

BYLAWS OF THE KIRK OF DUNEDIN

Article 1 - NAME AND LOCATION

The name of the church shall be THE KIRK OF DUNEDIN, INC. It is located at 2686 Bayshore Boulevard, Dunedin, Florida 34698.

Article 2 - PURPOSE

The purpose of The Kirk of Dunedin, a Christian church, is to help people become fully faithful followers of Jesus Christ.

Article 3 - DOCTRINE

What We Believe Common Ground in a Christian Church

The Bible is God's unique revelation to people. It is the inspired, inerrant, infallible Word of God, and the supreme and final authority on all matters upon which it teaches. No other writings are vested with such divine authority.

There is only one God, creator of heaven and earth, who exists eternally as three persons— Father, Son, and Holy Spirit, each fully God, yet each personally distinct from the other.

All People are created in God's image and matter deeply to him. Central to the message of the Bible is that God loves people and invites them to live in communion with Himself and in community with each other

Apart from Jesus Christ, all people are spiritually lost and, because of sin, deserve the judgment of God. However, God gives salvation and eternal life to anyone who trusts in Jesus Christ and in his sacrifice on his or her behalf. Salvation cannot be earned through personal goodness or human effort. It is a gift that must be received by humble repentance and faith in Christ and His finished work on the cross.

Jesus Christ, second person of the Trinity, was born of the Virgin Mary, lived a sinless human life, willingly took upon Himself all of our sins, died and rose again bodily, and is at the right hand of the Father as our advocate and mediator. Someday He will return to consummate history and to fulfill the eternal plan of God.

The Holy Spirit, third person of the Trinity, convicts the world of sin and draws people to Christ. He also indwells all believers. He is available to empower them to lead Christ-like lives and gives them spiritual gifts with which to serve the church and reach out to a lost and needy world.

Death seals the eternal destiny of each person. At the final judgment, unbelievers will be separated from God into condemnation. Believers will be received into God's loving presence and rewarded for their faithfulness to Him in this life.

All believers are members of the body of Christ, the one true church universal. Spiritual unity is to be expressed among Christians by acceptance and love of one another.

The local church is a congregation of believers who gather for worship, prayer, instruction, encouragement, mutual accountability, and community with one another. Through it, believers invest time, energy, and resources to fulfill the Great Commission—reaching lost people and growing them into fully devoted followers of Christ.

We believe that baptism and the Lord's Supper are the ordinances of the church and that they are a scriptural means of testimony for the church in this age.

Article 4 - MEMBERSHIP

- A. **APPLICATION.** Membership in the church shall be open to any person who believes in Jesus Christ as Lord and Savior. Applicants for membership may come by request, profession or reaffirmation of faith, or by a letter of transfer.
- B. **DUTIES.** Expectations of members are to attend the worship of the church and the celebration of the Lord's Supper regularly; to live the Christian life; to share in the life and work of the church, to contribute to its support and benevolence; and to seek diligently the spiritual welfare of the community.
- C. **BAPTISM.** Baptism is a form of a public confession of faith and is highly encouraged for every believer.
- D. **TRANSFER.** A letter of transfer may be granted to any requesting church on behalf of any member.
- E. **MEMBER ROSTER.** A member whose address is unknown, or one with whom there has been no communication for eighteen months, shall be removed from the Member Roster. Upon resumption of activity, any inactive member may be reinstated to active membership

Article 5 - GOVERNMENT

- A. **VESTED AUTHORITY.** The government of the church is vested in its members, who exercise the right of control in all of its affairs through Congregational Votes and through authority delegated to The Board of Elders. The church functions as a, Not-for-Profit Corporation, under powers granted by the State of Florida in the Articles of Incorporation, filed May 5, 1967, as amended.
- B. **RETAINED AUTHORITY.** The congregation retains the final approval of the following responsibilities:
 - 1) Personnel Matters:
 - a. Election of the Pulpit Committee
 - b. Calling of Ministers
 - c. Election of Elder Members
 - d. Creating of new paid ministerial staff positions
 - 2) Financial Matters:
 - a. Approval of the Annual Budget
 - b. Approval of the proposed increase to the Annual Budget as follows:
 - Single budget item in excess of \$20,000.00
 - Aggregate budget increases in excess of \$40,000.00
 - Approval of capital additions to The Kirk properties which exceed \$10,000 and which are not included in the Annual Budget
 - Acquisition and disposition of real property
- C. **CONGREGATIONAL APPROVAL.**
 - 1) Yearly Budget Approval. Once a year, in November, the Board of Elders will present the members of the congregation with a ballot and budget for the coming year for approval.
 - 2) Special Meetings of the Congregation:
A special Congregational Vote may also be called by The Board of Elders or by written petition signed by not less than thirty-three (33%) of the active church membership. The petition shall contain specifically and in detail the reason for the requested meeting.

When a Congregational Vote is called by petition, The Board of Elders shall call such requested meeting within three (3) weeks from the day of the receipt of the petition. Written notice will be given to the membership two (2) Sundays prior to a special Congregational Vote, in which notice of the agenda shall be stated and explained. No business other than that stated in the petition or approved by the Elders may be conducted or considered at the special meeting.

