

Constitution and Bylaws

Living Water Church

Sun Prairie, WI

OUR MOTTO: Relationships are everything.

OUR MISSION: Building relationships that change lives.

Living Water Church

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PREAMBLE

We the congregation of Living Water Church seek to see all people live and grow in relationship with one another and with God, advancing His kingdom with the light of Christ in the power of the Spirit, pushing back the darkness so that the least, the last, and the lost are touched by the love of God and the people of Christ live into their destiny as world-changers. To assist in this purpose we establish this Constitution to which we voluntarily submit ourselves.

CONSTITUTION

Chapter 1 – Name, Incorporation, and Affiliations

1. The name of the congregation shall be Living Water Church, hereinafter referred to as LWC.
2. For the purposes of the Constitution and Bylaws, the congregation of Living Water Church will be referred to as LWC or “the congregation”.
3. The congregation shall be incorporated under Wisconsin statute, Chapter 181.
4. LWC is an affiliate of the Alliance of Renewal Churches (ARC) and the Lutheran Congregations in Mission for Christ (LCMC).

Chapter 2 - Statement of Faith

Because we love God and all people, we value:

- An intimate personal relationship with God our Father and Creator, whose image we bear.
- An unconditional surrender to the Lordship of Jesus Christ who alone is the Savior of all Mankind.
- A radical dependence on the empowering presence of the Holy Spirit today in every believer and the church body.
- The Bible as God’s word – absolutely dependable, relational, and relevant in equipping all people for life.

- Prayer for its power to bring us into God's presence and to change realities.
- Sharing the source of our hope and joy with others.
- God's healing power in our world today.

- Serving and giving as the highest forms of witness and work.
- Inspiring and joyful worship that engages the heart, mind, and spirit.
- Relationships as the most important facet of human existence.
- Pursuing a deeper daily walk with God through prayer, worship, study of His Word, service to others, and growing relationships with other believers.
- The grace of God, freely given- the only way to be saved.
- Unity as the true state of the body of Christ, striving to keep ourselves one in the Spirit and binding ourselves together in peace.
- A balanced approach to our faith, worshipping with equal awe the Father, Son, and Holy Spirit.
- The Sacrament of Baptism as a voluntary act of submission to the will of God representing our Death, Burial, and Resurrection in Jesus Christ.
- The Sacrament of Holy Communion, where the Real Presence of Christ is present in, with, and under the bread and drink.

Chapter 3 - Powers of the Congregation

1. The authority of this congregation is that which is necessary to fulfill its mission and ministry according to the Scriptures.
2. The congregation has ultimate responsibility with corresponding authority for all ministries, finances, and facilities of LWC. The non-fiscal responsibilities not reserved to the congregation in this Constitution are delegated to the Elders. The non-fiscal responsibilities not reserved to the Elders in this Constitution are delegated to the Ministry Board. The fiscal responsibilities not reserved to the congregation in this Constitution are delegated to the Board of Trustees.
3. The authority of this congregation is primarily exercised at the annual meeting or at a properly called meeting as provided for in this Constitution and Bylaws.
4. This congregation shall have authority to:

- a. Extend a letter of call or terminate a letter of call to an ordained pastor.
- b. Elect or terminate the members of the LWC Board of Trustees and the Nominating Committee.
- c. Approve the annual church budget.
- d. Acquire and dispose of real property and all assets, hold title to and use its property and all assets for any activities consistent with its mission and ministry.
- e. Make any legal agreements as necessary to fulfill the mission and ministry of this congregation.
- f. Adopt or terminate its official affiliation with any denomination, ministry association or organization.
- g. Determine membership and exercise the spiritual discipline of its members.
- h. Amend this Constitution and the Bylaws.

