

Proposed Constitution & Bylaw Amendments

January 2023

Over the past number of years, we have struggled to meet the different quorum requirements laid out in the Emmanuel Church constitution and bylaws. At times this has meant that votes were delayed and subsequent meetings had to be convened.

And so, in the summer of 2021, the Elders presented a proposal to the congregation to lower the quorum requirements. This proposal was not approved at the 2022 AGM. Since then, a 'Quorum Requirement Working Group' has been studying this issue and has presented a new proposal to the Elders Board. In turn, the Elders hope this proposal will be accepted by the Emmanuel active membership at the 2023 AGM.

Our pastor has been communicating different aspects of these changes, and it is our hope that you have already communicated any questions or concerns about this proposal with the elders.

To fulfill the requirements of our constitution, we are now presenting the actual wording of the proposed changes to our constitution. Please read them carefully, consider their ramifications, and communicate any questions or concerns you may have to the elders.

Before we get to the actual wording, we want to give a brief conceptual overview of the proposed changes:

Currently, the quorum requirement for a congregational meeting is 25% of the membership plus 1. However, the requirement is higher for a vote on an Elder nomination (50%+1), while a vote to call a new pastor or to update the constitution requires 2/3 of the membership to agree. We struggle to meet the requirements for these 'weightier decisions'. Thankfully, the elders believe there is a reasonable solution, namely:

Regarding our congregational meetings and 'regular' decisions:

To keep the current quorum requirement for a congregational meeting at 25% +1.

To pass a motion, a simple majority of those members present and voting is required

Regarding the three 'weightier decisions' (calling of a pastor, affirming an elder, and changing the constitution & bylaws):

Quorum requirement of 40%+1. To pass a motion for any of these 'weightier' decisions 75% of those members present and voting need to be in favor.

In addition, the topics of items to be discussed at a meeting and the names of proposed Elders will be made public at least 14 days in advance of the meeting.

This should protect the organization from any group forcing a decision without the

knowledge of the membership at large.

Finally, one additional change is being proposed, which will be addressed in a separate motion at the AGM. This change is regarding the appointment of a chair for meetings dealing with discipline or removal of the pastor. Currently, our constitution calls for a chairperson to be chosen from the floor. However, we strongly believe this person should have time to prepare to lead a difficult meeting like this, and so we propose that the chairperson be selected by the elders prior to such a meeting.

Below you will find a comparison of the pertinent parts of our constitution and bylaws that reflect these changes. Look specifically for the italicized wording, as they indicate the changes.

Don't hesitate to contact any of the elders with any questions or concerns, and be sure to make attending the AGM a priority!

On behalf of the Elders' Board,

Pastor Sweis Ubels

THE ACTUAL PROPOSED CHANGE IN WORDING:

CONSTITUTION

ARTICLE VII: The Elders

Current:

4. E. The recommendation(s) of the Board of Elders must be confirmed by at least seventy-five percent (75%) of those members present, at a meeting attended by at least fifty percent (50%) of the Membership plus one.

Proposed:

4. E. The recommendation(s) of the Board of Elders must be confirmed by at least seventy-five percent (75%) of *active members* present *and voting, at a meeting attended by at least forty percent (40%) of the active membership plus one. The names of those recommended will be made available at least 14 days prior to the meeting at which the vote of confirmation will take place.*

ARTICLE IX: Amendments

Current:

1. This constitution may be amended upon the approval of an amendment by the Board of Elders, with confirmation by two-thirds (2/3) of the Members of the congregation. Proposed amendments shall be provided in writing to each Member thirty (30) days prior to the congregational meeting at which confirmation of an amendment will be requested. Thus the members will have the opportunity to express to the Elders their concerns regarding the proposed amendment.

Proposed:

1. This constitution may be amended upon the approval of an amendment by the Board of Elders, with confirmation by *75% of active members present and voting, at a meeting attended by at least forty percent (40%) of the active membership plus one.* Proposed amendments shall be provided in writing to each active member thirty (30) days prior to the congregational meeting at which confirmation of an amendment will be requested. Thus, the members will have the opportunity to express to the Elders their concerns regarding the proposed amendment.