- 3) Meeting Protocol. It may be appropriate to ask persons to be excused when The Board of Elders or the congregation discuss or vote upon (without ballot) business matters which directly involves the person or their immediate family. The following actions shall be by ballot:
 - Election of Elders
 - Election, promotion, or termination of Ministers
 - Other matters when a majority of the body votes to use a ballot
- 4) The Moderator (chairperson of the Elders board) presides at Congregational Votes. The Moderator or his/her representative of The Board of Elders shall preside at any duly called Congregational Vote.
- 5) Meetings shall be conducted in accordance with *Robert's Rules of Order*.
- 6) A quorum shall exist when no less than ten percent (10%) of the active members of the church respond to an item or agenda that requires congregational approval. Before the meeting date, the secretaries will be asked to provide this information to the Moderator for him/her to determine if a quorum is present.

Article 6 - THE BOARD OF ELDERS

- A. **MEMBERS.** The Board of Elders shall be composed of not fewer than twelve (12) nor more than fifteen (15) Elders. They will serve for a term of three (3) years, after which they will not be eligible for re-election until one (1) year has passed. Terms will be arranged so that approximately one-third (1/3) of the members are elected each year.
- B. **INSTALLATION.** Newly elected Elders shall be installed in January.
- C. **DUTIES.** The Board of Elders shall be the Executive Board of the Church, and assume and exercise those duties and responsibilities not specifically retained by the Congregation, including the nomination of Elders.
- D. **MEETINGS.** Regular meetings will be held monthly, except recess during some summer months may be voted by the Elders. Special meetings for specific purposes may be called by the Moderator or the Minister, or upon request of three (3) Elders of The Board.
- E. **QUORUM.** A quorum shall exist when at least three-fourths (3/4) of the elected members of The Board of Elders, are present at a meeting. When less than a quorum is present, business can be conducted, but the vote will need to be ratified at the next meeting. In the event of an emergency, the Moderator will have the authority to call for a vote.
- F. **AGENDA.** The meeting agenda will be prepared by the Moderator with inputs from the Elders and will be made available to all Elders at least one day prior to the meeting. Action upon any non-agenda item must be deferred until the next regular meeting. The deferral may be overturned by two-thirds (2/3) majority vote of the members present for each specific item.
- G. **MODERATOR.** The Elders shall nominate and elect a Moderator to preside at the Board of Elders and Congregational Votes. The Moderator shall be ex-officio member of all committees and church organizations. The Elders shall also elect one or more Vice-Moderators (not a Minister) who shall act in the absence of the Moderator.
- H. **OFFICERS.** The Moderator shall appoint a Clerk, Treasurer, and Finance Secretary subject to ratification by The Board of Elders. The Clerk of The Board of Elders shall also take minutes at the business meetings. The Officers represent The Board of Elders and the congregation in financial, personnel, property and other legal matters as delegated by The Board of Elders. The Officers are the

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Moderator, the Vice Moderator(s), the Treasurer, and the Financial Secretary. Those Officers designated by church office will serve as long as they continue in office.

- I. **STAFF.** The Board of Elders, in consultation with the Minister, shall be responsible for: the employment, replacement, or dismissal of staff. The congregation must approve any new paid staff positions.
- J. **AUDITOR.** The Board of Elders shall appoint an auditor every five (5) years to audit/review the Church financial records.
- K. **EXPENSE CHANGES.** The Board of Elders shall have the authority to increase any single item in the budget up to \$20,000.00 and in the total budget up to \$40,000 from the last budget approved by the congregation.
- L. **INFORMATION.** Any member may attend The Board of Elders meetings. However, they do not have the privilege to vote. Some meetings of sensitive nature may be deemed private.
- M. **ADVISORY BOARD.** The Board of Elders functions as the advisory group to the Minister.

Article 7 – NOMINATIONS TO THE BOARD OF ELDERS

The Board of Elders shall evaluate and select a nominee for each opening for the ensuing year. Appointments shall be presented for ratification to the congregation. In case of unscheduled vacancies on The Board of Elders, The Board of Elders shall make temporary appointments to complete the calendar year. If the unscheduled vacancy extends beyond the current year end, a nominee to complete the term will be presented to the congregation. When the need for a Minister or Associate Minister is determined by Board of Elders, The Board of Elders shall nominate a Pulpit Committee (Ref: Article 8, paragraph A.1)).