Chapter 4 – Leadership

1. The Congregational Leadership of the church shall be delegated to a Senior Pastor, Board of Elders, and a Board of Trustees.
2. The Congregational Leadership shall see that the provisions of the constitution and bylaws of this congregation are carried out.
3. The Senior Pastor shall have a seminary degree or an endorsement from a church body that is consistent with the Constitution and Bylaws of LWC. As the called and ordained shepherd of the congregation, the Senior Pastor shall have the final authority over the life and activities of this congregation, except as reserved elsewhere in this Constitution.
4. The Board of Elders shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything is done in accordance with the Word of God.
5. The Board of Elders may establish any ministry, program or team it deems necessary for the conduct of the mission of the congregation and may delegate specific duties and authority thereto.
6. The Board of Trustees shall have full authority to act in the name of this congregation and on behalf of its members with respects to all business and legal matters affecting this congregation, except as expressly reserved to the members or otherwise stated herein.
7. The Board of Trustees shall be responsible for the financial and property matters of this congregation.
8. The Board of Trustees shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Wisconsin, except as otherwise provided herein.

1. This congregation may adopt bylaws. No bylaw may conflict with the LWC Constitution.

Chapter 6 – Keeping of the Records

1. The records of the congregation shall be and remain the property of the congregation.
2. Corporate Articles of Incorporation, Bylaws, Notices of Meetings, all real estate records, and minutes of congregational meetings shall be retained permanently.
3. All original real estate records shall be retained permanently.
4. The records relating to “Church” business will be retained permanently and shall consist of but not limited to:
 - a. The rosters of membership.
 - b. Documents related to Baptism, Birth, Dedications, Weddings, and Death of members.
5. All other legal records will be retained for the period of time that is stipulated under state and federal law.

Chapter 7 - Amendments to the Constitution

1. Amendments to this constitution shall be proposed with a petition presented by at least 10% of the Voting Members of LWC, by the Board of Elders, or by the Board of Trustees to the Chairperson of the Board of Trustees.
2. Proposals must be filed in writing with the Board of Trustees sixty (60) days before formal consideration by this congregation at its regular or specially called meeting for that purpose.
3. Proposals must be presented to the congregation by the Chairperson of the Board of Trustees or other representative as outlined in the bylaws at that meeting with the Leadership’s recommendations at least two (2) weeks in advance of the meeting.
4. An affirmative vote of three-fourths (3/4) of the Voting Members present and voting is required to amend the constitution.
5. The definition of a Voting Member is found in the bylaws.

Bylaw 1 - Meetings

1. The annual meeting of the congregation shall be held once each calendar year and normally in January. The meeting shall include the election of members to the Board of Trustees and the Nominating Committee, the presentation of the annual budget, presentation of program accomplishments and goals for the year ahead, and transaction of other business.
2. A special meeting may be called by a petition of at least ten percent of the Voting Members, Board of Elders, or by the Board of Trustees. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
3. For the purpose of voting, the quorum for any meeting is over 20% of the Voting Members. Vote shall be by written ballot or hand vote at the discretion of the presiding official.
4. Voting by proxy or by absentee ballot shall not be permitted.
5. All actions by the Congregation shall be by majority vote unless specified otherwise.
6. Notices of all meetings of this congregation shall be given at least thirty (30) days in advance of the date of the meeting. Such notice shall be given through the following methods: worship service, a special mailing, and through the regular newsletter. The notice shall state the date, location, time, and specific purpose(s) of the meeting.
7. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all congregational meetings.
8. All annual or specially called meetings of the congregation shall be presided over by the Chairperson of the Board of Trustees or, in his/her absences, the Vice Chair of the Board of Trustees, or in the absence of both, the Chairperson will designate a person to preside. The Secretary of the Board of Trustees shall ensure the minutes are kept and reported.

