**By-Laws of the United Church of Canistota**

**(Adopted at the Annual Congregational Meeting — January 22, 2012)**

**(Revisions adopted Annual Congregational Meeting — January 28, 2024)**

**ARTICLE I**

**Meetings**

**Section 1. Annual Meeting**

The annual meeting of the members of this corporation shall be held at the main offices of said corporation in Canistota, South Dakota, at a time designated by the Council, and no further notice than that given by the bylaws is necessary.

**Section 2. Special Meetings**

Special meetings of the members of this corporation may be held at the regular place of business or at such other place as designated by the Council, within the City of Canistota and may be called at any time by the Chair of the Council, and in the Chair's absence by the Vice-Chair of the Council or by any one of the Trustees.

**Section 3. Special Meetings (Notice)**

Special meetings of the members may be called when desirable and two (2) public notices are given by written notices in the worship bulletins and two (2) public announcements from the pulpit at two (2) Sunday services preceding such a meeting.

**Section 4. Annual or Special Meetings**

At all meetings, annual or special, the chair of the Council, or in the chair's absence or inability to act, the Vice-Chair of the Council or, in their absence or inability of each of them, the Secretary shall preside at all such meetings.

**Section 5. Voting at Meetings**

At every such meeting, each member shall be entitled to cast one vote, which vote must be cast by each member in person.

**Section 6. Quorum**

A quorum for the transaction of business at any such meetings shall consist of at least twenty (20) members of the corporation, though if less than a quorum is present, the members present at any such meeting may adjourn the meeting to a future time, to be specified by them.

**Section 7. Order of Business at Annual Meetings**

The order of business at the annual meetings shall be reporting of the proceedings of the previous year and there shall be elected by the members of the corporation such members of committees, active elders, and other positions as may be necessary to fill vacancies by expiration of office or otherwise. Such members shall hold office for the time prescribed and until their successor shall be elected and qualified. Other business may be added to the agenda as approved by the members.

**ARTICLE II**

**Members**

**Section 1. Classes of Membership**

The members of the corporation shall consist of the members of The United Church.

**ARTICLE III Rules of Order**

**Section 1. Robert's Rules of Order**

Robert's Rules of Order shall govern all questions of order in all cases where they are applicable and in which they are not in conflict with the by-laws or other rules adopted by the corporation.

**ARTICLE IV**

**Ceasing of Operation**

**Section 1. Rules of Ceasing of Operation**

If The United Church should at any time cease to operate under the plan of union as it is or as it may be modified by the denominations acting concurrently, all property, real and personal, of The United Church shall be divided in accordance with the agreement of the judicatories of jurisdiction.

**ARTICLE V Membership**

**Section 1. Qualifications of Members**

All members of The United Church shall be under the discipline of the governing body according to rules agreed upon in harmony with the constitutions of the several denominations where they coincide, and in harmony with the mandatory provisions of the constitution of any one denomination where the others are permissive, and at the choice of the governing body where they may be contradictory.

**ARTICLE VI**

**Council Members**

**Section 1. Council Members**

The property and affairs of the corporation shall be managed by one delegate or alternate from each of the following: Each of these positions will have one vote on the Church Council. An individual shall have only one vote regardless of how many positions they hold. The Chair of the Council shall vote in case of a tie vote of the Council.

1. Trustees
2. Committee on Pastoral Relations and Parsonage (Pulpit Committee)
3. Committee on Education
4. Committee on Stewardship and Finance
5. Committee on Worship and Membership
6. Committee on Ministries (World Outreach and Social Concerns)
7. Elder Team
8. Member at Large (delegate and alternate shall be elected at the annual meeting)
9. Vice-Chairman
10. Secretary of the Council
11. Financial Secretary
12. Church Treasurer
13. United Women’s Society (UWS)

**Section 2. Membership of Committees and Active Elders**

The membership of the committees and Elder Team, one (1) through seven (7), in Article VI shall in each

instance be no less than three (3) or more than six (6). They shall determine their own size and report to the lay

Leadership committee for election of new members of the committee or elders. They shall elect a Chair, Council delegate, and a Council alternate from their own group. One person may hold two of these positions.

Notes regarding Committee on Pastoral Relations and Parsonage (Pulpit Committee)

* 1. This committee shall have two additional members over and above normal membership of three to six (3-6) members. The commissioner to presbytery and the Lay Member to Annual Conference are automatically on PPR and are elected for one-year terms at the Congregational Annual Meeting.
  2. The Council Chair, employees, staff and family members of staff are not to serve on PPR.

All members of the Council must be members of the corporation.

**Section 3. Length of Service**

The Committee members and group members [listed in **ARTICLE VI** Section 1, numbered one (1) through seven (7)], auditing and lay leadership committee members will serve for terms of three (3) years, or until their successors have been duly elected and qualified. In no case shall a person hold an elected office or council position continually for more than six (6) years.

**Section 4. Quorum**

Quorum for the Church Council shall be six (6) members.

**ARTICLE VII Officers**

**Section 1. Officers of the Corporation**

The officers of the corporation shall be Chair of the Council, Vice-Chair of the Council, Secretary, Financial Secretary, and Church Treasurer, each of whom shall be elected by the Council from the members of the Corporation at large. The officers of the Corporation may be members of Committees or groups. The officers of

the Corporation shall not chair, be a delegate or an alternate of the Committees or groups that comprise the Council, listed in **ARTICLE VI** Section 1, numbered one (1) through seven (7).

**Section 2. Election and Term of Office**

The officers of the corporation shall be elected annually by the Council at a time and in such manner as is determined by the Council.