BYLAWS:

3. Congregational Meetings

Current:

The Annual Congregational Meeting or any congregational meeting shall be called and chaired by the Senior Pastor, or his or her designate, unless the meeting has been called to consider discipline or removal of the Pastor. In that case, the meeting shall be called by the Board of Elders, and a chairperson shall be elected from the floor.

On issues requiring a vote, each Member shall be entitled to one vote. No votes by proxy will be allowed.

The congregation shall meet at least once annually, within sixty (60) days of the year's end, to review the affairs and progress of the ministry of the church.

Notice of all congregational meetings must be given at two consecutive Sunday worship services preceding the meeting. Every reasonable attempt must be made to see that each Member has received notice of any congregational meeting.

The Board of Elders shall prepare an annual budget to be presented to the congregation for discussion at the Annual Congregational Meeting. A quorum of any congregational meeting is twenty-five (25%) of the resident Membership.

Proposed:

The Annual Congregational Meeting or any congregational meeting shall be called and chaired by the Senior Pastor, or his or her designate, unless the meeting has been called to consider discipline or removal of the Pastor. In that case, the meeting shall be called by the Board of Elders, and a chairperson shall be *selected by the Elders prior to the meeting*.

On issues requiring a vote, each *active* member shall be entitled to one vote. No votes by proxy will be allowed, *however, a person may attend the meeting in-person or remotely via approved technology*.

The congregation shall meet at least once annually, within sixty (60) days of the year's end, to review the affairs and progress of the ministry of the church.

Notice of all congregational meetings *and the main topics of discussion* must be given at two consecutive Sunday worship services preceding the meeting. Every reasonable attempt must *be* made to see that each Member has received notice of any congregational meeting.

The Board of Elders shall prepare an annual budget to be presented to the congregation for discussion at the Annual Congregational Meeting. A quorum of any congregational meeting is twenty-five (25%) of the *active* membership.

5. Hiring/Calling Staff

Current:

Whenever a new Pastor is required, the Board of Elders, through prayer and under the guidance of the Holy Spirit, shall appoint a Search Committee. This committee shall be composed of at least two Elders and at least two other Members.

The Search Committee shall draw up a short list of pastoral candidates to be interviewed. These candidates shall be asked to participate in the life of the congregation by preaching, sharing with church members, and addressing a congregational meeting.

Following each visit, written submissions from members of the congregation shall be solicited by the Board of Elders to aid them in their preparation of a call to one candidate. The call requires approval of two-thirds (2/3) of the Members of the congregation.

Non-pastoral staff shall be appointed or hired by the Board of Elders as required.

Proposed:

Whenever a new Pastor is required, the Board of Elders, through prayer and under the guidance of the Holy Spirit, shall appoint a Search Committee. This committee shall be composed of at least two Elders and at least two other *Active* Members.

The Search Committee shall draw up a short list of pastoral candidates to be interviewed. These candidates shall be asked to participate in the life of the congregation by preaching, sharing with church members, and addressing a congregational meeting.

Following each visit, written submissions from members of the congregation shall be solicited by the Board of Elders to aid them in their preparation of a call to one candidate. The call requires approval of *75% of the Active Members present and voting, at a meeting attended by at least forty percent (40%) of the active membership plus one.*

Non-pastoral staff shall be appointed or hired by the Board of Elders as required.

8. Amendments

Current:

These by-laws may be amended upon the approval of an amendment by the Board of Elders, with confirmation by two-thirds (2/3) of the Members of the congregation.

Proposed amendments shall be provided in writing to each Member thirty (30) days prior to the congregational meeting at which confirmation of an amendment will be requested. Thus the members will have the opportunity to express to the Elders their concerns regarding the proposed amendment.

Proposed:

These by-laws may be amended upon the approval of an amendment by the Board of Elders, with confirmation by *75% of the Active Members present and voting, at a meeting attended by at least forty percent (40%) of the active membership plus one.*

Proposed amendments shall be provided in writing to each Member thirty (30) days prior to the congregational meeting at which confirmation of an amendment will be requested. Thus the members will have the opportunity to express to the Elders their concerns regarding the proposed amendment.