Bylaw 2 - Property

1. The title to all real property of LWC shall be in the name of the church and no member or group of members shall have any individual property rights in the assets of the church.
2. In the event that the church is dissolved, the properties shall be sold, and all proceeds and residual monies, above liabilities, shall be divided among those individuals or organizations which the church has supported, including those organizations represented by individuals supported by LWC for at least five consecutive years during the ten-year period immediately prior to the date of dissolution. This division shall be

proportioned on the basis of the relative support levels among those eligible mission organizations as averaged over the aforementioned ten-year period. Those individuals or organizations which no longer exist at the time of dissolution shall be considered ineligible to receive any of these funds, even though they may have received support from the church in the past.

3. By incorporation, the church has legal standing before the courts of the state.

Bylaw 3 - Membership

1. Voting Members of this congregation shall be those persons on the roll of the congregation at the time this constitution is ratified who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
2. Members may join this congregation by attending new member classes and signing the current membership covenant.
3. A Voting Member shall have attained the age of eighteen and have signed a membership covenant.
4. A Non-Voting Member shall be those who are under the age of eighteen or those who have not yet joined the congregation but are attendees of the church.
5. Membership may be terminated by any of the following:
 - a. Death
 - b. Resignation
 - c. Transfer or release
 - d. Disciplinary action by the Board of Elders as delegated by the Congregation.
 - e. Removal from the roll due to inactivity. Inactivity is determined by the church as having no record of attendance or giving over the time frame of one year.
 - f. Such persons who have been removed from the roll of members shall remain persons for whom the church has continuing pastoral concern.

Bylaw 4 – Pastor(s)

1. The authority to call or terminate a pastor shall be in the congregation and shall be accomplished by at least a three-fourths (3/4) majority ballot vote of Voting Members present and voting at a specially called meeting for that purpose.
2. A pastor shall be terminated only for the following reasons:

- a. Mutual agreement to terminate the relationship
 - b. Resignation of the pastor
 - c. The physical or mental incapacity of the pastor
 - d. Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty
 - e. Dissolution of the congregation.
3. The specific duties of the pastor or pastors and other matters pertaining to the service of the pastor(s) shall be spelled out by the Board of Elders.
 4. The specific compensation pertaining to pastor(s) shall be determined by the Board of Trustees.

Bylaw 5 - Board of Elders

1. New Elders shall be appointed by the Board of Elders, which consists of the Senior Pastor and the current sitting members of the Board of Elders. All members of the Board of Elders shall be Voting Members in good standing of the congregation.
2. Elders shall be appointed for a term of three years and may serve up to two consecutive terms and confirmed by the Congregation at a specially called meeting for that purpose.
3. A person may be reappointed to the Board of Elders after a period of at least six months.
4. Elders may be removed from the Board of Elders by a majority vote of the remaining Elders and the Senior Pastor for the following reasons:
 - a. Mutual agreement of the Elder and the Board of Elders.
 - b. Resignation.
 - c. Physical or mental incapacity.
 - d. Disqualification through discipline on the grounds of doctrine, morality, or continued neglect of duty.
5. The Elders will appoint a Head Elder who will be responsible for:
 - a. Speaking on behalf of LWC
 - b. Ensure that a comprehensive annual report of program accomplishments and goals is prepared and presented to the congregation at each annual meeting.

- c. Setting the agenda for the Board of Elder meetings
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6. The duties of the Board of Elders shall include the following:
 - a. To be responsible, along with the ministry staff, for the visioning, development and execution of the total mission of this congregation, for the setting of goals and priorities, and for evaluating its activities in light of its mission and goals.
 - b. To have authority for the formation and running of any ministry group, in collaboration with the Ministry Board.
 - c. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - f. To arrange for pastoral service during the sickness or absence of the pastor.
 - g. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
 - h. To discipline members of the congregation as delegated by the congregation.
 - i. To have final authority to approve all policies and procedures adopted by any group or individual for the management of the church as spelled out in the most recent Guidelines and Expectations of Conduct and Behavior for Ministry Leaders.
 - j. In the event a pastor is needed, the Elders will convene a Call Committee of at least three congregation members of which at least one member is an Elder.
 - k. The Board of Elders shall maintain authority for the selection process of employment and dismissal processes of all lay employees.