**Section 3. Vacancies of Officers of Committees and Committee Members**

A vacancy in any office or committee may be filled by the Council for the unexpired portion of the term.

**ARTICLE VIII**

**Auditing and Lay Leadership**

**Section 1. Auditing Committee**

An Auditing Committee of four members shall be appointed by the Council. Its members do not need to be members of the Council, but one of the members of the auditing committee shall be a representative from the Stewardship and Finance Committee. They are responsible to the United Church Corporation.

**Section 2. Lay Leadership Committee**

The elective members of the lay leadership committee shall be nominated from the floor at the annual meeting of the corporation. This committee shall have four (4) members, one of whom shall be the Pastor. The Pastor will serve as chair, and in the Pastor’s absence, any member of the committee can be designated as chair. Members of the Lay Leadership Committee need not be members of Council.

**ARTICLE IX Committees**

**Section 1. Committees**

The Council shall have the power to form special committees of its members and other persons.

**ARTICLE X**

**Appeals and Complaints**

**Section 1. Appeals and Complaints**

Appeals or complaints against the actions of the governing body of The United Church shall be made ~~only~~ to one judicatory at the choice of the member or members. If the appeal or complaint is not resolved, the first judicatory shall consult with the second judicatory. Decisions so finally made shall be binding on the governing body and on the members.

**ARTICLE XI**

**Minister and Ministers**

**Section 1. Minister or Ministers**

The minister or ministers shall be subject to the discipline of the judicatories of jurisdiction of all churches involved provided that when one shall begin an action it shall invite a committee from each of the others to join the commissioner, prosecutor, or prosecuting committee, in formulating and pressing the charges. In the event of an appeal the case shall be finally decided by the highest court to which appeal is taken in the church which commenced the action and that decision shall be equally binding on all judicatories of jurisdiction.

**Section 2. Pastoral Procurement**

1. It is understood that this church shall alternate between seeking pastors from the Presbyterian Church USA and United Methodist Church. A potential candidate to be considered should be fully ordained and/or in good standing with their denomination.
2. The Committee on Pastoral Relations shall be the Pulpit Committee. This committee shall work with the respective judicatories in securing the person who will serve as pastor.
3. A person shall be considered "called" as pastor of the congregation when the committee and the United Methodist Church and Presbyterian Church USA judicatories have expressed agreement.
4. If either denomination is unable to furnish an acceptable candidate within six months of the vacancy then both denominations shall be free to suggest qualified candidates.
5. During the period when the church is without a pastor it shall be the responsibility of the council to provide the necessary pastoral services in consultation with representatives from the judicatory that is responsible for making recommendations.
6. Any new minister who is considered should be made aware of the ecumenical nature of their tasks and be willing to relate to the disciplinary standards of the two higher judicatories.

**ARTICLE XII**

**Minister Pension Plan**

The minister or ministers shall participate in the denominational pension plan of one of the several churches. If the minister or ministers are already participating in one plan, they should remain in the plan. If not a member of any plan, the minister shall choose among them.

**ARTICLE XIII Constitutions**

**Section 1. Provisions of Constitution**

Wherever the constitutions of the several denominations differ, the mandatory provisions of the one shall apply in all cases when the others are permissive. Wherever there are conflicting mandatory provisions except as provided in Article V above, the governing body of The United Church shall petition the several judicatories of immediate jurisdiction to overture their respective higher courts to resolve the conflict, either by authoritative interpretation or by constitutional amendment.

**ARTICLE XIV**

**Members of the Governing Body**

Members of the governing body of The United Church shall be eligible to membership and office in their respective higher judicatories.

**ARTICLE XV**

**Total Membership**

The United Church shall report an equal part of the total membership to each judicatory of jurisdiction, and such membership shall be reported in the records of each church involved with a note to the effect that the report is that of a union church which has therefore double (or other multiple) the membership listed. A similar report of church school members, baptisms, etc., and financial expenditures (where applicable) shall be made by the governing body and noted by each church involved in its records.

**ARTICLE XVI**

**Duty of Minister**

The minister or ministers of The United Church shall be full and responsible members of all judicatories of immediate jurisdiction and shall be subject to discipline as provided above in Article XI, Section 1.

**ARTICLE XVII Properties**

All property of the uniting churches, real and personal, shall be transferred to The United Church corporation. The new corporation shall be the legal successor of the corporations, if any, of the uniting churches, and it shall be bound to administer any trust, property, or any monies received in accordance with the provisions of the original establishment of the trust. All liabilities of each uniting church shall be liabilities of The United Church.

**ARTICLE XVIII Rights**

While recognizing the basic right of any giver to designate the cause or causes to which their own gift shall go, the governing body of The United Church shall annually propose to the congregation a general mission or benevolence program which shall be divided equally among the denominations for the approved causes of each. The allocations within the equal parts shall be as the governing body shall decide in response to the requests of the higher judicatories.

**ARTICLE XIX Apportionments or Assessments**

Per capita apportionments or assessments shall be paid to each judicatory of jurisdiction on the basis of Article XV above.

**ARTICLE XX Amendment of By-Laws**

These by-laws may be amended, altered, changed or repealed by an affirmative vote of two-thirds of the members of the corporation present and voting at any regular meeting or at any special meeting if notice in writing of the proposed Amendment is contained in the special meeting notice. \*

\*Two weeks previous notice must be given and the purpose(s) of the meeting must be stated in the notice. Only those purposes stated in the notice may be dealt with in the special meeting.