Article 8 – MINISTER

- A. **ELECTION.** The election of a Minister or Associate Minister shall be conducted according to the following procedure:
 - 1) Forming a Pulpit Committee. At the direction of The Board of Elders, a Pulpit Committee of at least seven (7) shall be formed.
 - 2) Meeting and Election of Pulpit Committee Officers. The Pulpit Committee will meet at the call of the Moderator or Vice Moderator. A chairperson, vice-chairperson, and a secretary-treasurer shall be elected.
 - 3) Operating Budget for Pulpit Committee. The Board of Elders shall arrange an operating budget for the Pulpit Committee and specify pastoral financial agreement details.
 - 4) Responsibility and Voting of Pulpit Committee. The Pulpit Committee shall seek pastoral candidates who evidence Christian commitment in life, appropriate education and experience, and accept the church position as outlined in its Charter and Bylaws. Upon a majority vote of the Pulpit Committee, the congregation will be notified of the recommendation of the candidate's background and qualifications. The candidate will be brought to the congregation in a worship, preaching and fellowship experience.
 - 5) Ascertain Approval of Candidate. A three-fourths (3/4), seventy-five percent (75%) affirmative vote by ballot of active members will be required for election of the Minister.
 - 6) Response to Congregational Action. The Pulpit Committee will respond to congregational action by arranging a ministerial installation, or will search further if congregational approval is not obtained.

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- B. TERM OF CALL.** The Minister is called for an indefinite term. The following procedures will apply to the term of call:
- 1) Agreement between Minister and the Board of Elders. An Agreement will be negotiated between the Minister and the Board of Elders. This Agreement will be in conformance with these Bylaws. It will also be reviewed upon request of The Board of Elders or Minister.
 - 2) Minister's Ability to Terminate. The Minister may terminate the Agreement by written request, giving sixty (60) days notice. NO congregational approval is required.
 - 3) Board of Elders Ability to Terminate. Upon recommendation of The Board of Elders, or a petition signed by at least thirty-three percent (33%) of the active church membership, a special Congregational Vote will be called to consider termination of the Agreement. Voting will be by ballot. A vote of seventy-five percent (75%) of the active members will be required to terminate the Agreement, giving the Minister sixty (60) days' notice.
 - 4) Minister's Duties. The Minister provides leadership for the church in all areas, being responsible to the congregation through The Board of Elders. His duties include but are not limited to:
 - a. Directing all congregational worship experiences.
 - b. Preach biblical messages. Planning and guiding educational and fellowship activities as needs and requests occur.
 - c. Leading and participating in the visitation ministry of the church.
 - d. Participating in the organ concert ministry.
 - e. As an ex-officio member of all committees and church organizations, advising and preparing plans to fulfill the purpose of the church.
 - f. Administrative duties, including staff recommendations, guidance and supervision.
 - g. Presenting verbal ministry reports at each Elders meeting and a written report at each annual meeting of the congregation.
 - h. Propose plans for church growth
 - 5) Administration of the Sacraments. The Minister or the Associate Minister(s) shall administer the Sacraments of Baptism and Holy Communion.

Article 9 - ORGANIZATIONS

- A. **GENERAL.** Organizations may be formed by the Congregation, the Elders Board, existing ministry departments and pastoral staff within the framework of the church, subject to approval of The Board of Elders. The organizations shall elect their leaders, direct their function, and operate within procedures established by The Board of Elders.
- B. **REQUIREMENTS.** Each organization will fill out a charter sheet. The Operations Manual will contain the charters of all organizations within the church.
- C. **EXAMPLES.** Some typical organizations within the church may include a Worship Committee, Organ Concert Committee, Finance Committee, Youth and Family Team, Spanish Ministry, Men's Ministry, Women's Ministry, and more.

Article 10 – OPERATIONS MANUAL

An Operational Manual will be maintained and made openly available and to the Elders, Officers, and staff in an office binder and online. The contents of the Operations Manual will be continuously updated and will contain the following information:

- i. Policies and Procedures
- ii. Job Descriptions
- iii. Organization Charter Pages
- iv. Minutes from Elders' meetings
- v. Bylaws
- vi. Access information (usernames and passwords) of equipment, facilities and programs
- vii. Copies of leases, rental agreement, legal papers.
- viii. Church use policy
- ix. Financial processes and reporting

Article 11 - PROPERTY

- A. The Kirk may in its corporate form, 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 Kirk may undertake; and may purchase, own, receive, hold, manage, care for, transfer, and convey such property for the general purpose of The Kirk; 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 Kirk.
- B. If The Kirk of Dunedin shall by a vote of three-fourths (3/4) of its members present at a duly called Congregational Vote agreed to close The Kirk permanently or if for any other reason The Kirk of Dunedin Corporation shall cease to exist, all remaining property owned by the Corporation shall be sold. Any assets remaining after payment of expenses and debts will be distributed to Christian charities. The place and terms of the sale, the selection of recipients of the assets and other matters of closing the Church shall be as directed by members present at a duly called Congregational Vote. The distribution shall be in compliance with the Internal Revenue Code 501(c)(3) for non-profit corporations.
- C. All Church property shall be held in the name of the Officers (see Article 6, paragraph H.).

Article 12 - AMENDMENTS TO CHARTER AND BYLAWS

The Board of Elders shall prepare proposed amendments to the Charter and to the Bylaws. By a majority vote of the Elders Board, the proposed amendments shall be recommended to the Congregation for consideration at a duly constituted meeting. A two-thirds (2/3) affirmative vote of the members present will be required for approval. Any church member may suggest amendments to the Charter or the Bylaws to the Elders Board.