Bylaw 6 - Board of Trustees

1. The officers of Living Water shall be the Chairperson, Vice Chairperson, Secretary and Treasurer.
2. The Chairperson shall:
 - a. Provide leadership in the business and legal operations of this congregation.
 - b. Preside over all meetings of the Board of Trustees and the congregation.
 - c. Ensure that all decisions and directions of the Board of Trustees are implemented.
3. The Vice Chairperson shall:
 - a. Have full authority of the Chair in his/her absence.

- b. Assume responsibility for those duties assigned by the Chairperson.
4. The Secretary shall:
 - a. Provide for and maintain a record of minutes of all meetings of the Board of Trustees and congregation.
 - b. Ensure that regular and effective communication of the activities and decisions of the Board of Trustees is provided to the congregation.
5. The Treasurer shall:
 - a. Hold primary custodial responsibility for all funds and special accounts of the congregation.
 - b. Represent the congregation in all matters of fiscal operation and policy.
 - c. Ensure that all regular and special financial obligations of the congregation are met.
 - d. Present a report on income and expenditures to the Board of Trustees at the regularly held business meetings at least quarterly.
 - e. Supervise any fiscal responsibilities delegated by the Board of Trustees to any team or staff member.
6. The Chairperson, Vice Chairperson, Secretary, and Treasurer shall be elected at the annual congregational meeting from nominees selected by the Nominating Committee as herein provided, or nominated from the floor.
7. The Vice Chairperson shall be elected to a two year term as Vice Chairperson, and then shall be automatically nominated to the office of Chairperson. The terms of office for each remaining elected officer shall be 2 years and no officer shall hold more than one office at a time.
8. The Board of Trustees shall consist of the officers and two at-large representatives elected from the congregation. All members of the Board of Trustees shall be Voting Members in good standing of the congregation.
9. An individual may serve on the Board of Trustees for no more than 3 consecutive terms (6 years).
10. A member's place on the Board of Trustees shall be declared vacant if the member misses 3 meetings within a year without cause or by resignation of the officer.
11. Officers for the vacant positions on the Board of Trustees shall be elected at the annual meeting. Paid Ministry Staff of LWC are not eligible for these positions.
12. At each annual meeting, the members of this congregation shall elect members for the Board of Trustees from nominees selected by the Nominating Committee as herein provided, or nominated from the floor.

13. In the event a position on the Board of Trustees should be declared vacant during the term, the Board of Trustees shall appoint, by majority vote, a successor until the next annual meeting. At this annual meeting, the congregation shall elect a successor to fill the remainder of the term.
14. In the event the Chairperson's position is vacated prior to the end of the term, the Vice Chairperson will assume the position of Chairperson and the Board of Trustees shall appoint, by majority vote, a successor to the Vice Chairperson until the next annual meeting.
15. The Board of Trustees shall develop and present a budget for the ensuing year to the congregation at each annual meeting.
16. The Board of Trustees, in its fiduciary capacity, may buy, sell, lease, rent or mortgage all church property, real and personal, including intangibles. All financial transactions must be conducted in accordance with the direction of the congregation as provided by the congregational approval of the annual budget. If emergency or unanticipated financial needs arise, the Board of Trustees may conduct unbudgeted transactions in amounts not to exceed 10% of the annual budget. Transactions in excess of 10% of the annual budget must be approved at a properly called congregational meeting. The Board of Trustees shall ensure that all assets and operations of the congregation are properly protected and insured.
17. The Board of Trustees shall control and account for the collection, management, and disbursement of all funds of the congregation. Disbursements shall be made either by the Treasurer, Chairperson, Vice Chairperson or other persons acting in accordance with authority specifically granted by the Board of Trustees. The Board of Trustees shall authorize all books of account to be audited annually, and a report thereof shall be presented to the Board of Trustees and the congregation at the annual meeting.
18. The Board of Trustees shall be responsible for the employment and dismissal of all lay employees of this congregation as directed by the Elders.
19. The Board of Trustees shall meet at least quarterly. The Board of Trustees may prescribe its own rules or procedures to provide for the orderly transaction of business and implementation of responsibilities of the Board of Trustees provided that they are not inconsistent with the constitution and bylaws of this congregation. A quorum for the transaction of business shall consist of a majority of the members of the Board of Trustees.
20. Special meetings of the Board of Trustees may be called by the Senior Pastor or the Chairperson, and shall be called by the Chairperson at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

