worship life.

The members of the Standing Committee on Worship shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, the Director of Music and at least four (4) members-at-large.

IV.6 STANDING COMMITTEE ON FAITH FORMATION

The purpose of the Standing Committee on Faith Formation is to plan, coordinate and supervise the Christian education and nurture of people of all ages so that they may be helped to grow in faith and faithfulness.

The members of the Standing Committee on Faith Formation shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, a representative of the Sunday School staff, the Chairperson of the Youth Council and at least four (4) members-at-large.

IV.7 STANDING COMMITTEE ON CONGREGATIONAL LIFE

The purpose of the Standing Committee on Congregational Life is to provide for on-going fellowship among all members and adherents of the congregation.

The members of the Standing Committee on Congregational Life shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, representatives of congregational organizations including the Council of the United Church Women and the A.O.T.S. Men's Club, and at least four (4) members-at-large.

IV.8 STANDING COMMITTEE ON FINANCE

The purpose of the Standing Committee on Finance is to administer the financial resources of the congregation.

The members of the Standing Committee on Finance shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, the Church Administrator, and at least four (4) members-at-large.

IV.9 STANDING COMMITTEE ON OUTREACH

The purpose of the Standing Committee on Outreach is to encourage the people of the congregation to grow in their concern and care for one another and for all people.

The members of the Standing Committee on Outreach shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, the Church Administrator, and at least four (4) members-at-large.

IV.10 STANDING COMMITTEE ON PROPERTY

The purpose of the Standing Committee on Property is to provide for the care and maintenance of all church property.

The members of the Standing Committee on Property shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, the Property Superintendent, a representative of the Board of Trustees and at least four (4) members-at-large.

IV.11 STANDING COMMITTEE ON STEWARDSHIP

The purpose of the Standing Committee on Stewardship is to enable the people of the congregation to be faithful stewards and to encourage their stewardship of time, talents and treasure.

The members of the Standing Committee on Stewardship shall be its Chairperson elected by the congregation, the Order of Ministry personnel settled in, or appointed to, the congregation, the Church Administrator, and at least four (4) members-at-large.

IV.12 STANDING COMMITTEE ON MINISTRY AND PERSONNEL

The purpose of the Standing Committee on Ministry and Personnel is to provide a confidential setting for the support, consultation and assessment of Order of Ministry personnel settled in, or appointed to, the congregation and all persons employed by the congregation.

The members of the Standing Committee on Ministry and Personnel shall be its Chairperson elected by the congregation, one person appointed by each of the Order of Ministry personnel settled in, or appointed to, the congregation, and at least four (4) members-at-large. Staff of the congregation, including Order of Ministry personnel settled in, or appointed to, the congregation, shall not be members of the Standing Committee on Ministry and Personnel.

The Standing Committee on Ministry and Personnel reports to the Church Council and shall receive direction from it. While the committee's formal actions and recommendations shall be reported to the Church Council, much of its effective work will be conducted quietly and confidentially in dialogue with the Order of Ministry personnel settled in, or appointed to, the congregation, other staff members and the people of the congregation.

The Standing Committee on Ministry and Personnel shall maintain close liaison with the Pastoral Relations Committee of the Kente Presbytery of The United Church of Canada.

ARTICLE V - THE BOARD OF TRUSTEES

- V.1 The purpose of the Board of Trustees is to hold in trust all properties, real and personal, for use of the congregation.
- V.2 The Board of Trustees shall consist of not less than three (3) nor more than fifteen (15) members, a majority of whom shall be members in full communion of The United Church of Canada, at least one of the Order of Ministry personnel settled in, or appointed to, the congregation and the Church Administrator. In the event that not one of the Order of Ministry personnel settled in, or appointed to, the congregation is available, the Board of Trustees shall include a representative appointed by the Kente Presbytery of The United Church of Canada. The members of the Board of Trustees shall be elected by the congregation for terms without limit.
- V.3 It shall be the responsibility of the Board of Trustees:
- a) to elect annually a Chairperson, Secretary and Treasurer.
 - b) to name its representative to the Standing Committee on Property.
 - c) to arrange, in consultation with the Standing Committee on Property, for adequate property and liability insurance and to ensure that all insurance and government regulations are met.
 - d) to regularly monitor the condition of all church buildings and properties and to report to the Church Council its suggestions for the care and maintenance of such holdings.
 - e) to give an annual report of its work and funds held in trust to the congregation's Annual Meeting.