Bylaw 7 - Nominating Committee

1. The Nominating Committee shall be elected by the congregation for purpose of selecting and nominating candidates for the Board of Trustees and Nominating Committee.
2. The Nominating Committee shall consist of the Senior Pastor and four members of the congregation that are knowledgeable regarding the mission, operation and membership of the church. Nominating Committee members will be elected to serve two year-terms

2. with two committee members being elected at each annual meeting.
3. The Nominating Committee shall hold its initial meeting to begin the search for candidates before May each calendar year. The Nominating Committee shall present the list of candidates to the Congregation Leadership at least thirty (30) days prior to the annual meeting. The list of candidates shall be included in the mailing that announces the annual congregational meeting. A member of the Nominating Committee shall present the list of candidates at the annual meeting and the Committee shall provide the proper ballots and supervise the election.
4. If a vacancy in the Nominating Committee develops prior to the annual election, the Board of Trustees, in cooperation with the Board of Elders, may appoint a successor to complete the term.

Bylaw 8 – Ministry Board

1. The Ministry Board consists of a representative from each of the Ministry groups and the Ministry Coordinator.
2. The Ministry Board reports directly to the Board of Elders.
3. The Ministry Board is guided by the Ministry Coordinator.
4. Each Ministry group shall conduct themselves consistent with LWC values and adhere to the most recent Guidelines and Expectations of Conduct and Behavior for Ministry Leaders.

Bylaw 9 – Use of the Facility

Any use of the LWC facilities must be consistent with the LWC values and be sanctioned by the Board of Elders.

Bylaw 10 – Consistency

If any provision of these bylaws is inconsistent with the Constitution of LWC or with any state or federal law, the inconsistent Bylaw shall be superseded by the respective article of the Constitution or by the statute.

Bylaw 11 - Indemnification

Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Board of Trustees member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

Bylaw 12 - Changes to Bylaws

1. Amendments to these bylaws shall be proposed with a petition presented by at least 10
2. Voting Members of LWC, by the Board of Elders, or by the Board of Trustees to the Chairperson of the Board of Trustees.
2. Proposals must be filed in writing with the Board of Trustees sixty (60) days before formal consideration by this congregation at its regular or specially called meeting for that purpose.
3. Proposals must be presented to the congregation by the Chairperson of the Board of Trustees or other representative as outlined in the bylaws at that meeting with the Leadership's recommendations at least two (2) weeks in advance of the meeting.
4. An affirmative vote of two thirds (2/3) of the Voting Members present and voting is required to amend the bylaws.

Bylaw 13 – Marriage

1. We believe that marriage is a holy institution established by God in creation. *Genesis 2:24*. We believe that marriage is the exclusive covenantal union of one man and one woman. *Malachi 2:14-15*
2. Living Water Church will faithfully follow this scriptural definition of marriage in the teachings and practices of this church, and therefore, this church and its staff, will not officiate, solemnize, perform or host a marriage or marriage-like ceremony involving anything other than the union of one man and one woman as instituted by God.

Document Revision History Table

March 4, 2012	Constitution Adopted by Congregation
January 25, 2015	Bylaw 13– Marriage unanimously adopted
January 31, 2016	Bylaw 4, Paragraph 2 was amended. Unanimously adopted.
January 31, 2016	Bylaw 5, Paragraph 1 was amended. Unanimously adopted.